PREFACE

The twentieth century was marked by the dissolution of the modern nation state in the Great Wars that ravaged Europe. Unable to sustain a former independence, the nations of Europe turn to a common Union as the protection of the rights of individuals and the sustenance of local culture. The same century that saw the destruction of modernist political institutions also witnessed in North America the growing predominance of the United States as the only global super-power and the maturing of Canada beyond an endemic colonial subordination. Founded not on the naturalistic grounds of language and culture but on enlightenment principles of universal freedom and equality, these North American states did not suffer the destruction of national sovereignty which occurred in Europe.

Yet in the light of the current global turmoil there is need to examine the fundamental relationship between the freedom of the individual and the institutions whose purpose is the education and expression of freedom. In North America especially but globally as well this reflection occurs in the shadow of the attack on the United States in September of 2001. Threats to global security call into question the liberal tendency to emphasize the rights of individuals over and above the good which is expressed in a common institutional life. But, likewise, in times of political turmoil, these rights on which the strength of the liberal state depends can be eroded.

The theme of this edition of Animus is Political Institutions. The essays which comprise this volume consider the ways in which institutional life gives shape to freedom and cover topics from the ancient and modern worlds and from the nineteenth through the twenty-first century.

Eli Diamond considers the treatment of private interest in Plato’s Laws in the light of a guiding question of Plato’s later dialogues as to the relation of unity and difference. Paul Epstein in his interpretative essay on Aristophanes’ Lysistrata considers that work’s conception of how the particular interests of humanity might be reconciled with a divine rational order. James Doull’s posthumous ‘Secularity and Religion’ considers the fundamentally Christian basis of modern institutions.

Graeme Nicholson investigates the thought of the anarchist Michael Bakunin and considers the rational principle of rebellion over and against what he conceives as the fortress state. Brian Trainor, by contrast will point to the idealist thought of Bernard Bosanquet as providing an account of how it is that the state and individual right can be conceived as united, noting that because Bosanquet is not an anti-juristic moralist he is able to provide a defense for individual rights unavailable to communitarian and post-modern critics. Ivan Emke’s sociological analysis of the way illness is defined in the context of the global economy provides insight into health care and the rights and responsibilities of the individuals who participate in its institutions. Finally, David Peddle and Neil Robertson consider a longstanding debate between George Grant and James Doull about the nature of Canadian sovereignty. The authors investigate the philosophical differences that result in lamentation, on the one hand, and renewed allegiance to the idea of Canada on the other.
Understanding And Individuality In The Three Cities:
An Interpretation Of Plato's *Laws*¹

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In the *Laws*, Plato asks, first of all, whether humanity, through reason and the political art, possesses some sovereignty in ordering human life to the divine good, and secondly, whether the human individual has the freedom to realize this good in and through his own private interests. Does humanity have any substantial meaning, or does it exist as a mere toy of the gods? Does the individual, in his human attachments, desires, and doubts, have a relation to the historical manifestation of divine objectivity (the state),² or is this connection to the whole only achieved through denying these aspects of life that differentiate us from our common identity as citizens?³ Guiding these political questions in the *Laws* is one of the most fundamental questions to the whole Platonic philosophy: does that which is many, different and particularizing have any existence and truth, or is it merely opposed to the truth of the complete, undivided whole? What is the relation between self-complete divinity and incomplete humanity?

In answering these questions, the *Laws* belies a fundamental tension between recognizing and repressing difference. There is, on the one hand, an emphasis in the dialogue upon the importance that the individual personally understand and internalize the rationality of the laws, and that he retain certain aspects of the private realm of human

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¹ This interpretation arose out of a graduate seminar on Plato's *Laws* co-taught by Richard Kraut and Sarah Monoson at Northwestern University. I express thanks to both of them for their helpful criticisms, and to all the other participants in the seminar for their contributions, many of which are undoubtedly reflected in my argument. I also thank Michael Naas for his helpful comments on this paper.

² Throughout the *Republic*, *Statesman*, and *Laws*, the relation between the common identity of the state (as promoted by the ruling principle of the city) and the various natural interests of individuals as separate from this political unity is intimately related to two important aspects of Plato's ontology. This political relation of ruler and ruled, of state and individual interests, corresponds to the structure of the first principle and its relation to everything that is other than this principle, as well as the relation between a form and the different and divided instantiations of its universal identity. I call the state, for this reason, the historical manifestation of divine objectivity. Because of this intimate connection in Plato's thought between ontology and politics, if he cannot show the logical connection between the united Good and its divided manifestation, or, in the language of the late dialogues, between the limit and the unlimited (peras and apeiron), he will remain unable to show the internal connection between the collective, common interest of the city and the particular, individual natural desires and happiness of individual citizens.

life that differentiate citizens as individuals (property and family). Yet, on the other hand, the need for understanding the laws exists only in the highest ruling element of the state, and any desires that are not immediately related to the common good undermine that unity and can at best be tolerated as necessary evils. In this essay I will show how these questions are a primary concern for Plato in the Laws, and how he recognizes a need simultaneously to affirm and to negate the truth of individual human interests. The dialogue moves through three different types of cities: the Spartan/Cretan model which represses individual freedom and pleasures; the model which mixes freedom and right rule, internalized in every individual citizen; and finally, through the nocturnal council, a model which reintroduces stringent limits on the citizen, while requiring full understanding only in this governing body.

Interpreting The Laws

A great deal of the scholarship on Plato's Laws has not taken proper account of this tension between the Platonic ambition to incorporate the individual's natural freedom within the state, and the necessity of restricting this freedom in order to preserve the stability of the whole. For many years, an understanding of the Laws was inhibited by the prevalence of the opposed interpretations of Karl Popper's radical liberalism and Leo Strauss' anti-modernism. Both Popper, through his attack on Plato's totalitarian

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4 This can also be seen as a tension between what André Laks calls "the 'reduction' of the law," and what I will call the 'magnification,' or 'proliferation' of the law. Laks writes: "a constitution is capable of overcoming tyranny, by extending the domain of persuasion. This state of affairs I suggest we call the 'reduction' of the law. The term 'reduction' means that while the law should be replaced by persuasion, in fact it will never be. While one should be careful as an interpreter not to conjure away either of these two aspects, according to one's own political or metaphysical credo, one should also recognize that the Laws tends as a whole and in all its parts to explore the second aspect, that is, the conditions of successful reduction" (André Laks, "Legislation and Demiurgy: On the Relationship Between Plato's Republic and Laws," Classical Antiquity, vol. 9, no. 2 (1990) 224-5).

5 I agree completely with André Laks' position that one's first focus in interpreting the Laws should be the internal relationship between the cities mentioned within the dialogue itself, rather than the relation between the city of the Laws and the city of the Republic (a relationship which is nevertheless important to understand). Laks writes that "ce n'est pas seulement par rapport à l'utopie de la République que la cité des Lois doit être située, mais aussi, et surtout, par rapport à celle qu'elles secrètent elles-mêmes, en vertu d'une problématique qui leur est propre." See André Laks, "L'Utopie législative de Platon," Revue philosophique no. 4 (1991) 418.

6 The Laws is one of the most neglected works of Plato's corpus. For a complete bibliography of secondary literature on the dialogue, see Trevor J. Saunders' Bibliography on Plato's Laws: Revised and completed with an additional bibliography on the Epinomis by Luc Brisson (Sieburg: Sankt Augustine, 2000). For a good account of why philosophers have neglected the Laws, see André Laks' excellent overview of the dialogue in The Cambridge History of Greek and Roman Political Thought, eds. C. Gill and G. McCabe (Cambridge: Cambridge University Press, 2000) 258-292 (see especially on this point pp. 258-260).


repression of the individual by limiting his critical powers, and Leo Strauss, through his recovery of Plato as a theorist of natural law and theological politics as a response to the destructive individualism of modernity, emphasize the side of theocratic limitation of individual freedom at the expense of the other tendency equally present in Plato's thought. Where Popper attacks Plato's theocratic ideal in the *Laws* on behalf of our modern, "open" society, Strauss learns from Plato's political thought that the city must be "closed." Whether constructing a prosecution or an apology for Plato's political reflections in the *Laws*, neither Popper nor Strauss accord adequate emphasis to the sense in which Plato's preservation of the city as a whole through control over the individual's natural freedom belies an opposed desire to accommodate the individual and allow him to limit the endlessness of his desires for himself. For years, almost all scholarship on Plato's *Laws* was determined by these poles of liberalism and anti-liberalism, though subsequent interpretations have served to gradually soften the extreme distinctions underlying these positions, thus opening the possibility of more balanced and fair reading of Plato's last political work.

Much of the recent scholarship has significantly moved beyond these limiting interpretations, and has come to acknowledge the fundamental tension within the *Laws* between Plato's aspiration to bring the individual citizen, in and through his particular, natural desires, to a self-conscious and reflective grasp of the divine truth of the laws, and his recognition that this individual self-consciousness is destructive of civic unity and must be limited and controlled for the sake of preserving the stability of the city.

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10 Strauss sees the *Laws* as both "the most political work of Plato" and "Plato's most pious work." See *The Argument and the Action of Plato's "Laws,"* pp. 1-2.

11 After Popper, liberal interpreters of the *Laws* such as R.F. Stalley have been generally in agreement with Popper's attack on Plato's "erroneous" argument that "the good life demands conformity to establish patterns of thought and behaviour" and that "to give [individuals] freedom is simply to allow them to do the wrong thing." See R.F. Stalley, *An Introduction to Plato's Laws* (Oxford: Basil Blackwell, 1983) 184. At the same time, Stalley softens Popper's critique precisely through pointing towards the parts of the *Laws* in which Plato seeks to redeem individual freedom in a manner more conducive to liberal ideals, through reconciling 'collectivism' and 'individualism' in a way that they do not have to be ultimately opposed. While still occasionally focusing on the *Laws* with a view to criticize "the liberal republicanism fueled by forces of modern technology" [Pangle, 375], later Straussian interpreters of the *Laws*, such as Thomas Pangle, Zdravo Planinc, and Seth Bernadete, also temper Strauss' contemporary interest in recovering the natural law tradition as a corrective of modernity's excesses. See Thomas Pangle, *The Laws of Plato, translated with notes and interpretative essay* (New York: Basic Books, 1980); Zdravko Planinc, *Plato's Political Philosophy: Prudence in the Republic and the Laws* (Columbia: University of Missouri Press, 1991); Seth Bernadete, *Plato's "Laws": The Discovery of Being* (Chicago: University of Chicago Press, 2000).

12 Trevor Saunders writes that "there is in the *Laws* a clear tension between what Plato would like to prescribe and what he feels he can achieve in practical terms" (Trevor Saunders, "Plato's later political
Understanding this tension has directed many contemporary interpreters to question whether or not Plato prescribes persuasion or compulsion (or a mixture of both) in order to bring about loyalty and obedience to the laws, and whether or not Plato conceived persuasion in the *Laws* as rational persuasion, or merely the manipulation characteristic of a 'noble lie.' Yet neither answer to these questions is satisfactory, without a more systematic explanation of why both positions seem to be present in the dialogue. The relation between these two tendencies in Plato's thought remains in most accounts largely unexplained.

The other issue dominating secondary literature on the *Laws* is the question of its relation to Plato's earlier dialogues, particularly the *Republic*. It has been almost universally accepted that the relationship between the *Republic* and the *Laws* is one of an ideal as opposed to a practical politics, and that the *Laws*, having no real philosophical import of its own, is merely the empirical manifestation of the philosophical ideal of the *Republic*. Yet the differences between the two dialogues are incoherent on this view, and the whole philosophical significance of the *Laws* is concealed by this framework of interpretation.

thought," in *The Cambridge Companion to Plato*, ed. Richard Kraut (Cambridge: Cambridge University Press, 1992) 482). Christopher Bobonich points to "the genuine tension in Plato's views between guaranteeing stability and encouraging reflection...between encouraging citizens to develop good grounds for their ethical beliefs and guaranteeing that they arrive at, and retain, true ethical beliefs." He criticizes those interpretations which "dismiss one side of the tension...or reading away those aspects of the *Laws* which point to ethical reflection as a goal for the citizens" [see Bobonich's "Reading the *Laws*," in *Form and Argument in Late Plato*, eds. C. Gill and M. McCabe (Oxford: Clarendon Press, 1996)]. André Laks gives a more precise formulation to this tension between the necessity of giving political power to those with knowledge of divine truth, and of having a constitution with "the agreement of all the constitutive parts of the city." Laks rightly observes that, for Plato, "not only do the two criteria of knowledge and consensus not overlap; potentially they conflict. The normative meaning of the concept implies that its extension be limited. The result is a tension that pervades all of Plato's political thought" (Laks, "Legislation and Demiurgy," 218). Plato seeks a universal inclusive of all otherness which does not lose its self-identity in this dispersion. See my footnote 52 below on the potential conflict indicated by Laks.

13 See the debate between Christopher Bobonich and R.F. Stalley. In his article "Persuasion, Compulsion and Freedom in Plato's *Laws*" (Classical Quarterly 41 (1991) pp. 365-388), Bobonich argues that persuasion is essentially rational argument made to convince free citizens. Stalley replied with his article "Persuasion in Plato's *Laws*" (History of Political Thought, Vol. XV, No. 2, Summer 1994, pp. 157-177), in which he argued that persuasion in the preludes involves any means necessary of moving the irrational element of the individual's soul into accord with the divine reason of the state.

14 The most significant changes from the *Republic* to the *Laws*, which are always noticed by scholars but rarely explained, are the following: 1) the political involvement not only of an elite guardian class, but the city as a whole; 2) the establishment of a restricted right to private property and private family life, and a less polemical relation to personal pleasures in general; 3) the mixed constitution; 4) the rule of law replacing the unreliability of individual rulers. All of these can be explained in relation to the ontological reformulations of the late dialogues, as I outline these changes in paragraphs 6 -14. They can be generally explained by the *Laws* "prise en compte des formes fondamentales d'irrationalité que sont, en l'homme réel, le plaisir et l'égoïsme, que la République tendait à négliger" (Laks, "L'Utopie législative de Platon," 417). This concern for the irrational is intimately connected with Plato's later understanding of the forms and the first principle, which are now inclusive of otherness, or what is different than the rational identity.
Some recent interpretations have rightly noted that the *Laws*, far from being a merely empirical appendage to the *Republic*, presents a philosophical viewpoint of its own.\textsuperscript{15} André Laks, by far the best interpreter to date of Plato's *Laws*, rightly acknowledges that the *Laws* is simultaneously a completion, revision, and implementation of the political project outlined in the *Republic*.\textsuperscript{16} Laks, building upon the important work of Glenn Morrow on the dialogue, calls for "an interpretation at a systematical level" of how Plato's "general metaphysical scheme…could explain some fundamental features of Plato's political philosophy."\textsuperscript{17} Noting the analogy between the demiurge of Timaeus and the legislator of the *Laws*, Laks seeks to investigate "the structural similarity between the political and cosmic processes."\textsuperscript{18}

While Laks sees the relation between *Republic* and *Laws* as analogous to the relationship between a form and its empirical manifestation, the difference between the *Republic*, *Statesman*, and *Laws* is rather based upon Plato's different understanding of the forms and of the relation between identity and difference in each of these dialogues. To clarify the difference between Laks' interpretation and that of the present argument, it is necessary briefly to consider the development from Plato's 'middle' to 'late' dialogues. Each dialogue has its own distinctive yet related account of the relationship between form and empirical manifestation. In the middle dialogue ontology, the Good and its determinations, the ideas, are wholly self-identical and beyond division, in order that they exist beyond the power of the sophistic dialectic and its manipulation of every contradiction. Having a principle that is beyond all division means that the particulars that it comprehends must be stripped of their particularity in order to be truly comprehended by the self-identical unifying form. It is because the Good and each idea are absolutely beyond distinction that citizens are stripped of all their natural individuality in the three waves. Differences of private property, gender, and family, as features that distinguish the individual from the common identity of the whole, must be wholly eliminated by the logic of the *Republic*. It is only in the move to the late dialogues, in which it is shown that what is other than being is not wholly non-existent, but merely different than what is (*Sophist* 257b-c, *Statesman* 284a8-b2), that those aspects of reality through which one exists as an individual as apart from the community (property, family) can be cautiously allowed to co-exist alongside the common identity of the state.

\textsuperscript{15} While acknowledging Glenn Morrow's point that the city has a definite location in time and space that shapes its character, P.A. Brunt denies that one can conceive the *Laws* as empirical and historical as opposed to the ideality of the *Republic*. He sees the city in the *Laws*, like the one in the *Republic*, as a "theoretical model." See P.A. Brunt, "The Model City of Plato's *Laws*," in *Studies in Greek History and Thought* (Oxford: Clarendon Press, 1993) 247. Yet Brunt, despite the importance of this insight, goes on to account for the differences between *Republic* and *Laws* non-theoretically, arguing that Plato gives up certain important ideas in the *Republic* because they prove "impractical" (247). Along with Laks, I argue for a much more systematic explanation of these differences.  

\textsuperscript{16} Laks writes that while these three functions of the laws within Plato's political thought are in a tension, "this tension does not threaten the coherence of the overall project. For the *Laws* itself aims at articulating a certain tension, one which mirrors the radical and irreducible polarity between the human and divine." See Laks, in *Cambridge History of Greek and Roman Political Thought*, 267.  

\textsuperscript{17} Laks, "Legislation and Demiurgy: On the Relationship Between Plato's *Republic* and *Laws*," 210.  

\textsuperscript{18} Laks, "Legislation and Demiurgy," 209. Paragraphs 6 - 14 seek to substantiate and further develop Laks' view.
One can no longer merely look to the ideas in their pure positivity, having no distinction or relation to other ideas. In *Parmenides*, Parmenides describes the negativity that the new dialectic brings into view: "you must not merely make the supposition that such and such a thing is and then consider the consequences; you must also take the supposition that the same thing is not" (*Parmenides* 135e-136a). While this passage in its immediate context describes the method of the hypothetical section of the dialogue, it also characterizes the new approach to the First Principle and the ideas in the late dialogues. Gadamer describes the result of the tortuous argument of Parmenides in the following way: "The Parmenides proof...shows that the idea of unity does not exclude, but posits together with itself, the idea of multiplicity. So this is the positive intention of the dialectic, which seemed so lacking in direction: to show that the Ideas, as things in regard to which there is unity, do not need to be absolutely one but can embrace a multiplicity of things in regard to which there is unity. This possibility is the positive expression of the impossibility, which is demonstrated in the *Parmenides* of being able to think multiplicity without unity or unity without multiplicity."\(^\text{19}\) It is with this notion of the co-relative, mutual necessity of unity and plurality, being and not-being, rest and motion, sameness and otherness, that the Platonic logic is revised in the *Sophist*. All reality is composed from the most basic principles, the One and the Dyad. The ideas, no longer merely positive, unmixed unities, are composed out of the five greatest kinds. The eidetic realm is a mixture of the logical contraries of sameness and otherness (*Philebus* 26b-c), while the sensible realm is a mixture of these principles as rest and motion (*Timaeus* 49a-53a). The fifth of the greatest kinds, being, exists "in the soul" (*Sophist* 250b) as a power, "a being affected or a doing arising from some power whose source is the coming together of all things, one against the other" (*Sophist* 248b, 247d-e). The soul, being neither of the contraries, comprehends them both, as the agent causing their combination and separation. Significantly, there now emerges one logic that comprehends the structure of both intelligible and sensible realities, whereas in the Middle Dialogues, the intelligible, eidetic realm was a world of static atoms unrelated and eternally at rest, while the sensible was a pure mobility that had no existence of its own. In the late dialogues, everything from the First Principle to each sensible instantiation is a mixture of sameness/rest and otherness/motion. Because the relationship between form and empirical instance is analogical to the political relation of ruler to ruled, this common structure between form and sensible instances in turn accords a new kind of substantial truth to the citizenry, who are in the *Laws* included in the governance of the city. What I call the second city of the *Laws* thus attempts to grant a free dialectical relationship to truth in each individual. This means that he is granted a degree of individuality through property and family, and that he should be persuaded of the laws' rationality through preambles, rather than being forcefully compelled to obey them.

Plato initially sees this ontological revision as having overcome sophistry. The soul of the divine maker constitutes all ideas as a fixed ratio of sameness and otherness. The difference between the philosopher and the sophist is that the philosophic soul heeds the given articulations divinely established in the nature of things, and attempts to produce a

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logos, or definition, expressive of this given structure. The sophistic soul ignores the divine as the measure of being and not-being, taking himself to be absolutely creative of meaning. Yet this given ratio of sameness and otherness is the objective measure of all truth and falsity beyond the opinion of any particular measuring subject.

The *Sophist* and *Statesman* share this same ontology in which the soul in possession of *techne* creates mixtures without reference to any external measure. In the *Sophist*, God is described as spontaneously generating the various mixtures without reference to any measure outside of himself. Analogously, the statesman is simultaneously law-maker and ruler, governing without laws and generating the constitution through his possession of the political art: "the political ideal is not full authority for laws, but rather full authority for a man who understands the art of kingship and has kingly ability" (*Statesman* 294a, 297a5-b3, 300d9-e2). Written laws are used only as a second best method in the absence of an individual possessing intelligence and the art of government. Thus God is the measure of being and not-being ontologically, and the statesman is the measure of right and wrong politically. The limiting form exists in the mind of the one producing the mixture, which he imposes upon an unlimited principle to produce a mixture.

Yet in the last stage of Plato's ontology (*Philebus*, *Timaeus*, *Laws*), there is a concern that this location of the limit and measure within the spontaneous activity of the soul of an individual is merely a divine sophistry. For it is the sophist who makes himself measure of a world whose nature is in itself indeterminate without his measuring judgment. In response to this, Plato moves the measure beyond the subject, and so both God and the statesman are demoted to the role of demiurgic imitation of a pre-existent measure.

This shift first appears in the *Philebus*. The dialogue begins with the earlier ontology of the *Sophist* and the *Statesman*. The four kinds (*Philebus* 27b7-c1) are listed as the unlimited (the dyad), the limit (the One), the mixture (the idea) and the cause of the combination (the subjective power: it is stated that there is "no more than a verbal difference between a cause and a maker" at 26e). Yet by the end of the dialogue, the Good emerges as the conjunction of beauty, reason and measure, and this "determines the qualities of the mixture" (*Philebus* 65a). In the new hierarchy of goods, the three aspects of the Good, measure, beauty, and reason, have the three highest places. The knowledge and *dunamis* of the soul is lowered to the fourth position, above only the unlimited principle itself (*Philebus* 66b8-c6). Thus the soul looks to the Good as measure, beauty and truth, and brings this limit into combination with the dyad, producing a mixture.

This lowered status of the agent who causes the interaction between the One and the Dyad is developed politically in the *Laws* in the form of the status of law as ultimate measure of right and wrong. The laws must all be established in extensive detail in order to allow as little room as possible for human tinkering (*Laws* 898a-b). The lawmaker and the ruler are different positions in this society, and the ruler becomes a mere custodian of the pre-given laws. Yet having a measure existing independently of the subjective measure of the ruler opens the political structure of the *Laws* to a criticism of this model in favour of the dynamic measure of a knowing legislator-ruler made throughout the
Statesman: a static law as absolute measure of right and wrong has no ability to conform itself to the particular requirement of individuals and their unique situations (Statesman 294-296). The nocturnal council is granted this dialectical relation to the whole divine truth, while the perspective of individual citizens must be dramatically limited in relation to this complete view in order for the good of the whole community to remain stable.

One can see how the question of whether the citizenry can adhere to the laws through being freely persuaded to an agreement coming from themselves, or whether this adherence must come from external, uncomprehending compulsion, is in fact directly related to the question of the ontological relation between cause and caused. Just as Socrates in Phaedo professed disappointment with Anaxagoras' Nous, for the reason that this principle, due to the lack of internal relation between the cause and the caused, was imposed upon the principled through appeal to ancillary, or external causes, Plato seeks a political principle which can draw together the law and the individual obeying the law through an internal agreement between the two sides that requires no external compulsion to unite the will and the law. By looking at the Laws in this light, Laks has produced several articles that better capture its philosophical essence than any previous commentary on the dialogue. Yet Laks does not sufficiently recognize the way in which the conclusion of the dialogue conflicts with its promotion of individual pleasures and freedom and a personal, self-conscious understanding of the laws in all its citizens.

The following interpretation is distinct from all previous accounts of the Laws, including that of Laks, in seeing the tension between an individual's freedom and self-consciousness with the stability of the state as a whole as unfolding in three fairly distinct logical steps, which I take to correspond to the three cities the Athenian mentions at 739c. While I do not agree with those who argue that the introduction of the nocturnal council

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20 See Phaedo, 92-98.
21 In other words, Laks does not properly account for how his excellent statement regarding the Laws, "that the Laws tends as a whole and in all its parts to explore the...reduction [of the law]," applies neither to the late introduction of the Nocturnal Council, nor to the severe limitations of the individual freedoms and pleasures of the citizenry. See Laks, "Legislation and Demiurgy," 225.
22 The passing reference to the third city is generally left unexplained in most interpretations of the Laws. P.A. Brunt writes that "Plato makes a half promise to sketch a third best city, which he never does." See Brunt, "The Model City of Plato's Laws," 245. Laks offers a plausible alternate interpretation of the third city. On his account, the universal truths offered in the description of the city in the second-best method of the Laws would have to be adapted to the circumstances of the particular location and people and the contingencies that distinguish them. To bring these universal truths properly into the particular circumstances would require a third discussion, the third city. Laks writes: "while the world itself is one, there are numerous cities on earth. It is in this context that one must understand the mention, alongside the first two cities (the best and the second-best), of a 'third city' (739e5), to which Plato never reverts and which has occasioned much puzzlement. There are good reasons to think this third city is identical with the city of Magnesia that will be established by the Cretan legislative body once the discussion in the Laws is completed. But at the same time, this third city stands for the open series of all cities that would be willing to engage in self-reform, whether they are colonies or not. These cities, of course, would differ greatly from one another, depending on a variety of circumstances which Plato does not spell out." (Laks, in The Cambridge History of Greek and Roman Political Thought, 274.) This does not seem to give sufficient attention to the extent to which the city is already directly concerned with the particularities of the Cretan city. While the mention of the third city is left thoroughly underdetermined by Plato in the dialogue, I argue that my interpretation helps better understand this passage as well as the movement of the dialogue as a
council into the state is merely an inexplicable appendage to the dialogue foreign to the spirit of the work as a whole, I do argue, against Morrow and Laks, that this stage of the argument expresses the collectivist and theocratic pole of the tension central to the dialogue, and that it constitutes a separate stage from the second-best city discussed throughout most of the Laws. 23 Far from being a mere appendix, however, the necessity of introducing the Nocturnal Council to preserve the stability of the state reveals the logical impasse confronted by Plato due to the Platonic relation of Limit and Unlimited, or identity and difference, that manifests itself politically through the irreconcilable antagonism of individual freedom and civic stability, natural desires and rational truth. 24 I argue that Plato himself gives many indications within the dialogue of his disappointment with this resolution, which nevertheless presses itself upon him as necessary if one is to control the destructive sophistic spirit that threatens the state to its very foundations. This interpretation helps make sense of many important passages in the Laws that have proved incomprehensible within other interpretations, such as the Athenian's comments on comedy and tragedy, and his mention of an unexplained 'third city.'

The Task Of The Laws

That Plato sought to show that human interests are not merely inconsequential and opposed to the primacy of divine interests is evident through Socrates' argument at the end of the Symposium, that "the same man might be capable of writing both comedy and tragedy - that the tragic poet might be a comedian as well." 25 In that dialogue, there is a demand that the truth of tragedy and comedy be reconciled in one perspective, or, in other words, that humanity manifest a kind of completeness, though at best a kind of relative, or incomplete, completeness. From the tragic perspective, expressed by Agathon, God (in the dialogue, eros) is wholly separate and independent of humanity and finitude. 26 The divine completeness is only experienced by humanity as destructive and

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23 Laks writes: "Interpretation of the dialogue has long suffered from the belief that this dawn assembly is an 'appendix' that is badly integrated into a constitution already complete without it (it is not even mentioned until Book XII). Some even declared the Nocturnal Council an instance of human authority set 'above' the law" (Laks, The Cambridge History of Greek and Roman Political Thought, 282-3. Yet Laks underplays the powers given to the council, especially in relation to executing punishment for unacceptable religious beliefs. See also Glenn R. Morrow's analysis of the Nocturnal Council in his excellent book Plato's Cretan City: A Historical Interpretation of the Laws (Princeton: Princeton University Press, 1960) 500-515.

24 See note 52 below

25 Symposium 223d.

limiting of its own will and partial understanding. From the comic perspective, expressed through Aristophanes' mythological account of eros' origin, there is a lost completeness within the human that can be regained through finite, human interests: the human seeks a lover to regain its lost unity. Through eros, there is a divine element in the natural desires and inclinations of the human, who has an implicit possession of this Good recoverable through practical activity27 (in the Laws, this implicit possession of the Good is located in understanding). Yet this wholeness found in the relation of human to human is not a complete completeness: "the fact is that both their souls are longing for something else."28 In fact, their initial natural completeness was forsaken through a desire for the total identification with the divine beyond nature. Plato takes it to be both possible and desirable for our "comic" self-realization to be, at one and the same time, a "tragic" assimilation to the divine as primary. The divisions of human life must be reconciled both 'objectively' in the state, and 'subjectively' for the individual. This legitimacy of the desire for this incomplete completeness, a human freedom in finite, practical affairs, is the central question of the Laws. Can the human truly satisfy the "desire…which is universal in all men….that events shall fall out in accord with the bidding of a man's own soul, all of them, if possible, but if not, at least those which depend on human agency?"29 Is the human "a puppet made by gods…as a plaything, or perhaps with some more serious purpose?" (644e).

The Laws opens with a prologue which introduces the political interest in this question. The opening question as to whether the laws of Sparta and Crete are instituted by a god or a man establishes the objective (theocratic30 and subjective (secular) poles of the human relation to the Good (624a). Are the laws derived wholly from the divine, without any human creative element, or are the laws totally conventional, having their source in human decisions that have no correspondence to what is right by nature? Importantly, the middle ground between theocratic and secular rule is foreshadowed in Clinias' initial reply to the Athenian: the law in Crete was both transmitted directly from Zeus to Minos, while Minos' brother, Rhadamanthus, co-administered the state through his inherent sense of justice (624a-625a).

Plato chooses the Athenian, Cretan and Lacedaemonian interlocutors of his dialogue to illustrate this middle ground between divine theocracy with no human freedom and secular freedom with no divine limit. In addressing the question of whether human sovereignty is merely destructive, or whether it is able serve the common good when properly directed, one would be misled by thinking that Plato wishes to move the Spartan and Cretan to an Athenian way of life. While the philosophical depth of the Athenian guides the discussion throughout the dialogue, the pleasures, freedom and individual sovereignty of Athenian life are not discussed uncritically. Athenian political life has been undermined by a sophist subjectivity, such that one could no longer say with

27 See Aristophanes' Birds: "All that was Zeus' of old now is our hero's alone; Sovereignty, partner of Zeus on his throne, now is forever his own." (1752-3). As cited in Doull, "The Christian Origins," 131.
28 Symposium 192c.
29 Laws 687c. All subsequent references to the Laws will appear in parenthetical references in the text.
30 For a defence of the somewhat anachronistic use of "theocracy" in relation to Plato's Laws, see André Laks, The Cambridge History of Greek and Roman Political Thought, 260-1.
Pericles that "all this ease in our private relations does not make us lawless as citizens."\(^{31}\) The sophist, designating himself the measure of truth beyond all authority or tradition, makes the demand that the individual know his own relation to and difference from the Good. Unless there is some way to make the city, and not merely the individual, the measure of what is just and unjust, the basis for a common political life disappears. It is not clear that Athenian freedom, having produced from within itself this sceptical subjectivity, is ultimately compatible with a lasting, ordered society.

In contrast to this free Athenian society are the militaristic, legalistic societies of Sparta and Crete, which cut off this individual scepticism and freedom at its root. The "venerable legal institutions" (625b) of Crete and Sparta are as much a corrective to Athenian sophistry as the Athenian model is a corrective to their restrictive legalism. Yet Crete is alternately discussed in its present form, which resembles Sparta's repressive regime on most points, and the new Cretan city which emerges throughout the discussion (foreshadowed by its divine/human origins). The dialogue thus presents Athenian freedom and Spartan/Cretan restrictions as extremes that are mediated and drawn together through the new Cretan city.\(^{32}\) The purpose of the dialogue is thus to move from both the repressive regimes of Sparta and Crete and the permissiveness of Athens to the newly founded city that combines strong rule with some degree of individual freedom. While "the distance from Cnossus to the cave and chapel of Zeus is...quite considerable" (625b), the dialogue must surmount this distance between an abstract legalism and the wisdom of Zeus, which is comprehensive of the division between public and private.\(^{33}\)

My interpretation of the Laws depends upon recognizing that there is for Plato an analogy both between complete divine rule (with no human involvement) and autocratic human rule (with no individual freedom), and between secularized human rule (with no divine involvement) and unlimited, democratic freedom (with no unifying principle of rule).\(^{34}\) Answering the question of whether the laws have a divine or human source involves considering the proper relation of divinity to humanity, while answering the question of whether rule should be autocratic or democratic involves considering the proper relation of the ruling to the ruled elements within the city.

If the human has no role in making laws, then only the divine has true self-consciousness and freedom, since self-consciousness and freedom within the human realm can only serve to undermine absolute divine authority (the perspective of tragedy,

\(^{31}\) The Landmark Thucydides, 2.37 (p. 112).

\(^{32}\) This is also foreshadowed through the patron gods of the three interlocutors. The Spartan Megillus is associated with Apollo, the tragic god of Fate that rules human life beyond human control (theocracy), and the God associated with taming barbarism and excessive pleasures. The Athenian is associated with Athena (626d), who reconciles disputed claims through pacific means, weaves together disparate elements, and institutes a human court to provide self-determination and sovereignty to man in everyday affairs. The Cretan is associated with Zeus, who, in bringing together these two positions (the political wisdom and the subjection of the masses), foreshadows the relation between the nocturnal council and the citizenry.

\(^{33}\) See Laks' account in The Cambridge History of Greek and Roman Political Thought (260-261) for a fine literary interpretation of this walk described in the dialogue's opening scene.

\(^{34}\) At this point in the essay I will merely lay down the correspondence, substantiating it throughout the course of the argument.
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AN INTERPRETATION OF PLATO'S LAWS

in which self-consciousness only emerges through carrying out one's fated self-destruction). In complete divine rule, there is no human consciousness of the negativity of the law, and the human submits his passions immediately to this end (by negativity, I simply mean what is not identical to the command, what Plato calls not-being [me on], or apophasis. This negativity can either take the form of what is merely different than the law, or the form of what is contrary and opposed to it). 35 What is legislated becomes the total horizon of our consciousness, as the truth of the law is the only relation to the Good of which we are conscious. Likewise, if one concedes that humans play some role in legislation, yet theocratically limits the scope of who can understand and interpret the divine basis of this law to the ruling class, the citizenry must relate to this ruling principle with the same uncomprehending obedience that humanity as a whole exhibits in a divinely ruled state.

The correspondence between human laws with no relation to the divine and the radical democracy described in the Laws is more immediately evident. In respect to the relation between God and human, in purely human rule there is no principle above the human that limits or measures the truth and falsity of its laws. Similarly, in relation to the ruler and ruled, there is in radical, anarchic democracy no rule above the individuals that would be ruled.

For Plato, in the Laws, the two extremes of theocracy and secular human rule share a common presupposition: that the realm of humanity and the realm of causes and first principles are qualitatively different and absolutely unconnected. In each case, the unity of the two worlds is revealed through the mediation of understanding and law. We must examine Plato's exposition of the logic behind the extremes of purely divine laws and purely human laws. Ultimately, these extremes drop from view in the dialogue in its focus upon the best human rule, but remain in the background through their human versions: absolute monarchy vs. radical democracy.

The Athenian makes a passing reference to the logic by which theocracy is necessary and human freedom impossible. In a discussion of how conditions that are beyond the legislator's control undermine the power of human legislation, the Athenian considers the possibility that God controls everything, and that "man never legislates at all...no law is ever made by a man, and...human history is all an affair of chance" (709a-b). On this view, there is absolutely no human knowledge, since our reality is devoid of the regularities and intelligible patterns necessary to learn universal truths. Our discovery of divine truth occurs only through experiencing the consequences of fate, since there is no knowledge of the causes of why events happen the way they do. There is a world of divine, rational necessity and a world of human contingency, and humanity has absolutely no access to the rationality of this divine realm. In a formula that evokes the

35 For example, if there is a law that one's primary devotion must be to the state, devotion to one's family is the negativity of this law, and can either co-exist beside it as different than the command, or can become one's primary concern, thus assuming a relation of contrariety to the edict. The law's negativity can refer to a realm of private interest that is not identical to the public interest, or even customs, laws and traditions from foreign countries.
logic of tragedy, the Athenian outlines this possibility "that God is all, while chance and circumstance, under God, set the whole course of life for us" (709b).

In direct contrast to this view that God is the only legislator, the Athenian later describes the atheistic, sophistic view that all laws and institutions are entirely human conventions. Here, the separation of the two worlds is preserved, but they are completely inverted. Rather than a world of causes that is wholly rational and necessary, and a caused world that is wholly contingent, it is the world of causes that is wholly arbitrary, and the derivative, caused realm that is the source of all thought and meaning in the world. Based upon a cosmology in which the world, prior to human agency, is produced "not by agency or mind, or any god, or art, but, as I tell you, by nature and chance" (889c), this secular account denies the world any meaning of its own. As a result, the human is the measure of all things, and law has its legitimacy in the mere fact that someone is able to enforce it: "every change thus made, once made, is from that moment valid, though it owes its being to artifice and legislation, not to anything you could call nature…indefeasible right means whatever a man can carry with the high hand" (890a). Although laws do not capture the true nature and order of the world, they have no source outside the human will.

The Athenian dismisses both the theocratic and secular logics by establishing a way in which the human can mediate between the realm of reason and the realm of chance. In the first case, while acknowledging the difference between the realm of God and the realm of human contingency, he recognizes that "we must allow for the presence of a third and more amenable partner, skill" (709d-e). Through our understanding, we can bring some of the divine order into the realm of human affairs, creating laws based upon a knowledge of causes. In the second case, the two worlds are bridged by demonstrating that mind is a universal cause that orders and explains both natural being and human action: "he should defend the claim of law itself and art to be natural, or no less real than nature, seeing that they are products of mind by a sound argument" (890d). Through the same principles which govern human art (wisdom, foresight, law, judgment), soul is responsible for all change and transformations in nature (892a-c). In both the theocratic and secular refutations, human legislation ordered to a divine end is possible because reason is not restricted to either divine or human worlds, but is the true nature of both.

At 739c, the Athenian refers to a threefold, hierarchical division of cities. I suggest that the first-best city refers to the divine theocracy in which no human individuality has emerged within the undifferentiated unity of the state (and in a subordinate way, the Spartan/Cretan society in which individual pleasures and freedom have not emerged); the second-best city refers to the mixture of autocracy and democracy which combines freedom and order through understanding of the law; and the third-best, mentioned only in passing, refers to the final configuration of the emerging Cretan city, in which the nocturnal council relates to the good self-consciously, while the citizenry relates to it

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36 Although this position is atheistic, for the purposes of the comparison, nature and chance can be viewed as the realm of the divine, since they are the first principles and causes of all reality.
through uncomprehending obedience to the law.\textsuperscript{37} We now pass to an analysis of the three-fold movement of the dialogue from legalistic obedience to the good without consciousness of pleasure and freedom, to the mixture of freedom and rule in the whole state, to the separation of a nocturnal council that governs through understanding, and a ruled citizenry which blindly obeys without knowledge of the negativity of the laws. This movement thus makes the demand for individual well-being, freedom, and understanding, and then negates it in everything except for the ruling principle.

\textbf{The Three Cities}

\textit{I. The Spartan Autocracy/Theocracy}

There are two versions of the first kind of state: the mythical version in the time of Cronus, in which the human race was directly ruled by divine spirits, and the historical version in the Spartan and Cretan societies. What is common to these divinely and humanly ruled examples is the fact that no individual self-consciousness has emerged in either city. Public and private realms are immediately identified, and the citizens have no conception of a private realm as against the public law. Citizens immediately obey authority without questioning or seeking to understand the reasons behind its decrees.

In the first best society, no individual self-consciousness has emerged. The whole city is united like the parts of a body that have absolutely no independence from one another. It is

\begin{quote}
 a community in womenfolk, in children, in all possessions whatsoever…all means have been taken to eliminate everything we mean by the word ownership from life…all possible means have been taken to make even what nature has made our own in some sense common property…our eyes, ears and hands seem to see, hear, act in the common service…all approve and condemn in perfect unison and derive pleasure and pain from the same sources…(739c-d)
\end{quote}

Every single aspect of reality that differentiates the individual is abolished in this city through wholly negating the private realm of property and family. Even our senses, through which each person experiences the world in his own personal way, are common,

\textsuperscript{37} The first, second and third best cities are later symbolized by the three Fates: Lachesis, Clotho and Atropos (960c). Lachesis represents the first state, in that she is the disposer of lots, or in other words, the immediate, uncomprehending, tragic relation to the divine (the word means destiny and fate). Clotho represents the second best state, as spinner of the web of life, weaving the mixed state of pleasure and its limit. Yet neither of these fates makes the spinning irreversible, since the mixture of the state can be undone if the citizens regard the pleasures as independent in their difference from limits of the law. It is with the third fate, Atropos (meaning 'not turning', 'inflexible'), representing the nocturnal council at the head of the state, that the laws "abiding preservation" and "this rightful irreversibility" (960d). The nocturnal council returns to a theocratic ideal, in which the citizens no longer encounter the negativity of the law. This encounter with otherness is left in the secure hands of the council alone, since they have the most firm, unshakeable grasp of the truth of the laws.
so that there are no separately existing subjectivities. All truth lies in the common identity of the state, and all difference or otherness must thus be conceived as purely opposed to the state.\textsuperscript{38}

The initial position of Clinias clearly outlines this "tragic" logic characteristic of the Spartan/Cretan society: "Our Cretan legislator constructed the universal scheme of all our institutions, public and private, with a view to war, and transmitted his laws to us for observance in precisely the same spirit" (626b). There is no reconciliation within human life whatsoever, since "humanity is in a condition of public war of every man against every man, and private war of each man with himself" (626d), and "the peace of which men talk…is no more than a name" (626a). This conflict exists between cities, factions, individuals, and within individuals. On this view, there can be absolutely no reconciliation for human self-consciousness of oppositions arising within the practical realm.

From the viewpoint of tragedy, the unity of apparent oppositions is beyond human understanding. As a result, society must be trained with a view to dominance in these perpetual clashes of fundamentally irreconcilable perspectives. By this military logic, no individual must stray in the least from the order of the whole, with each individual surrendering all personal well-being in sacrifice to the common good of the army. Questioning the rules and customs of the whole must be completely eliminated.\textsuperscript{39} Because Spartan and Cretan citizens merely obey instructions and laws immediately without any understanding of the causes or reasons behind these commands, they are unable to act virtuously in a wholly novel situation without direction.\textsuperscript{40} The Good in no way lies within the individual, but is commanded from without.

In this society, any freedom or quest for individual, natural well-being is completely repressed, so that each individual remains wholly unacquainted with these aspects of human life. Any loyalty to family or desire for some degree of personal flourishing is excluded by this devotion to the whole, as "there is no benefit to be got from any other possessions or associations" (626b). The Spartan and Cretan societies are the only examples "whose lawgiver has enjoined you to leave the intensest pleasures and delights utterly untasted" (635b). While the human, in its natural state, is conscious of both pains and pleasures,\textsuperscript{41} this natural human disposition is wholly repressed in these societies.

\textsuperscript{38} In this limited way, individual freedom in Cretan/Spartan society resembles the community of guardians in the Republic.

\textsuperscript{39} In Sparta and Crete, there is no scientific understanding of causes, but merely an empirical acquaintance with given customs. The individual knows nothing beyond its explicit instructions. The Athenian characterizes Spartan and Cretan society in the following way: "Your cities are organized like armies, not like societies of town dwellers; you keep your young men in herds like so many colts at grass in one troop. None of you ever takes his own colt, draws him out of the general herd, for all his restiveness and fuming, and puts him in charge of a special groom to be stroked and tamed and treated with all the attention required by a training which will make him no mere good solider, but a man fit to administer a state and its townships" (666e).

\textsuperscript{40} "We Spartans and our Cretan friends are quite incapable of any singing but that we learned when we were trained to sing in choirs" (666d).

\textsuperscript{41} "A child's first infant consciousness is that of pleasure and pain" (635a).
Only the experience of pain is permitted (633b-c), since there is nothing in pain that will tempt an individual away from strict adherence to the laws.

This strict legalism is criticized by the Athenian. If citizens are not familiarized with the full spectrum of experience, both painful and pleasurable, they will not be able to retain their relation to the Good in their encounter with this unforeseen. The human must gradually be introduced to an ever-more complex range of experiences, so that he can be self-consciously tethered to the Good through a deeper understanding of both these extremes.

II. The Mixed Constitution

In Spartan/Cretan societies, "the lawgiver has enjoined [the citizens] to leave the intensest pleasures and delights untested" (635b). While Spartan and Cretan citizens are subjected to great pain in order to be trained never to flee from individual danger or pain at the expense of public good, the Athenian argues that without equal exposure to the most intense personal pleasures, citizens will never be able to resist their temptation upon encountering them. As opposed to a limit through annihilation of personal pleasures and passions, the ruler must acknowledge their existence and permit their limited enjoyment in his society. This middle-road between pleasure and pain is seen to share in divine freedom, through achieving a "state which we all, on the strength of the oracular saying, plausibly assign to God himself" (792d).

The structure of the second-best state emerges as a correction of the abstract and repressive legalism of the Spartan/Cretan constitution. The standard to which this new state strives is formulated in the following way: "the mark of godliness will be truly hit if the gods of the lower world are held in honor next to the Olympians" (717a). This is to say that the gods of reason and political wisdom must be worshipped, but no longer at the expense of the gods of nature, family, and passion. These are equally divine and must be given their due within the Pantheon of gods deserving of worship. Instead of completely repressing the private realm that distinguishes individuals from the common unity, one now recognizes this realm as existent, and then attempts to order it to the good through a limit. The new constitution takes the form of a mixture between an indeterminate

42 Paul Epstein writes the following on this struggle between Olympians and titans as a central structure of Greek thought: "the world of Tragedy, as that of Homeric Epic, assumes the result of the war between the Olympian gods and the Titanic powers, i.e. the more rational powers such as Zeus, Apollo and the like have overthrown the nature powers, and the undeveloped spiritual gods such as Dike and Nemesis, associated with them. The poet then shows a collision that is at once human and divine within the spiritual world that the triumph of the Olympians has created. This collision can result from a conflict within the polis or between an essential aspect of the polis and the earlier Titanic realm. The result is a unified divine-human cosmos." Paul Epstein, "The Recovery of a Comprehensive View of Greek Tragedy," in Animus 1 (1996): http://www.swgc.mun.ca/animus/1996vol1/epstein.htm.

43 In an important discussion at 284 in the Statesman, the Stranger makes explicit the political consequences of the philosophical progress in the Sophist, that not-being exists as otherness (the relative): "certainly they do not treat such excess or defect as non-existent - on the contrary, they shun it as a very real peril" (Statesman 284a). This must be contrasted with the Republic, where one begins with guardians that are in no way differentiated from the common unity of their inner, rational soul. That which is different from the single measure has no existence. Here one begins by acknowledging the existence of difference,
principle of freedom and a limiting principle of rule. Having permitted some individuality to each citizen, the individual is conscious of a realm that is not immediately identical with the unity of the state. The new unity with the good, previously imposed from without by uncomprehended laws, is now mediated through persuading the citizens and bringing them to a reflective, inner understanding of the laws: "to induce us all to practice all justice freely, and without compulsion" (663e).

In the three waves of the Republic, Socrates abolishes those things external to the rational soul that differentiate one individual from the next: gender (where one can say 'he and not she'), property (where one can say 'mine and not yours'), family (where one can say 'son of Cleinias' and not 'son of Euphronius'). In the Laws, there is a reluctant recognition of these individualizing aspects: "if we are going to look for an exact realization of our scheme, as we have styled it, it will perhaps never be found, so long as there are private wives, children and houses, and each of us has his private belongings of all sorts. Still, if we can secure the second-best conditions, which we are now describing, we shall indeed come off well-enough" (807b). At 740, after making the division between first, second and third best cities, the Athenian allows for a limited amount of personal property and family.

The Athenian states that the legislator must have three aims in designing all the laws for his city: that the society "must have freedom, must have amity with itself, must have understanding" (701d). Each law should be a "friendly combination of the popular element with the nonpopular element in the way that will make the fullest concord" (759b). In the structure of the state, he sees the democratic element as providing freedom, and the autocratic element providing understanding, while the phile eautē is meant to bind the two sides together into one whole. In this way, freedom is always directed towards the good and the whole through its relation to the measure of the understanding. The Athenian uses the examples of Persia and Athens to show that pure monarchy with no freedom and pure democracy with no rule are destructive of a city. At the height of their rule, both Athens and Persia struck a balance between rule and freedom, yet each degenerated into exhibiting only one side of this opposition at the expense of the other. In the case of Persia, all freedom lies with the ruler, and the populace is wholly deprived of any role in public affairs. As a result the rule ends up in tyranny, in which the king, who is supposed to rule according to reason and law, rules in relation to his own unlimited self-interest, in total repression of those ruled. In the case of Athens, the freedom of each citizen eliminates any rule beyond the whim and inclinations of the individual. This is what the Athenian will later call anarchy, "the absence of a commander" which must be "expelled root and branch from the lives of all mankind" (942d). In this anarchic condition, the "general conceit of universal knowledge and contempt for law emerged,"

which takes the form of freedom in the Laws, and then keeps this relativity within measure by bringing it under a limit.

44 Persia's rule is an "overpowerful and unmixed sovereignty" which has "shown exclusive and inordinate devotion to the principle of monarchy" (693b-d). It ultimately is crippled by "an excess of servitude and autocracy" (698a), no freedom in the ruled and unlimited from in the ruler.

45 Athens' freedom has become anarchical, the "unqualified and absolute freedom from rule and measure" (698b).
in which each individual deems himself the measure of what is good and bad, not through any scientific knowledge, but through how much pleasure is given to the one judging. Like the Persian tyrant, the individuals ruling in this radical democracy control affairs without reverence for what is truly sovereign: reason and law.

The tyrannical forms of monarchy and democracy thus respectively annihilate the ruled and ruler. What emerges clearly from the argument is that there must exist a mixture of understanding and freedom, both on the side of the ruler and the ruled. Understanding cannot be left to the rulers alone: "as far as possible, all citizens should take their part in private cases, since a man who has no share in the right to sit in judgment on others feels himself to be no real part of the community" (768b). Early Athens and Persia remain as ideals. In Athens, "the commons were not masters; in a sense they were willing servants of the laws" through aidos (reverence, fear, awe, honour, modesty) for law and mind (699e). In an earlier age, the Persian monarchy also gave its subjects a share of liberty equal to themselves, establishing a meritocracy in which those who speak wisely had an active role in governance.

This ideal is illustrated in the contrasting images of the free doctor and the slave doctor. The contrast is introduced in a discussion of the need for preambles for laws which persuade those ruled through bringing them to an understanding of the reason behind each law. The slave doctor, who learns the art of healing from empirical observation without a scientific understanding of causes, proceeds as a "tyrant," neither consulting the patient's needs nor persuading him through explaining the reasons for the appropriateness of the treatment. In contrast, the free doctor, scientifically learning the cause of the sickness, both learns from and instructs the patient, and "does not give his prescriptions until he has won the patient's support, and when he has done so, he steadily aims at producing complete restoration by persuading the sufferer into compliance" (709d). In the legislative parallel of this account, the law-maker educates the ruled, so that citizens willingly obey the law through an understanding of its justification.

This freedom of the masses to come to a free understanding of the law exists because understanding, universal to all humans, is the law, if only implicitly. That is to say, freed from excessive passions, reason is always "striving to convert itself into law" (835e). Or, as the Athenian argues, "when judgment takes the form of a public decision of a city, it has the name of law" (644d). In this picture, since the law is rational as a product of mind, there is no true separation of understanding and law, and it is thus accessible to all through the persuasion of preambles (yet as will be seen later, the golden cord of judgment is malleable, and can be transformed to contrary purposes). Through education, citizens can be gradually trained to maintain the positive sense of the good within progressively greater exposure to the law's negativity.

This is illustrated through a musical image in Book VII. In learning music, young children must start with one simple melody, since "the clash of opposites makes learning
a slow business, and it is imperative that our young people should learn their lessons with ease" (821e). Yet with further training, the pupil can slowly retain the scientific understanding of the music with "diversification and complication of the instrumental part" (812d-813a). In legislative terms, this means that while young children should not learn of other laws that might contradict the city's laws, eventually, with a deepening scientific understanding of the good and the evil, the pupil can maintain his relation to the Good of the city even in difference from its customs.

Plato first introduces these ideals through the early discussion of drink and choric dancing, an example which provides the paradigm for the combination of reason and pleasure within the second-best city. There is a threefold movement in this discussion: at the first stage there is an unlimited, endless passion, at the second stage there is order and limit, and a third stage which is a mixture of the freedom and passion of the first stage and the order of the second. This is illustrated through the three kinds of chorus: the youthful chorus, which is "sacred to the Muses" (664d), the middle-age chorus of Apollo, and the chorus of Dionysian elders. The youths are described as wild, uninhibited and reckless, acting on individual whim without any reference to an ordering principle. As a corrective to this reckless passion, the choir of men under thirty, invoking the god of healing Apollo (also the patron god of Megillus' Sparta), introduce uniform patterns of rhythm, bringing the collectivity to sing in unison without any free individual expression. Like the Spartan and Cretan choric dancing, this Apollonian chorus repeats mechanically what it has been taught without any scientific understanding of music or dancing, and as a result it cannot discern the good from the bad independently. This chorus can only mechanically repeat what it has learned through custom and habit - it is an ordering principle without content of its own (666d-667a).

Yet the "noblest kind of song" is performed by the Dionysian chorus of elders, which possesses a true understanding of music. Since they are no longer invigorated with the energy of their youth, the old men must drink in order to combine this knowledge with the desire and passion required for the performance. Their participation in the dance will "both give the performers an immediate innocent pleasure and provide their juniors with a lesson in proper appreciation of sound character" (670d), reconciling personal pleasure and well-being with the good of the entire city. Yet Plato brings out the problem in allowing individual pleasures: people can lose themselves in pleasures, and lose sight of

47 For this progression, see 664c-e.
48 "No young creature whatsoever...can keep its body or its voice still; all are perpetually trying to make movements and noises. They leap and bound, they dance and frolic, as it were with glee, and again, they utter cries of all sorts" (653e).
49 The Athenian states that "the general public are simply ridiculous in their belief that men are adequate judges of what is good or otherwise in melody and rhythm, if they have been merely drilled into singing to the flute and marching in step, though it never occurs to them that they do the acts without understanding anything about them" (670b-c).
50 "They must, of course, be keenly sensitive to rhythms and melodies and able to judge them" (670b).
their connection to the common good (too much drink, in the case of the chorus). The Athenian sees the discussion of drinking as paradigmatic of all pleasures.51

Pleasures are in themselves indeterminate, and can be seen in two relations: in their identity with the good and in their independence of the good.52 Engaging in pleasures "in a serious spirit" maintains their connection to reason, law and the good, while treating pleasures "as mere play" (673e) understands the pleasures in their separation from the good. The pleasures are not inherently good or bad: their meaning is determined by the subjective attitude of the one engaging in them. Thus they are permitted in a serious spirit, but if they are enjoyed in their separation from reason and law, the Athenian calls for a completely different society, repressive of all pleasures, beyond even the Spartan/Cretan model: "I could no longer vote for allowing any indulgence in the wine cup to such a city. I would even go further than the practice of Crete and Lacedaemon" (674a). This destruction of emergent independent subjectivity foreshadows the movement made later in the dialogue from the second to the third best city.

In Book IX, the discussion moves to a significantly more severe order of crimes: temple robbing, attempting to overturn the state, trafficking with an enemy of the state, violent actions and homicide.53 In the consideration of these atrocities, the second best city and its drive to educate citizens as its primary end is seen as merely utopian. As André Laks writes, "things get tougher when one leaves the level of kinetic and musical education for the level of explicit opinion and reflection…as reason develops in man disorderly pleasure, or, in more abstract terms, Otherness, tends to outstrip order and identity."54 Because otherness has these two different and opposed relations to sameness, the welcoming relation to individuality must be abandoned once too strong an independent spirit has emerged. A new approach is suggested by the fact that "the business of legislation…has not yet been thoroughly worked out on right lines" (857c). This approach is introduced through a revision of the doctor analogy, paradigmatic of the relation between ruler and ruled in the second-best city:

51 "If a city is to practice the custom now under discussion (drinking) in a serious spirit…and permits a similar indulgence in other pleasures on the same principle…all without exception should be treated on the lines we have laid down." (673e).
52 The fact that these two views of pleasure are mutually exclusive is illustrated by the two separate cosmic souls, "one beneficent, the other capable of the contrary" (896e). One is helped by wisdom and order, while the other is without either. This division into two mutually exclusive souls occurs due to the fact that Plato's political first principles, like his ontology of the One and the Dyad, are fundamentally divided. Freedom and the limitation of this freedom are viewed as two separate, opposed principles which come together only subsequently in the mixture of the true constitution. Having begun with the primacy of their separation and opposition, Plato cannot show how free individuality and its private pursuits can truly co-exist within the whole except in the destructive form of sophistic individualism. Either one is wholly united to the Good, or wholly evil. Having separated the universal activity of reason from finite, natural activities, Plato, unlike Aristotle (who has discovered the unity prior to contrariety in substance), has great difficulty showing how the rational is operative in other forms of human desire.
53 See 853-854a: "it is our shame to be framing any such legislation as we are now on the point of undertaking...the very assumption that a man will ever be born in such a society who will be stained by the graver turpitudes of other states...is, in a way, to our shame."
54 Laks, "Legislation and Demiurgy," 228.
That was no unhappy simile by which we likened all existing legislation to the treatment of unfree patients by unfree physicians. You may be sure that were one of these empirical practitioners of the healing art, so innocent of the theory of it, to discover a free physician conversing with his free patient, to hear him talking almost like a philosopher, tracing the disorder to its source, reviewing the whole system of human physiology, his merriment would be instantaneous and loud. His language would be no other than that which comes so pat from the lips of most of our self-styled physicians. This is not to treat the patient, fool, but to educate him - as though he wanted to be made a medical man, not to recover his health! (857c-e)

While acknowledging some truth to this objection against the impracticality and futility of philosophically educating the entire citizenry, the Athenian points out that this philosophical intention is the goal of the second-best city: "he might be [right], if only he understood that any man who treats of law in the style we are now adopting, means to educate his fellow citizens rather than lay down the law to them" (857e). He then distinguishes two alternative approaches to the question, striving for "either the best possible result [notice how this is differentiated from the first utopia by the fact that it is a possible result], or the indispensable minimum" (858a). Clinias replies that the decision between these two options can be suspended. Like the stonemason, the three interlocutors can assemble all kinds of material in constructing their city and its laws, and subsequently decide which laws and preambles will be used, and which will be withheld. I suggest that the conclusion of the dialogue moves from the second-best city and its best possible result, to the third-best city and its indispensable minimum.

III. Freedom Negated - theRe-emergence of Theocracy and the Nocturnal Council

From the beginning of the dialogue, Plato makes clear that even the second best method of reconciling individual desires into a harmonious whole must be restricted if the sophistic spirit takes hold of the public consciousness. Freedom and pleasures exist and are not necessarily dangerous, but perpetually remain a potential threat: "life abounds in good things, but most of those good things are infested by polluting and defiling parasites" (937d). This anarchic manipulation of the pleasures and freedoms permitted in the mixed constitution "must not, if we can help it, strike root in our society" (938a). The freedoms and pleasures permitted in the second best state can be enjoyed in two possible relations: with a serious purpose, which does not lose sight of reason and the good of the whole, or a merely playful purpose, which views the pleasures individualistically as ends in themselves apart from their divine purpose. Because of this perpetual possibility, Plato ultimately moves to cut off all free individuality within the citizenry, restricting the encounter with both the law and its negativity to the nocturnal council alone.

This new viewpoint emerges clearly at the start of Book XII, in which the Athenian states that

55 See 673e-674d.
no man, and no woman, be ever suffered to live without an officer set over them, and no soul of man to learn the trick of doing one single thing of its own sole motion, \textit{in play or in earnest}, but, in peace as in war, ever to live with the commander in sight, to follow his leading, and take its motions from him to the very last detail (942a-b).

Yet this return to a restrictive relation of ruler to ruled is not merely a return to the Spartan, Cretan total repression of all negativity in the laws. In those societies, a sceptical atheism had not emerged among citizens, yet in this third stage, this scepticism is rampant. This is illustrated through reintroducing Rhadamanthus' rule and its attitude towards litigation in contrast to the new Cretan city and its policy on the same issue (948b-949c). In this earlier era, the citizens were immediately related to the divine ("since most of them at that time, and Rhadamanthus among them, had gods for their parents" - 949b). Both the judge and the litigants can take oaths to the gods, since they are both positively related to the law without any consciousness of its negativity, and the cases were decided "simply and rapidly." Yet "men's beliefs have changed, and so the law must be changed too." Only the judge can have a direct relation to the God, since the litigants are in the aforementioned ambiguous relation to the Good, because there is "great and manifest profit in denying the truth and standing to the denial on oath" (949a). This new relation between judge and litigants prefigures the emerging relation between the nocturnal council and the citizenry, in which the ruling class is immediately related to the divine, while the commons are related to God through the mediation of commands based in the nocturnal council's philosophical grasp.

The Athenian then moves from this new separation of judge and judged, to a consideration of the need for interaction with laws and ideas from other states, and the grave dangers inherent in this exchange (949e ff.). The attitude towards foreign travel expresses the relation between a city's laws and the negativity of those laws - can one allow citizens of the state to encounter what is other than the laws of the city, or must one restrict each individual's horizon to a consciousness of the laws and nothing else (as in the Cretan/Spartan cities). A return to a society that merely represses any encounter or knowledge of passions, individual freedom, and pleasure will not suffice:

A state unacquainted with mankind, bad and good, will never in its isolation attain an adequate level of civilization and maturity, nor will it succeed in preserving its own laws permanently, so long as its grasp of them depends on mere habituation without comprehension. (951b)

To be civilized and to secure the stability of the laws, the society must be in some way acquainted with the full scope of contrariety in moral and political practice, as the Athenian argued earlier in relation to experiencing both pleasure and pain in order to stabilize virtue in any situation, no matter how extreme. The danger of having merely true opinions without knowledge of the reasons behind them or the possibilities beyond them is that one's position remains inherently fragile, stable only if the state can completely protect the citizen from any convincing accounts or novel options that oppose his true opinion. As Socrates states in the \textit{Meno} concerning the nature of true opinions, "while
they abide with us they are beautiful and fruitful, but they run away out of the human soul, and do not remain long, and therefore they are not much value unless they are fastened by the tie of the cause. Yet here only noble and distinguished citizens over forty are permitted to travel abroad, and only the positive side of this relation to native laws is reported back to the citizenry, who remain completely shielded from awareness of the value of foreign customs.

A select few men "of divine quality" and over fifty are sent the express purpose of investigating what is right and wrong in foreign lands, in order to report to "the council entrusted with the supervision of the laws" (951d). While this 'nocturnal council' is mentioned in Book X and early in Book XII, it is not until the laws are complete that the discussion moves to a detailed account of the necessity of this council in ensuring a "complete and permanent guarantee for the preservation of our work" (960b). Viewing the city as a living organism, the nocturnal council is viewed as the fusion of intelligence and sense, the head of the organism, while "the city at large is the trunk of the body" (964e). The head and the body of the city are connected through the division of old and young in the nocturnal council: the young members are at the summit of the body, and "their vision ranges over the whole compass of the state, they commit what they perceive in their watch to memory, and serve their elders as scouts in every branch of affairs" (964e). The elders, as the head of the body and the ruling principle of understanding, receive suggestions from the citizens through the youth. Only the nocturnal council possesses a dialectical knowledge of the positive and negative moments of all relevant branches of study (952a, 965b-966), and is able to apprehend and express the identity of what appears as diverse and other. The nocturnal council is the mind of the state, encountering the extremes of good and evil, true and false, same and other, one and many while keeping the citizens tethered to the Good and divine (this relation is prefigured by the Athenian's explanation of why he must take on the complex theological arguments without Clinias and Megillus). The virtue of the nocturnal council is intellectual,

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57. Contrast this with the relation to other cultures expressed in Thucydides' account of Pericles' funeral oration: "the magnitude of our city draws the produce of the world into our harbour, so that to the Athenian the fruits of other countries are as familiar a luxury as those of its own…We throw our city up to the world, and never by alien acts exclude foreigners from any opportunity of learning or observing…" *The Landmark Thucydides*, 2.38-2.39 (pp. 112-113).
58. The council meets before daybreak, since this is the time when "a man is freest from all other business, private or public" (961c). The significance of this fact lies in the fact that *the nocturnal council stands above the division of public and private interests*, of identity and difference, yet can comprehend them both through its dialectical grasp.
59. The ability "to look from the dissimilar many to the one form" ascribed to the nocturnal council recalls the dialectical method as it is described at *Phaedrus* 265d, *Sophist* 253-254b, *Philebus* 16c-17a. In this method, because all things are mixtures of a limited, unified element and an unlimited, diverse element, the two sides of each object are unified subjectively from the external perspective of the dialectician.
60. Comparing his theological argument to a river, the Athenian states that "I must first try the crossing by myself, leaving you in safety, to see whether the water is equally fordable for you, my elders, or not. If it proves so, afterwards I must call to you and help you across it by my experience, but if it turns out to be out of the depth of men of your years, the risk will have been all mine. …it is even so with the waters of discourse which confront us now; the current is strong, and the passage perhaps too much for your strength. So to save you from being dizzied and staggered by the rush of questions you are unpractised in answering, and the consequent unpleasantness of an undignified and unbecoming situation, I propose that I should act
whereas the virtue of the citizenry "will be that its aim must not wander from object to object; it must have a single mark always before its eye and make it the target of all its shafts" (962d). The division between the philosophical grasp of the nocturnal council and the immediate submission to the law is expressed clearly at the end of his consideration of the role of the nocturnal council:

In the great mass of our citizens we may tolerate mere conformity to the tradition embodied in the laws, but we shall do well to deny all access to the body of our guardians to any man who has not made it his serious business to master every proof there is of the being of the gods. (966c)

While there is sovereignty for the ruling element of society, the rest of the individuals in society are incomplete parts that are reconciled by those in power into a harmonious whole:

he who provides for the world has disposed all things with a view to the preservation and perfection of the whole, wherefore each several thing also, so far as may be, does and has done\textsuperscript{61} to it what is meet. And for each and all there are, in every case, governors appointed for all doing and being-done-to, down to the least detail, who have achieved perfection even to the minutest particulars. Thine own being also, fond man, is one such fragment, and so, for all its littleness, all its striving is ever directed towards the whole, but thou hast forgotten in the business that the purpose of all that happens is...to win bliss for the life of the whole; it is not made for thee, but thou for it...and yet thou dost murmur because thou seest not how in thine own case what is best for the whole proves best also for thyself in virtue of our common origin.

While the governor has a completeness in its connection of the incomplete parts with each other, there is no completeness inherent in the citizens themselves, as they are mere parts being integrated by the ruling principle which connects active elements with their appropriate passive elements.\textsuperscript{62} The fact that the citizen may not see how his own good is realized through the good of the whole is inconsequential. He must merely submit to the good of the whole without concern for his own individual well-being. The divine truth of

\textsuperscript{61} The Greek reads "\textit{ou kai to meros eis dunamin ekaston to prosekon paskei kai poiei,}" a power possessed by archontes over all acting and being acted upon. This is of course reminiscent of the definition of being in the \textit{Sophist}, as a power, in the soul, "either to act on anything or to be acted upon" (\textit{Sophist} 247d9-e3). In this case the divine soul is a comprehensive power which brings together the active and passive, rest and motion, sameness and otherness to constitute each thing. In this passage of the \textit{Laws}, the governor reconciles the active and passive elements of the society to weave one coherent whole

\textsuperscript{62} In \textit{Statesman}, the ruler weaves together the aggressive (active) souls with the moderate (passive) souls, ensuring that there is always a measured mixture of the two types (see 305e-311d).
the laws is known by only a select number of philosophers, who order the life of the community accordingly. This is the very definition of theocracy.

Whereas in the second-best city the Athenian had understood reason to be the law implicitly, and hence, available to all through this intrinsic connection, the secrets of rule are now concealed from the understanding of the masses, since they must not be able to understand anything beyond their own traditions (the negativity of their customs and laws), inhibited by the "dead weight of their own incredulity" (839d):

Should some young and lusty bystander of some exuberant virility overhear us as we propose it, he may denounce our enactments as impracticable folly and make the air ring with his clamour. This...[is] the device I knew for establishing the law in perpetuity...if once the regulation receives adequate sanction the minds of all will be subjugated and there will be a universal dread of the established law and conformity to it. (839b-c)

This subjugation of reason to law is not ideal, as in the relation of the free doctor to his patient: "it is a sin that understanding should be any creature's subject or servant; it's place is to be ruler of all, if only it is indeed, as it ought to be, genuine and free" (875d). Yet this sovereignty of reason does not exist among the citizenry, because of the conflict in individuals between understanding (the universal element that ties the individual to the public, universal good) and their lower aspects of their personality (the aspects which are moved through the private interest of the individual). Law can only be interpreted through the philosophical grasp of the nocturnal council, which alone in the city lies beyond the division of public and private goods.

In this way, we see that the goal of reconciling the comic and tragic viewpoints in *Symposium* is abandoned. The citizen cannot maintain a relation to the divine in and through its own natural, particular existence and finite pursuits. The impossibility of this reconciliation is clearly expressed by the Athenian: "A man who means to form his judgment can no more understand earnest apart from burlesque than any other contrary apart from its contrary, but on the other side, a man who means to have any part in goodness, were it ever so little, cannot possibly produce both" (816d-e). Those with philosophical understanding (the nocturnal council, as the Athenian will eventually announce) can understand the relation between public and private goods, yet among citizens for whom the primary goal is being good, one cannot be good in and through one's own individual perspective. Comedy is thus disposed of (817a), while the city is seen as "a tragedy, the finest and best we know how to make" (817b). As in tragedy, divine law is raised beyond citizen's understanding, only grasped in its complete truth through the divine knowledge of the nocturnal council as sole interpreters of the law. The legal orthodoxy of Book X is concluded with the abolishment of the citizen's private relation to God: "no citizen shall possess a shrine in his private dwelling house" (910b). All relations with the divine are mediated to the individual through the strict civic belief

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63 See 644d, and the hierarchy of strictly human goods at 631b-c.
in the same theological truth. In perfect tragic form, man "has been constructed as a toy for God…We should pass our lives in the playing of games, certain games, that is, sacrifice, song, and dance - with the result of ability to gain heaven's grace" (803c-d). Through the harmony of the incomplete, uncomprehending human parts, the divine unity is revealed.  

Seeing the necessity of the philosophical, dialectical understanding of the laws within the nocturnal council, the dialogue ends with Megillus and Clinias concluding that, based "on all that has now been said, we shall either have to abandon the foundation of the city or else to be deaf to our friend's excuses, and try every entreaty and inducement to secure him as a co-operator in the foundation" (969c). Previously, it had seemed inconsequential that the Athenian Stranger would not participate in the founding and affairs of Magnesia (753). The reason given for this was that the state should be self-governing, without some external body ruling it.  

Megillus and Clinias, representing the immediate relation to the good and to law, realize through the conclusion of the argument on the nocturnal council that there lies no sovereignty for the non-philosophical citizen. They recognize the necessity of a philosophical grasp (the nocturnal council) of the good and its relation to the evil beyond their own immediate conformity to law. Just as the Athenian was required to protect the unphilosophical Clinias and Megillus from the sea of discourse in Book X, the nocturnal council must exist to protect the citizens from the negativity of the laws through their own philosophical treatment of otherness.

64 Interestingly, Megillus remarks that this is "a poor estimate of our race" (804b), indicating a dissatisfaction with this tragic resolution. The Athenian replies that "man shall be something not so insignificant but more serious" (804b), perhaps referring to the fact that the human is not immediately ruled by God, either though the tragic destruction of its incompleteness by the crushing force of divine fate, or the divine theocracy in the time of Cronus. The Good is mediated to the citizenry through the human efforts of original legislator and the nocturnal council.

65 The simile used is one of parents and children. The parents raise the children to become autonomously self-legisitating: "it is as if with a child: even if he is someday to have his differences with his parents, yet while the helplessness of childhood lasts, he is attached to them and they to him…When this business has been done…the new state should be left to preserve itself and prosper by its own endeavours" (754b-d). This statement of self-determination can be taken to describe both the relation of city to outside ruling forces (Cnossus to Magnesia), and the relation of the ruling element and the ruled within the city itself.
The Imitation Of Athena In The *Lysistrata* Of Aristophanes

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In the *Lysistrata* of Aristophanes, the women of all Greece, deprived of sexual pleasure because their husbands are fighting each other in the Peloponnesian War, determine to end the war. To secure their own sensuous good, they agree on a sex-strike against their husbands and the seizing of the Athenian acropolis. The seizing of the Acropolis, however, leads to a deepening of heir goals. Opposed by the violence of men representing the old order, they decide that nothing short of the elevation of women into the government of the State is capable of saving Greece. In this spirit they repulse not only the immediate violence of the old men but also the official of State who attempts to harangue them into submission. During the second part of the play, the women learn, through the guidance of Lysistrata, to subordinate their sex to the general good of the State and to the institutions that define it. The women and especially Lysistrata now compel the men, made radically miserable by the sex-strike, to acquiesce in peace. Peace between Athens and Sparta now achieved, the men are then reconciled with their wives. This marks the re-institution both of the Family and a pan-Hellenic City. A celebration of those gods who preside over religious festivals, then of those protecting the ethical institutions now re-established and finally of Athena, patron of the actual life of the City, ends the play. The praise of Athena declares a common humanity joined in celebration with the unifying principle of the gods. Male and female, Spartan and Athenian, see in her the presence amongst them of Zeus's authority, the living City that can contain the divisions between familial and political, Athens and Sparta. Adoring what they have imitated, the Greeks enjoy true communion with their gods.

No critic has brought into one view the four main elements of the drama, the topical, the political, the triumph of individuality, and the role of the Gods. Thus a celebrated classical scholar of the first part of the twentieth century, Gilbert Murray, regards only the topical element, the Peloponnesian War, as of interest, and thinks of the play as a passionate plea for peace.¹ The recent editor of a major edition of the play, Jeffrey Henderson, at least, recognizes that *Lysistrata* is drama; he thinks it a utopian fantasy, an escape into imagination from the horrors of the Peloponnesian War.² Cedric Whitman has deeper insight into the drama; he sees in Lysistrata a heroine who can "subdue society to

her ends" and does so by restoring peace and domestic integrity, remaining within society, however, and experiencing no apotheosis.3

That none of these views can do justice to the particularities of the plot indicates the need for a broader view. Thus while Murray rightly sees the Peloponnesian War as the external occasion for the play he does not show how the sex-strike, the assertion of female independence, and the final reconciliation of the sexes realize the peace that he says the drama pleads for. Henderson exposes the weakness of this 'topical' theory by speaking of the action as fantasy. Yet why the fantasy assumes the form it does, the reconciliation of essential elements of Greek Society and religion he does not say.

Whitman sees clearly that the drama depends on the action of the comic hero, here a woman with a revolutionary plan. The individuality that he attributes to her, however, that of one who can 'subdue society to her ends' belongs more to our own time that to the fifth century B.C. Whitman's view accounts for the first part of the play, the initial statement and triumph of the women's programme. Lysistrata's development in to an Athena-figure is beyond Whitman's insight.

The seventh of Aristophanes' extant plays, *Lysistrata* was presented in 411 B.C. and partakes of those characteristics that differentiate the plays after *Birds* from those before. All the plays show the history of a representative Athenian who having sought first to subject his city's institutions and religion to some natural good of his own, then learns that his participation in the life of the City depends rather on a reason that can govern this passion. The form in which the hero seeks to make the life of the city his own gives to each play its peculiar character.

In the plays before *Birds* (the sixth of those extant) the central character feels alienated from a particular aspect of the City's life, and his struggle with this alienation determines his relation to the essential spheres of life. In *Clouds*, for example, Strepsiades feels oppressed by the extravagance of his son and wife; this leads him to educate his son in sophistry as a means whereby he can avoid this son's debts. The son, educated in sophistry, then turns against his own family; Strepsiades thereupon repents of what he has done and again affirms the gods whom sophistry has denied, and the institutions which they support.

*Clouds*, then, begins with an oppression not universal at Athens, but peculiar to Athens. Strepsiades' attempted solution to this leads to sophistry, which is a more general phenomenon, but not specifically related to any of the established institutions of the City. The result, a general affirmation of the gods and the City, is of a very partial kind. On the one hand, the hero's allegiance to the gods is now explicit, and not customary. Nevertheless since the subjectivity thus asserted is initially mediated by a very particular question, it does not threaten the established order of the gods or the city. Strepsiades does experience what the gods cannot, first a deviation from the order and then a return to

it. However, the sphere in which this has arisen is not the total domain of the gods, the entire city, but a particular sphere within it.

In *Birds* this alienation from the City is felt as total, and the overcoming of this must likewise be total. Disgusted with Athens as a whole, the hero first seeks to find his well-being by building a city of the birds, a nature-city. When this proves unstable, he gradually realizes that only a city founded on a deeper reason can include nature within it. The hero, and through him the spectator, has experienced first a natural turning away from the existing city as a whole and then a development from this alienation, to a re-appropriation of the whole city. This means that the hero has a deeper sovereignty over the city than even Zeus, whom Greek religion has presented as that god who ultimately rules not only the universe but also the human city. Thus the play can end with the transfer of sovereignty from Zeus to the mortal hero, now hailed as highest of gods.

*Birds* might appear then as the literal completion of Aristophanes’s poetic enterprise. If the education of a representative human being can end in his displacement of the highest god, then a true account of humanity and its relation to religion has been discovered, and nothing more need be said. However, the same indeterminacy that has allowed the ‘overthrow’ of Zeus also allows the comic relation of man to the gods to assume other, more complete forms. That is, since the reigning Olympian gods are imagined to have developed out of the Titans, no particular god is absolute in the sense that God as understood by the Jews is. Nor is this the perception of Comedy only. In the Prometheus trilogy of Aeschylus, the title character knows that if Zeus has a son by a certain mortal, that son will overthrow him, that is, better unite divinity with men. Thus the ‘overthrow’ of Zeus in *Birds* is the occasion for the poet to imagine a deeper clarification of the divine-human relation. In this way the relation of humanity to Athena becomes his theme. Born from Zeus's head, she presides over practical wisdom, and as the name Athens implies, she is the animating spirit of the life of the whole City. A humanity capable of imitating her will have a deeper life than even one that can imitate Zeus.

In outline, *Lysistrata* has the following form. The long continuance of the Peloponnesian War, as noted above, has deprived Greek women of sexual pleasure. Deliberation convinces a pan-Hellenic assembly of them summoned by Lysistrata to decide on a sex-strike against their husbands. Thus from the beginning of the play there is pan-Hellenic agreement amongst all women, but a division within each of the two warring cities, Athens and Sparta, between men and women. The remainder of the first part of the play shows the sharpening of this division at Athens. The women's seizure of the Acropolis, to secure the money intended for the prosecution of the war, summons forth the extreme hatred of the old men who had fought at Marathon and regard the women as traitors to the City. They and an official arrived to control the women, regard them as having no say in matters of war. The first part of the play ends with the women saying that war is their care only and in possession of the field, but having not by any means convinced the men of this. The second half of the play shows the reconciliation of the sexes. The women again desire their husbands, and only Lysistrata can persuade them to restrain themselves. When one wife repulses her sexually desperate husband, victory is
in sight. Spartan and Athenian, alike immobilized by passion, agree to accept the arbitration of Lysistrata. She recalls all the men to their common religion and history and then reconciles them to their wives. Finally, restored to political unity and family life, all hymn those gods Zeus, Hera, and Athena whose spheres of being the action has made real.

The play begins as the Athenian Lysistrata awaits the arrival of women whom she has summoned from all Greece. Even when called to so momentous an assembly, the women, obedient to their usual habits, are slow in coming. Their eventual arrival constitutes a pan-Hellenic sisterhood that transcends the sharp difference between Athens and Sparta, now so evident in war. Because Lysistrata, whose name means destroyer of armies, hopes that the community of women can end the war, a strong opposition between men and women will define the action of the play.

The women's desire for peace arises from their being deprived of sexual pleasure. First, says Lysistrata, husbands vanished, then adulterers, but the embargo on imported dildos has proved decisive; strong action is necessary to end the war and restore their pleasure. As in every Aristophanic comedy, the action begins with the central character's feeling oppressed by the current state of life in the polis, in some aspect of his natural well-being. To be freed of that oppression, the character must control that state of life. Here the entire female sex aims at governing all Greece. At first, the women respond enthusiastically to Lysistrata's appeal and say that they will do anything to end the war; their heroism reaches such a peak that one woman says she would even be cut in two, if it could bring peace. Another agrees to any abstinence in order to compel the men to make peace. When, however, Lysistrata says that they must all abstain from the penis, the women turn away in horror. One explains her reluctance by declaring that since there's nothing like it, she would rather go through fire than endure such an abstinence.

The Spartan Lampito has more spirit, however, than the others and agrees to Lysistrata's plan. This gives Lysistrata the opportunity to convince the other women that difficult as it is, a sex-strike will quickly compel their husbands to make peace. Although the women do not speak of it, a certain contradiction is present in their plan to abstain from sex in order to later enjoy it. The necessity of abstaining from sexual pleasure shows that the women do have in fact a deeper goal perhaps than its restoration. This appears in the subsequent scene which shows the women's belief that only the transfer of government into their hands can rescue Greece from ruin. Lampito wonders, though, how the Athenian men, so long as they have their navy, can ever be induced to make peace. Lysistrata has not been remiss in her planning. The older women, she says, have been directed to seize the acropolis, and the money kept there for the building of ships. Thereupon all the women swear an oath to pursue Lysistrata's scheme. Thus the women set themselves against an order in which men have the power of decision in both Family and State, to restore both peace and sexual pleasure.

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*5 Lysistrata* 133-135.
As Lampito leaves to inspire the Spartan women to practice abstinence from the joys of Aphrodite, the Athenian women have meanwhile seized the Acropolis. By seizing the Acropolis, they seize the very center of Athenian political and religious life, as well as its source of funds. The pan-Hellenic sisterhood thus has shown itself capable of wide-ranging political activity; it has begun the unification of Greece from an altogether new standpoint.

As the old women seize the Acropolis, a chorus of old men with a different vision of Greece now opposes them. These had helped to expel the tyrant a hundred years before and fought at Marathon to protect Greece from the Mede; they represent the historical basis of the State heretofore. The men are naturally outraged at the women's having seized the Acropolis. They can regard the women only as criminals worthy of death and thus attempt to burn them.

Having failed in their violent attack, the men summon a Proboulos, who manages the finances necessary to the prosecution of the war. In his encounter with the women, his office proves no guarantee of sense. He imagines that their behavior arises from men's having indulged their sexual desires; he thus thinks that force alone is the suitable method for dealing with them. When he directs his Scythian archers, however, to arrest the women, the latter repulse them with ease.

Although he agrees to a discussion with the women, he understands nothing of their argument. He can only insist that matters of war and peace are not the concern of women. Lysistrata indicates why this view can no longer prevail. For too long, women have tried to influence their husbands quietly and to dissuade them from the policies that have led to the current ruinous war, only to be curtly rebuffed by them. Therefore, women have now taken action, and their domestic qualities, she argues, will make them adept at managing the affairs of state. Lysistrata further indicates that as mothers, wives and lovers, the War has been especially hard on them. Old men can always marry, she says, while young girls, once they pass their season, must remain forever unwed.

The exchange with the Proboulos shows a deepening of the women's interests. They agitate now not for a restoration of sexual pleasures but for all the interests of women. They speak of restoring peace, but from the standpoint of their own sex. They do not see the men as ethical persons with a standpoint of their own but as obstacles to their well-being, just as the men, represented by the Proboulos, regard them.

The Proboulos is incapable of sympathy; he can only respond that no man who has not lost his virility ever suffers sexual deprivation. He regards women not as wives or mothers but as the merely animal objects of men's desires. Thus the women see that they can treat men, at least now, only as their enemies. They dress the Proboulos as a corpse,

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6 *Lysistrata* 254 ff.
7 The Proboulos enters at 387.
therefore, and prepare him for burial. In so doing they take his contempt for them one step further. They regard him not only as merely an animal, but a dead one.

The play has seen a significant movement of the women toward their being the political governors of the State. From the beginning they appear as the entire sex of women. Their initial search is for the restoration of that sexual pleasure that the War has deprived them of, and to this end they undertake, contradictorily enough, a sex-strike against the men. For their own ends then they rebel against men as the (patenarchal) heads of families. The Athenian women's seizure of the Acropolis, however, leads to a deeper conflict with men and a deeper assertion. Here they announce their refusal to accept the government of men as citizens. War is the business of women, they declare, and only their government of the City can save it.

After the Proboulos has departed, the opposed reflections of the male and female choruses take the place of the traditional parabasis. The men look with horror at the women's having co-operated with the Spartans, and consequently think of the women as plotting a tyrannical revolution within the state. For their part, the women lay claim to an equal share in the management of the State's affairs and recall the parts they have taken, since childhood, in the various festivals the City has celebrated.

That the women have not been dislodged and that the men still oppose them shows a sharp division within the State. Neither the men nor the women can rationally claim as a sex to constitute the State. If the behaviour of the men in waging war without regard to the welfare of the women had implied their claim to alone constitute the State, the women have now for their part made a directly opposite claim.

Thus the play does not end simply with the victory of sisterhood. Rather Lysistrata leads them to a victory they had not dreamt of. Neither the erotic bliss that they had originally sought nor the reign of women that they had later declared, will be their goal. Rather a capacity for governing their sexual passions will make first them and then their husbands capable of political life, the restoration of the disrupted family, and the celebration of those gods they have imitated.

The action has four main divisions. First, Lysistrata dissuades the women from returning home so that they might again enjoy the embraces of their husbands. Second, a representative woman rejects the appeal of her husband to become again a wife and mother. Third, the men of all Greece, disabled by their sexual passions, allow Lysistrata

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8 Lysistrata 599 ff.
9 Lysistrata 614-705. Hereafter the choruses do not so much advance the action as reflect the development accomplished in others.
10 Lysistrata 706-780.
11 Lysistrata 829-953.
to dictate a peace.\textsuperscript{12} Fourth, the men are restored to their wives, and all hymn the gods who define the life of the City.\textsuperscript{13}

The first scene after the parabasis shows various women leaving the Acropolis and going home. When questioned about why they are leaving, they allege various domestic responsibilities. According to Lysistrata, however, all that they say is mere pretext, and they are in a frenzy of sexual desire for their husbands. Lysistrata is able to restrain the women only through an oracle which declares that Zeus will establish peace only if the women abstain from sexual relations. The women accept this oracle and agree to continue with their enterprise.

This marks the turning-point of the women's career. They no longer pursue their interests simply as women, but act for the whole City and its good; this represents, at the same time, an imitation of the various Olympian gods who preside over the essential spheres of life. Here, for example, when Lysistrata exposes what the other women have said as mere pretext, she has shown the distinction between the imitation of Aphrodite and that of Hera; the former presides over the attraction of men and women for each other, the later over their marital union. Only at the end of the play are those gods openly invoked whom the humans have earlier imitated.\textsuperscript{14}

The next scene tests and deepens the women's ability to exercise that dominion over their passions which Lysistrata has taught them. They learn that the men desire them more than they desire the men, when a certain Cinesias, husband of one of the women, approaches. Lysistrata urges his wife Myrrine, to tease him, leading him on, but not to yield. She agrees readily; the women have determined to contain their sexual desire, and now Myrrine will show that this resolve has become real in them.

Cinesias's sole interest, as his name implies, is to satisfy his sexual desires. He appeals to his wife's maternal instincts, however, bringing their small child with him and showing the neglect it has suffered through its mother's absence. He even appears willing to make peace with the Spartans when Myrrine insists on this as a condition of their sexual union. When Cinesias, however, imagines himself secure of his wife's affections, he turns vague when asked what he intends to do in the assembly about securing a peace. Myrrine thereupon runs away, leaving her husband to bemoan the miserable state to which unsatisfied sexual longing has reduced him.

Although this scene has necessarily shown the effects of the strike on one man and one woman at Athens, the facetious names of the pair (Myrrine and Cinesias) show that each represents his entire sex. Thus the scene shows that the women of Athens have arrived both at a Zeus-like knowledge that all goods must be subordinated to the political community, and the capacity to act on that knowledge. Their husbands have shown

\textsuperscript{12} Lysistrata 1072-1188.
\textsuperscript{13} Lysistrata 1273-1321.
\textsuperscript{14} As noted above, Whitman denies that Lysistrata experiences apotheosis. However, here it is clear that both she and the women begin that imitation of the gods which is the very definition of apotheosis.
themselves to be governed, on the contrary, by natural passions of a sub-Olympian kind; no Olympian deity presides over sexual passion simply. Those under the aegis of Aphrodite are moved in some measure by mutual attractiveness, of which the best human example is the love affair of Paris and Helen. Cinesias has not attained even to this kind of mutuality.

The arrival of a Spartan herald, his state of sexual excitement by no means invisible, shows that the Spartans also suffer what in Cinesias Athenian men are seen to suffer. The two sides thereupon agree to treat for peace. Neither good will nor an eirenic spirit but their common sexual suffering first unites them and compels them to begin those talks which will end the war.

The Spartan ambassadors accordingly arrive, and they commiserate with their Athenian counterparts about the sexual tension that they both suffer. The Athenian indeed regards his countrymen's situation as so desperate that they will have to f*** Cleisthenes, a reputed pathic. All agree that only Lysistrata can so restore peace that they can all be freed from their currently unfillifiable passions. Upon her appearance she produces 'Reconciliation,' here personified as a young woman. Then she declares her suitableness for the office they have given her: although she is a woman, she has nous within her.

For men to allow a woman to govern and direct them is indeed a revolution. Thus Lysistrata grounds her ability to do so in a characteristic that at least potentially transcends sex, the capacity for practical wisdom. This capacity, imagined as especially belonging to Athena, which the whole action has shown the women as acquiring, the men's current state shows them as now altogether without. Lysistrata then exercises her practical wisdom by showing the men the ground on which they might make peace, the unity already subsisting among the Greek states. They sacrifice at the same altars, and they celebrate various pan-Hellenic games. These games were all instituted by Heracles, the son of Zeus and a mortal woman; those who participate in the games imitate his heroic virtue.

As well as instancing this religious unity, Lysistrata reminds them that while they destroy each other barbarian enemies await them outside their borders. Thus she calls to mind the age-old division between Greeks and others, and most poignantly the Persian Wars of eighty years before. Lysistrata then reminds the Spartans of a political benefaction of the Athenians; similarly she reminds the Athenians of a Spartan benefaction.

Having shown them this deeper unity, Lysistrata can then extract concessions of territory from each side and thus end the war. The language that Lysistrata uses to
describe the 'rectification of borders' the Ambassadors all interpret as referring to the person of Reconciliation. Their fixation on satisfying their sexual pleasure dominates them so completely that they are will to acquiesce in whatever Lysistrata directs.

Under the presidency of Lysistrata, the women off all Greece have learned how to subordinate their passions to the attainment of a political good. Because the men have not learned this for themselves, they must accept the direction of a woman. The men know at this stage only that the satisfaction of sexual desire is dependent on their agreeing to peace.

Although Lysistrata has now brought all Greece to a common political end, she has not yet finished her task. First she summons all the men to a common banquet, where a Spartan praises the valor of Athenian and Spartan arms in the Persian Wars. Lysistrata's lessons have been learnt: Hellenes do not fight each other but rather the barbarians. War is thus known as ordered to the maintenance of the common political order, and not its destruction.

Now Lysistrata directs each husband, both Spartan and Athenian, to stand by his wife and summons them all to give thanks to the gods in dance. Her commands here complete her work and thus the dramatic action. First she grounds marriage in the now-achieved political unity. Second she leads the Greeks to acknowledge the gods as the essential ground of their activity.

In their worship, the Greeks acknowledge those gods the action of the play has shown them as imitating; this celebration has two divisions. First an Athenian hymns both the gods of various festivals and those of the two central ethical institutions. Second, a Spartan sings of those offspring of Zeus who bring the life of the gods to men, and especially of Athena.

The hymn of the Athenian calls upon several Olympian gods, and first upon Apollo, Artemis and Dionysus. Apollo and Artemis lead men in the dance; Dionysus, among numerous rôles, presides over the enthusiastic communion of men with the gods as patron of Comedy. By praising these gods, they praise those who preside over their current festivities.

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16 *Lysistrata* 1273-1278. Who speaks these lines and lines 1279-1290 is a disputed question, the determination of which does not affect the interpretation offered. Whether Lysistrata or an Athenian ambassador speak them, a praise of the gods by peace-making Greeks concludes the play.

17 Whitman (*op. Cit.* 215-16) argues that the "weddings in the *Lysistrata*, both of the sexes and of Athens and Sparta, are weddings of eternal youth in Paradise; and Paradise, though it may be in the future, we know is in the past." This mention of Paradise is Whitman's attempt to explain the unreality of the grounding of the reconciliation in the praise of the gods. Paradise as Whitman describes it has no existence in Greek religion or anywhere else. Whitman here cannot take Greek religion seriously; he can only allegorize it according to his own private system of interpretation.

18 *Lysistrata* 1279-1290.

19 *Lysistrata* 1296-1321.
The hymn then calls upon Zeus and Hera, the king of gods and men, together with his consort. She presides over marriage, and he over the political realm and its justice; their union, moreover, indicates the inseparability of these institutions. The action has just seen the re-establishment of the family and state, in their mutual dependence. The hymn in its entirety implies a profound human-divine synergy. The humans praise those gods whose realms, both in ethical institutions and festivals they have made actual and real. This aspect of the hymn praises those gods whose gifts the Greeks have just made their very own. The entire hymn shows that the divine presence in the festivals and the institutions of the polis can only be made real by human activity.

The hymn of the Spartan then celebrates the various offspring of Zeus who unite men with the gods. First, it sings of Apollo, leader of the dance, and then of the Dioscouri festive in celebration, of Helen, not as the paramour of Paris, but as leading a chorus of maidens, and finally of Athena in her temple. The hymn shows a progressively deeper integration of the divine and human. The image of Apollo indicates a general divine presence in celebration. The invoking of the Dioscouri images the political realm and its festivals, while that of Helen suggests the realm of family and its festivals. The hymning of Athena completes this picture. Born from the very head of Zeus, she bears his full authority. In her appears as united what had dividedly appeared in Apollo, the Dioscuri and Helen. Even though only the Athenians have named their city after her and thus indicated most clearly that she is the spirit animating the City, all Greeks knew her as polias, goddess presiding over the city. Thus present amongst men and women as what gives life to the whole City and its various aspects, its institutions and festivals, she thus makes the life of the gods to dwell in them.

This aptly ends the play. The action has shown Lysistrata leading all Greece to the restoration of both the political and the familial realms, and to the due celebration of those gods who preside over them. In making the life of the City actual for men, she and they have humanly imitated Athena's presence as the very substance of the polis. Therefore in hymning Athena, they celebrate at the same time their own activity.

This marks a significant change from the Birds in Aristophanes's treatment of the Olympian gods. The earlier play had shown the human hero, and through him, all Athens, as founding a city built on a deeper reason than the gods, even Zeus, were capable of. Thus the poet can depict Zeus as losing his sovereignty to men. Here, led by Lysistrata, the Greeks have been able to imitate her sovereignty; as the ever-virgin goddess, she suffers no natural involvement that could lead to her being 'overthrown.' Yet this reveals a human completeness that she lacks. Lysistrata and the women have experienced a turning-away from the City and thus from the Olympian religion to assert the power of their sex, only to revert from this to the imitation of Athena. She has existed as the thought of her father from the very moment of her birth. The play ends therfore with the opposition between, and the unification of, a divine essentiality, on which humanity depends, and a human activity that can alone make it real. Because the action has revealed in Athena the division between the eternity of her idea and the facititiousness of
her subjectivity, the play shows a deeper unification of men with the gods than even *Birds* had.
Editorial Preface to James Doull’s “Secularity and Religion”

James Doull’s response to Hegel’s account of Western culture and history stands in striking contrast to that of Feuerbach, Marx, Nietzsche and their recent progeny. For the latter, the refutation of Hegel and everything he represented — the Christian West itself, indeed — was thought absolutely necessary were a new neo-enlightenment or post-modernist world to come about. Doull on the contrary fully embraced Hegel’s account of his own time as marking the consummation of a Christian-European cultural history whose meaning lay in the will to realize its core idea of freedom; a consummation which, however, at once signaled the decline of the older Euro-Christian national cultures with the emergence of a world-historical mentality making freedom itself its explicit basis.

Throughout his career Doull kept close vigil, as it were, on the unfolding of this latter world, both in its political and philosophical aspects, holding fast all the while to the Hegelian insight. This perspective permits of a thinking within post-modern philosophical and political positions which is at the same time objective and not committed to them. The following essay, hitherto unpublished, dates from 1973 when, after two world wars, questions concerning the cold war, presidential scandals in the U.S. and the prospects of the European Union were in the ascendency. Doull here reflects on the question of secularism and anti-secularism, arguing as against both Marxism and the anti-secularism of the cultural right, that separation of church and state is by no means exclusive of either, is an entirely Christian innovation, and indeed the essential condition of a political order founded on freedom.

F. L. Jackson

James Doull died on 16 March 2001. His manuscripts are collected and preserved by the James Alexander Doull Archive, Sir Wilfred Grenfell College, Memorial University of Newfoundland, Managing editor, David Peddle. ASecularity and Religion@ was prepared for publication by the archive and the holder of the copyright, Floy A. Doull. The archive wishes to thank Mr. Benedict Hynes for his work in transcribing the essay. For Doull’s further reflections on modernity and the late twentieth century see Philosophy and Freedom: The Legacy of James Doull, eds., D. Peddle and N. Robertson, forthcoming, (University of Toronto Press, 2003).
Secularity And Religion

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I

If one attempt to say anything scientifically of secularity or secular cultures in relation to religion there occurs at once the difficult question to what science it belongs to speak of these matters. For the same phenomena are generally seen very differently from one side and the other. What to religion appears a lapse from the highest human concerns to the secondary or indifferent is seen by the secular as human liberation and a more serious concern for humanity. Nor does it help to take up the neutrality of a science of religions or from the other side of a sociology which treated religion as a social phenomenon. For what the negation of religion is would in the one case be examined as it belongs to religion, in the other case as a social phenomenon. But the question is of the relation of the two forms - religion and secular society - and can only fall to a science whose object is somehow both.

If there is such a science its standpoint would have to be that religion and secular society are primarily one and the same and that their difference and antagonism fall within that unity. Historically such a view of the matter has no doubt been far more prevalent than the opposite. That laws and social institutions are of a religious nature and not simply the product of experience and reflection is the common belief of peoples. That the secular order is independent of religion has only been definitely held by Greeks and Romans in the decline of their religions and in Christian times.

It is also a conspicuous and recurrent phenomenon that where a separation of secular society from religion has occurred neither remains unmixed but tends to pass into the other. When Plato sought to give Greek institutions a rational foundation he did not stay with scientific thought as this is usually taken but brought to light how logically these institutions had depended on Greek religion. Christian theologians again have always borrowed from the philosopher of the day as though religion and the wisdom of the world had a common root. Indeed the more in Protestant Christianity this had been denied, and religion set apart from science and philosophy, the more complete has been the assimilation of religion to secular life. Marxism again, which takes itself to be wholly done with religion, describes itself as the fulfillment of religion or as having obliterated the difference between religion and secularity.
A scientific consideration of these questions would have to explain no less the old and common belief that religion and secular institutions were not separate but of a piece than their separation and mutual hostility in classical and modern cultures. But equally the contemporary phenomenon would demand explanation that their unity is again sought whether in radical politics or in the turning of Christian religion from its former intellectuality to nature and immediacy.

The Hegelian philosophy takes account of these complex and contradictory phenomena and treats them methodically according to the same principles. It regards with unequaled objectivity the cultures of the Far East where practical life is not as an independent whole separated from religion, the classical world where this separation takes place, the subsequent conflicts of church and state, religion and secular life, in Christian times. Its first interest is not any of these forms as such but their relation and mutual dependence. For if the completest form is that in which the secular is most independent of religion and yet most embodies its religious belief in its secular institutions, just this form is most in need of oriental immediacy to sustain itself.

It has therefore freed itself from the common prejudices and preferences of the age of European domination in which it originated. It is indeed free also of the prejudice latent in the usual scientific study of these matters, that it studies other religious and cultural forms from a scientific and practical attitude of recent European origin. As against this the Hegelian philosophy knows how to correct the subjective distortions the modern investigator imposes on his object. For the root of this scientific prejudice in the investigation of cultural and religious phenomena is that the scientific interest arises especially where the historical struggle of religious and secular freedom has subsided - where particular interests and private life have become independent of these total interests. But this attitude is itself inimical to the understanding of religious and cultural totalities. Philosophically it tends to be an open empiricism to which such totalities are suspect. But the alternative is to stay with an indefinite number of perspectives into which the phenomena can be analysed, from which the investigator chooses according to his personal inclinations. This has first to be recognized and grasped as a particular way of regarding cultural and religious phenomena - itself a totality among others.

The Hegelian method assumed, how it can unite and render intelligible phenomena generally left discrete will be indicated in some cases of particular contemporary interest. The prevalent forms of secularity at the present time are no doubt American liberalism and Marxism. These are not generally thought to fall within the scope of the Hegelian philosophy. Marxists trace their origin in part to Hegel but for them the Hegelian philosophy is a matter of history. Its connection with American and British thought is with an abstract, idealistic period which is likewise a matter of history. But in neither case does this historical verdict rest in a knowledge more than superficial of the Hegelian philosophy. Nor by their own resources do either American liberalism or Marxism appear to have hold of what they are in other than a fragmented and dogmatic way. More perilous is the failure of either to give more than a caricature of its competitor for world domination.
II

The only society that can be thought purely secular is that of the Roman Empire, unless so far as Hellenistic Greeks had already come to the same principle. In other societies there either was not a subjective or self-consciousness which was to itself the unity of its technical, practical, and theoretical relations to nature or this human independence was itself taken into a religious attitude. The rational individuality or personality, which was the principle of this society, is a radical separation of humans from the passivity and dependence of an immediate unity with nature. It carries to its extreme consequence the freedom of Hebraic and Hellenic society which regard nature as derivative, dependent and ordered by divine subjectivity. This freedom and unity of ends is seen as belonging also to human activity. The harsh discipline of the Republic, the subordination in the words of a Roman of all other vices to the lust for state power, provoked in reaction an individuality which related to itself the whole extant of private interests - the equivalent in those conditions of a liberal reaction to puritanical suppression.

The old Roman religion which saw as divine what could give effect to particular human ends and especially the advancement of the Republic, can remain only so far as this society is not fully conscious of its principle. For this principle may be looked at positively in the manner of the Stoics as giving a universal end to which all particular ends can be related. In this case the old gods can be represented as powers within a universal teleology. But equally it has the negative or Epicurean form in which individuals have set themselves apart from all natural or limited involvements. For that view, if there be gods, they cannot be less than such self-related individuals and are therefore not the gods of popular religion who promote human desires, ambitions or collective love of power.

The complete form of the principle is however the scepticism for which there stands on the one side a plurality of endlessly open and incomplete relations to the world, on the other a detached rational subjectivity without content. Between the two no logical bond can be found. The world of the ancient sceptic is in general the same as that of modern empiricism, so far as this has purged itself of extraneous elements with equal vigor. But the modern liberal or socialist is moved altogether differently than the ancient sceptic. His open, pluralistic world is a field for always more specialized research, for ever closer technical and practical control. To the ancient this response is unthinkable: progressive research and more obviously technocratic control suppose a unity of ends not, as with personality, altogether abstract but able to penetrate the multiple and divided interests.

The Romans did indeed discover a science by which a certain regulation of all interests and activities was possible. Roman law or abstract right determines the rights of persons in relation to property and to one another. It appears therefore to be beyond the sceptical division of persons from the uncertain world of particular interests. But it is rather the authentic scepticism which can deal with the puzzle whether the sceptic can know that he cannot know. For by imposing a uniformity and objectivity on property and personal
relations, it brings to light that rights only attach in an unstable and contradictory way to persons as atomic individuals, that personality is rather that in which individuals are one and universal.

It is only if one supposes that this reduction of atomic individuality to universal self-consciousness has somehow been completed that liberal or socialist societies are in any way comprehensible. For they are not founded on race or any other natural bond but on the equality of their members, that is on rationality in which alone they are equal. But neither do they stay with the abstract independence of individuals and their indifference to common social interests. One has instead societies whose members are thought to carry out a common work through their various and divided occupations, in general or to a tolerable degree to satisfy their special interests and at the same time to act morally or in view of their common rationality.

How this reduction and transformation came about is in no way explicable unless the idea of a concrete subjectivity somehow entered the minds of people and then somehow also was made the form of their social and political organization. If the idea became general through the Christian religion, liberal and socialist societies established themselves rather through the rejection of this religion. But again not only to capitalistic liberalism but to anarchistic revolutionaries of Marxist inspiration Christians accommodate themselves and see their religion fulfilled in these works. If in some way modern secular forms have their origin in the Christian religion, it is no less the case that the religion itself has been radically altered by these secularities. At least in some cases these alterations of secular provenance are furthermore said by theologians not to be corruptions of the religion but rather to render it more Christian. Thus Protestants saw it a restoration to original purity when the religion was, for example in Calvinism, approached through modern rather than medieval forms of thought.

Such an interaction of religion and secular forms where against religion there arise independent and total secularities which are also taken to express the religion and to make it better known to its believers is not to be explained unless at least this religion and its secular progeny are both one and radically separate. There is present both the separation of all the finite from subjectivity, which was the Roman secularity, and also the unity of the two - and that on both the religious and the secular side.

The chief point, without which the relations of the Christian religion to the secularities of Christian times are in no way intelligible, is that this religion arose out of the consciousness of total separation of human and divine, secular and sacred, and retains this moment of separation in it. So far as this separation is not present and then seen as also overcome there is a deficient knowledge of the religion among its adherents. But that deficiency is inevitable so far as the religion remains in the form of religion proper and does not give rise to secular forms in which separation, rejection, revolt is actual and not merely presented in cult to the religious imagination.

The deficiency is inevitable because, more explicitly in this than in other religions, religion belongs to the individual primarily as universal or as thinking, and is only
derivatively in the form of language, imagination, symbol or whatever else. In virtue of its origin in the complete rationality of ancient secularity the need and the impulse to know what is believed is not an extraneous curiosity but intrinsic to the religion. The religion itself therefore generates revolt against an ecclesiastical order whose function it is to present and teach the religion in its more accessible but deficient forms. At first this revolt is theoretical or as philosophical reflection on the belief. So far, it can be contained in monastic orders of one kind or another. But as the passivity and obedience of a thought which is directed to a given or revealed content weakens, the more thought finds the essential logical structure of the belief.

The rational subjectivity which the Christian religion awakens against the intention of its clergy cannot be confined to the monastic cell or to the controlled secular labours of teaching orders. The need to go from this to independent secularity is internal to the religion and therefore unable to be suppressed by ecclesiastical power. For the moment of finite independence or secularity, without which whoever believes the religion has the dissatisfaction of not having proper hold on his belief, is not adequately present either in philosophical contemplation or in secular work that remains primarily under the form of authority and obedience and permits subjective freedom only within prescribed limits. The irrepressible need is there to go over to a secularity which is itself complete and separate from ecclesiastical regulation. And the religious belief itself is known more adequately and acceptably to the extent that it has been given external existence in the form of institutions whose essential structure is that of the belief. For there is then accessible to the believer a proof of his religion from historical experience of quite other solidity than arguments from the order of nature or from books assumed to be divinely revealed.

III

American liberalism is a particular form of Christian secularity. In this perspective at once the remarkable energy and stability of the system can be understood and its dangers and limits. Otherwise considered, it is a baffling and contradictory phenomenon which gives rise to a number of mutually exclusive philosophical positions which to an external view are none the less characteristically American. It can be given abstractly an idealistic form and a naturalistic, or both forms can appear together in a pragmatism which relates them variously without disclosing an original unity.

Whether and in what sense American liberalism remains attached to the Christian religion cannot be stated simply. In one way this religion continues to be a popular force and has not become merely residual as commonly in Europe. But again in those less intellectual sections of the public where it most flourishes it is also most readily identified with a conservative capitalism radically secular in its origin and character. If Christianity again is taken to be rather akin to the liberal left, the alliance hardly outlasts a negative stage where the left is only a protest. But by itself without these secular aids the religion
shifts uneasily between mere subjective feeling without definitive belief and doctrine and a belief and doctrine without subjective freedom.

To an impartial and objective view American liberalism is all these secular and religious elements and what unites, distinguishes and opposes them to one another. This is more plainly seen in the general public than where the habit of academic disciplines has hardened the distinctions. Thus when a conservative President acts illegally for what, erroneously or not, he estimates to be the interests of the state, this gives offense to liberal opinion itself in revolt against the authority of abstract morality or law. A conservative censor of the President in the name of strict legality is applauded by anarchic youth. But what opposes President to Senator is perhaps a subjective religiosity to a religiosity rather of abstract law. And thus where the lower moral expectations of other peoples would learn nothing from crimes openly commanded by their rulers, the suspicion of Presidential crime awakens Americans and shows them the nature of their institutions.

These elements, religious and secular, are together the secularization of the older Protestantism. The Calvinism of Puritan America is allowed by historians to have had an extensive influence on its later history. Sociologists and theologians trace capitalism to the Protestant spirit or else deny this descent. But the connection is only vaguely seen until it is given the Hegelian form that Calvinism itself is not the Christian religion simply but as approached through the negation of medieval secularity. Medieval secularity was not as in Roman antiquity the abstract separation of personality from the particular or natural will. It was rather the unmediated relation of barbarians all too readily whole and concrete in their individuality to a religion which taught this same concreteness. In the course of feudal society and the subjection of the classes to the state this barbarous Christendom experienced the opposition of abstract subjectivity and the natural will. Protestantism is the unity of these terms of the totally depraved natural will, as it was described, and abstract personality in a subjectivity which knows itself as that unity or makes it its object through Christian doctrine and cult.

But this subjectivity is implicitly the same as the Cartesian ‘cogito’ and does not have its object in true form by its own measure as ‘Vorstellung’ or imaginative thought or in reducing to rational consistency a presupposed scripture. A knowledge of itself in the form of thought is rather to be had through the structure of ‘civil society’ or capitalism where instead of an abstract opposition of good and evil and a negation of the opposition for feeling and imagination the evil, self-seeking competitive will becomes productive of goods and services towards the general well being. For capitalism is not simply the general will or the competitive will but rather the connection of the two in the innumerable ends of society a connection designated by such words as ‘useful’, ‘beneficial to society’.

‘Civil society’ or ‘capitalism’, came into being by the following logical stages. First the relation of Protestant faith to the unity of human nature is simply rejected as inadequate to rational insight, ‘enlightenment’, ‘deism’ or whatever name one likes. Secondly this rational insight passes from merely critical activity which reduced Protestant theology to historical research to an inner development and the appropriation
of the content of ‘faith’ in a logically appropriate form. This development is first the
distinction in rational insight between abstract self-consciousness and feeling B the
immediacy of the universal will and of the natural will. Then what constituted the ancient
secularity is developed as the relation and mediation of this distinction, so that here it is
known as comprehended within the primary division of life, or nature, and thought.

In religious terms this first distinction gives the logical basis of an abstract moralism
and a pietistic religion of feeling. These are combined in American liberalism with an
uncompleted dialectic of particular and universal ends on the secular side proper.
Because their mediation is not fully explicit, the religious forms recur. But they also
easily pass into the secular and take their content from secular activities and forms of
thought.

The stability of this society hangs on the satisfaction of its members with abstract
religious forms on the one side and a pragmatic relation of individual and general goods
on the other. They explicate imperfectly the concrete humanity known in the old
Protestantism. And, secularly, advanced capitalism leaves ever less room to the
individual to satisfy his particular interests independently and competitively. Its stability
is threatened when some seek a concreter unity with nature than through technological
control and others constitute themselves a technological bureaucracy and give the form of
universality to the system of finite ends. For this is to break the pragmatic concreteness of
life into its elements. Technological excesses may in particular cases be exposed and
Presidential advisers disgraced. But the technological bureaucracy is an abstract response
to the need for stronger unity and direction of the society and hardly to be contained.

The demand is present that the logic of ‘civil society’ be carried through to its
conclusion, the concrete unity of nature and thought be brought to light and the system of
means and private interests be subordinated to it. The great difficulty in the way of this,
according to the argument, is that the forgotten religious basis of American liberalism
would have to be reconsidered and given more adequate form.

IV

The other great contemporary secular form has not a general name. If it be called
‘Marxism’, that would be to neglect the peoples of the Common Market who are equally
to be included. Philosophically those of an Existentialist tendency and Marxists are
sometimes called in common post-Hegelian. But the argument here is that the standpoint
from which both tendencies are to be understood is Hegelian, and that both are forms of a
total secularization of the Christian religion without the residual attachments to the
religion still present in American liberalism. The result of this as of other Christian
secularities, would be according to the Hegelian argument also a deeper knowledge of the
religion. But the course of that argument is opaque alike to Marxist and Existentialist.

When Feuerbach and Marx see the fulfillment of Christianity in a radical secularity
complete and sufficient to itself, the phenomenon they describe can as well be seen as a
lapse into a Platonic cave from which independent subjectivity is not to be regained. One account is as good as the other. For to say that in communism state and civil society or the realm of particular interests are immediately one is no different than saying that they are immediately separate. Similarly the Roman securality could be equally well described as the irreparable division of nature and reason and by Stoical writers as an immediate pantheistic unity of the two.

The phenomenon of total secularization had already occurred in the advanced European states and was described precisely by Hegel. What still occupies American liberalism the division of private and public interests in civil society became in a certain way a subordinate problem in these states. Whether in fact states regulated economic life greatly, the later emergence of socialist parties shows that such regulation was not incompatible with the national state. In these states there could not be a relation to the Christian religion in the American manner, that is through the incomplete development of civil society. If there were to be a relation it must rather be through the state. But how can a state which has in principle brought under its power the whole realm of private interests and is for its members the unity of ends point beyond itself to religion? To Hegel it was clear that once the state was well established it would cease to be Christian, in the sense that civil society would detach itself as a sphere complete in itself where religion and other principle matters would be seen in a finite context not very differently than in Roman antiquity. In one way the unity of civil society and state was established, in another way as the history of the 19th century testifies never were Europeans so free privately to extend their interests in every direction. To this separation Hegel saw the only and inevitable cure to be war, which would in the end be the destruction of national states impotent to be actually what they were in idea the power to unify private interests to the concrete good.

Marxists have had difficulty in showing how the secular unity of human interests is to be thought a practical end. If it were said that revolution sprang from the contradiction of advanced capitalism, then this unity was to be realized first in particular national states. But the dissolution of an ordered distinction between state and society within a nation resembles rather what is called ‘fascism’. Or if the state were thought to be simply for the welfare of its members in their particular interests the welfare state this was rather to atomize than to unite society.

If one thought rather of world revolution in response to international capitalism or ‘imperialism’, it must at least incipiently be of one or some peoples and not of all. Partly therefore the same difficulty recurs as for revolution in one nation, partly the further difficulty that as supranational communist power will be abstract disembodied humanity or rather its embodiment in a party. And so instead of the liberation of society one finds after a half century bureaucratic oppression centred in a people of autocratic tradition, and the revolution maintained among other peoples by military power. In one case the communist state confines civil society by a wall. In another it permits flight to the United States.
But it also happens that Marxism unites society and state among peoples long moribund and powerless against foreign domination. European and American technology are found powerless against the Marxism of China or Vietnam. It thus appears that the undivided will of society and state is after all a reality and not either the fanaticism of national solidarity or the ever unrealized human ideal of a state technology.

For the dialectical barbarism that neglected to notice that the unity of state and society in its modern form is not simply immediate, nor its mediation simply historical, material, economic. Marxists have paid the price that they cannot account for these differences. The explanation is to be seen in this that the unity of society and state is more and less difficult according to the depth or concreteness of their antecedent separation. On the ground of an ancient culture where the separation of religion and secularity was only incipient, a pervasive universal subjectivity could animate the mass of society with quite other facility than in Europe.

Marxism again could subsist and find acceptance or toleration among the Russian people who had never historically experienced deeply the several Christian secularities. Among American liberals it can only take root in the form of anarchistic opposition to bureaucratic capitalism. In western Europe the relation is less obvious. Partly there appears a close affinity with Marxism in an Existentialist thought that, for example with Heidegger, would annul the deep division of classical and Christian thought from nature and Asiatic immediacy. Why might they not meet in ‘Maoism’? But it is just the subjective will in its abstractness nihilistic, Nietzschean which is one aspect of ‘Maoism’ that is most repugnant to that direction of thought. There is here a sundering of technocratic will from nature such that no mediation seems discoverable, where in American liberalism the connection is not altogether lost.

Objectively the European secularity is partly society on the basis of the national states, holding to the side of nature and particularity, which delegates power within uncertain limits to an international bureaucracy. Partly in the Marxist form the bureaucracy has independent power and restricts more or less severely the realm of particular freedom. The whole course of the argument has shown that the unity of both forms is the truth of the matter.

But the mediation by which that unity might be known is not to be found in European conditions but variously in awakening Asia, in liberal America, perhaps elsewhere as well. The relation of this secularity to liberal America has the curious form that in one way it is aware of having gone beyond this liberalism, in another it has lost even the imperfect unity there present. If one were to say that what is sought at the present time is a political will, also the will of society or of individuals, such as could use technical power towards the concrete human good, then the American secularity and the European are incapable of this will for opposite reasons. American liberalism knows this good only in religious form and its secular expression is only technology or the system of means. European secularity is concrete but the religious form is lost in which this concreteness can be known as such.

September 19, 1973
Reason And Rebellion

Graeme Nicholson

Political institutions come in great variety, because constitutions differ from each other from the ground up, and because each constitution comprises a great number of institutions: an upper house, a lower house, and so on. But my interest will be served by looking away from all that. I believe that all this variety can be comprehended under the aegis of a single head: the political institution as such, the state. Some kinds of study are enhanced by attention to detail, but in philosophy the detail can sometimes distract us from investigating the principles and grounds of things. The great tradition of political philosophy undertook to show that the state, the political institution, had its grounding in reason, and was therefore justified, and that this justification could be expressed in philosophical thoughts and arguments. As to particular institutions (parliament, judiciary, etc.), these were generally shown to have their justification and grounding too, but philosophers would have considered it eccentric to investigate them without preliminary attention to the state as such.

To hold that the state derives from reason differentiates it from the other institutions that fill up our lives, religious bodies, clubs, and especially economic institutions. That was stressed right at the opening of Aristotle's *Politics*. The sphere of the *polis* is that which is highest and greatest in human life, and it is the home of reason, speech, deliberation, decision. Economic life is pursued within a lesser, subordinate unit, the village (*kome*). Hegel too subordinated civil society, whose domain was economic, to the state, the highest expression of objective spirit, the "ethical mind...manifest and revealed to itself, knowing and thinking itself..." In claiming that state and law were the manifestation of reason, these philosophers were disputing the adequacy of certain anthropological opinions: that the state originated in conquest (a war-lord subjugating some populace), or in patriarchy (men ruling over women), or as a reflex from pre-human forms of life (the dominance of one baboon over others). Hegel, of course, did not invoke the rational foundation of the state in order to prevent inquiry into historical origins - the latter was perfectly in order for him, but it had to be comprehended by a philosophical history that would demonstrate the presence of reason in history.

Looking generally at the philosophers, then, to summarize, we can interpret the mainstream doctrine as implying that justice, liberty and welfare were the works of the state. That expresses some of the content of the idea of reason, and offers criteria for estimating the merits of this constitution or that one, this law or that one. In practice, of course, the criteria always need to be developed in more detail.

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1 *Hegel's Philosophy of Right*, translated by T. M. Knox (London: Oxford, 1952), Sec. 257
What ancient and medieval philosophers took for granted was that the state was a community of some kind, a society, an association. But in modern times, this equation came to lapse. We came to conceive of the state as the institution that governs society, conceiving the latter as a criss-crossing of many associations and many communities, all subject to state regulation to be sure, but having their own being and defining their own ends without necessary reference to a state. And because we have had the experience of community, it then became possible to imagine community without state regulation. It even became possible to see the community itself as the locus of reason, rather than the state. A momentous development! Under what conditions did that arise?

A further claim made by both Aristotle and Hegel was that one function of the state and the system of law was to protect private property. And they both regarded private property as an institution that was quite in accord with reason. ² Yet that very point was called into question again and again, especially in the period after Hegel. The challenge arose because private property seemed to introduce a rupture into the community. Property is not merely a two-term relationship in which one party (individual or group) has the ownership of some item (estate, machine, whatever); it is a three-term relationship; all other parties are denied a right to that item, and that is what the law of property means most of all. Could traditional philosophy now show that reason sanctioned such a division introduced into the community? We shall be looking at how the challenge was launched by the first great anarchist theorist, Pierre-Joseph Proudhon, someone who did appreciate the complexity of the question. Obviously, Proudhon's challenge raised an even bigger question, whether the state as such could claim to be grounded in reason. We'll explore that question with reference to the most famous and influential anarchist of them all, Michael Bakunin, a disciple of Proudhon. These critiques are certainly important for anyone who scrutinizes political institutions. And yet it is not only the straight political opposition or antagonism that is of interest here.

The history of this argument raises the further question what we are to understand by reason itself. It is no adequate reading of this history to rehearse certain "arguments" made by the anarchists against property and state, and then to review the "counter-arguments" that their opponents have made, or could have made. That would be thinking of reason merely as our subjective capacity of calculating and making judgments. But if the state really is grounded in reason, and if property really is grounded in reason, then reason inheres in and informs these very structures of social reality. Or if it is the community instead that embodies reason, not the state, then reason is incarnate in the community, and the state is an institution of unreason. Our question concerns the substantive idea of reason, rather than the subjective, and therefore the opposition we have introduced affords the opportunity of a phenomenology of reason itself. Where there is an anarchist rebellion against property and state, where does reason stand?

We shall think of anarchism, then, not as a set of opinions which might be more or less rational, but as an historical phenomenon, a movement in which we may or may not discern the presence of reason.

² Aristotle, Politics, Book I, Ch. 8; Book II, Ch. 1 - 4. Hegel, op. cit., Sections 41 - 46.
A Brief History

Anarchism belongs to modern history. If you regard it merely as a set of doctrines, then perhaps you can see some antecedents for the doctrines in ancient philosophers (commentators often refer to Zeno, the first Stoic). But if you look at it concretely, as a movement, embodying theory and practice both, it becomes clear that there could not have been anarchism in the ancient world or in medieval or early modern times.

Anarchism emerged as a recognizable current in the aftermath of the French Revolution. At that time, the world witnessed the overthrow of the ancien regime, the establishment of a Republic, the struggle of distinct factions in the succession of temporary governments, and all the changes that affected education, religion and culture. It also saw Napoleon emerge as Emperor and war-lord. But according to many historians, the middle years of the Revolution also brought an awakening among the lowest classes of France, in Paris and the countryside alike, who organized themselves into "sections" and "communes", small-scale communities for mutual protection in times of violence and for economic production and distribution. Their public face in the Republic was as sans-culottes. Though the sans-culottes were unable to shape the course of events in the political crises of the 1790's, their class did come into nationwide self-consciousness, perhaps the first public appearance of the proletariat. As it grew throughout the 19th century, it attained increasing self-consciousness, achieving political self-expression in the Paris Commune of 1871. By this time, anarchism had also become defined as a current of thought, claiming the allegiance of many of the communards and the workers as a whole in France. The central influence was that of Proudhon.

There is a continuing history that springs from that experience. Anarchism struck deep roots in Russia and its tributary countries, especially Ukraine, where modernizing and Westernizing influences encountered other currents: pan-Slavism and the rural narodniki. This potent fusion came to expression at the time of the 1917 Revolution. While the Bolsheviks and the Mensheviks struggled to gain control of the state apparatus, the peasants of Ukraine and the workers and sailors of St. Petersburg responded rather to the anarchists' appeal to freedom and self-organization. Yet the Red Army did secure control of the whole Soviet territory for Lenin and his successors, with great violence.

Spanish anarchists participated along with other groups in combatting the Fascist putsch of 1936, and in the civil war that followed they not only engaged in combat, but carried forth an amazing revolution in social and economic life in the areas where they were strongest, especially Andalusia and Catalonia. The elimination of class differences, the libertarian self-management, even at points the abolition of money, all accompanied

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by an increase in productivity -- these achievements are well documented by credible eye-witnesses including George Orwell.  

The New Left of the 1960's in North America and Europe combined an anti-war movement with a civil rights movement, and was deeply imbued with anarchist currents as well as humanist and socialist commitments. In the U. S. A., it drew not only upon European anarchism but also the historical American anarchism represented by such figures as Benjamin Tucker and Henry David Thoreau.  

What I have sketched here is a continuing history. It is not a random collection of distinct episodes. For the fact is that those who participated in some of the later struggles were well aware of the earlier ones and drew upon them, seeking to apply what experience had already shown. One example of this can be seen in Diego Abad de Santillan, whose book, The Economic Organization of the Revolution, drawing heavily on the experience of past revolutions, offered guidance to the anarchist collectives in the period after 1936. We can discern common themes in all these periods, and I shall single out a few of them in the coming pages. The themes do not merely lie behind us in the dust of past history, but they bear upon our contemporary dilemmas. Could they be the expression of reason in history?

Property

Proudhon shows in his writing his double character, one who is swift and powerful in emotion, a romantic, yet at other times overly subtle and complex, a dialectician. In his first major publication, in 1840, he expressed the first aspect of his personality: What is Property? First Memoir, answering his own question with the famous words "Property is theft." He did not mean to imply, as some of his critics argued, that there was a prior property owner who was the victim of this theft - that would indeed be contradictory, for then he would be assuming the property structure that he was seeking to explain. It was, rather, the whole of the community that was the victim of the primordial theft and that remains perpetually the victim. That community did not function as an original proprietor, as is evident from Proudhon's clarifications. The three-termed relationship that is called property can take on different forms, and it was just one of these forms that he was

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discussing in his Memoir, and seeking to derive. One might possess something only when one was making use of it, a relationship Proudhon called "usufruct", and in that case one's right to exclude others was accordingly limited: only so long as I claim X in usufruct can I hinder you from using it. But an utterly different relationship arises where there are no such conditions of use, the kind of property called in France aubaine, and in other countries often dominium. Property right of this kind was absolute, without conditions, and incorporated no limit in the right to sell the items, give them away, or to abuse them utterly. Dominium also differed from many feudal property relations - title to a fief did not usually include the right to sell or otherwise alienate the property, for the title was limited by one's obligations to the feudal lord. Proudhon's analysis was limited to aubaine.

What was to be expected when even jurists, law professors and Academy prize winners confuse PROPERTY with possession in its various forms: rent, tenant farming, long-lease, usufruct, and enjoyment of things subject to wear and tear? [1863 - 64]

It is no exaggeration to see the critique of modern capitalism or possessive individualism in this analysis of Proudhon, though that gives no grounds for supposing, as some critics do, that Proudhon's outlook was nostalgic for the Middle Ages. He expected to see aubaine quite superceded, not reversed into feudal rights, superceded by a revolutionary working class.

The working class would expropriate the large-scale factories and estates that were the means of production, and introduce a new administration of them through organs of popular management. This was anarchist: the abolition of state control was the essential condition for this.

Proudhon's proposals contained in germ many of the complex issues that pre-occupied revolutionaries in the decades to come. For one thing, he believed that small-scale property was relatively harmless; he wished only to collectivize big industry and agriculture. Later on, more radical elements in the anarchist movement came to scorn half-measures of that sort as the hesitations of a petit bourgeois, bringing a division of opinion that persisted for a long time, especially in Spain in the 1920's and 30's.

When, in the Memoir, he declared himself an anarchist (Edwards, p. 88) that was not only because state power protected property, but also because the hateful relationships of domination, class snobbery and privilege that had been bestowed on property had radiated originally from the state. For Proudhon, the work of the French Revolution was to be continued: not only royal power, but now property, its reflection, is to be overthrown. Property was for him an intractable mass of tradition that stood over against the thinking intelligence, a rebuke to self-consciousness from an alien structure, an

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10 For the following, see the Edwards anthology, pp. 125 - 131, that quotes texts from later years.
11 Edwards, p. 125.
12 For example, Edwards himself, in the introduction to his anthology.
irrational surd, resembling in some ways the category of the *pratico-inerte* that emerged later in J.-P. Sartre's *Critique of Dialectical Reason*.

In defying the state, the anarchists disputed its role as the fount of legitimacy, and in practice they accorded no veneration to the laws that protect private property. While sometimes believing in laws of nature or laws of reason (see William Godwin, *The Inquiry Concerning Political Justice*, 1793), they never conceded an equivalent status to the legislation of the state. The socialists' critique of law pinpointed its bias in stemming from class interest: capitalists and others get legislation passed that benefits the powerful at the expense of the weak. Yet while anarchists have endorsed this, the main impetus of their argument led in a different direction. The socialist critique by itself leads to the conclusion that a socialist regime, or even just a fair regime, would see to it that laws were passed that served equally the interests of all. Yet that is difficult indeed to realize in practice. The ongoing torments of liberal and social-democratic theory arise from the effort to show how laws may still serve the interests of all even where much of the inequality arising from the property system remains in place. Granting that there is a class bias in the presently-existing legislation, anarchists take the argument further to focus on the state as such, for it brings about a power bias that fuels the class bias. In the end, they have argued, it is impossible for a state government to introduce equality or freedom.

**The State**

Michael Bakunin (1814 - 1876) was a still more radical anarchist, putting the questions of state and law more sharply. Systems that profess to be democratic give a grounding for the state and the rule of law in the consent of the governed. The social-contract theory is one form of that. Yet Bakunin rejects this theory, which he summarizes so: "In order not to destroy each other completely, [human beings] conclude a *contract*, formal or tacit, whereby they surrender some of their freedom to assure the rest. This contract becomes the foundation of society, or rather of the State."13 But in going on to demolish the very idea of a social contract in these pages, Bakunin in effect denies any doctrine that would justify state power by reference to popular consent. "A republican State, based upon universal suffrage, could be very despotic, more despotic even than the monarchical State, if, under the pretext of representing everybody's will, it were to bring down the weight of its collective power upon the will and the free movement of each of its members."14 He seeks in these pages to undermine the illusion that it is the state that guarantees us freedom.15 The hidden force of the liberal argument, he shows, is to seduce the population to trade off their liberty for the sake of security and welfare, and then, mendaciously, present this welfare as if it were liberty. Even on its own terms, moreover, the trade-off is a devil's bargain. For (a) every state is particularist, undermining the unity

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14 op. cit., p.130.
15 "Liberty is indivisible; one cannot curtail a part of it without killing all of it. This little part you are curtailing is the very essence of my liberty; it is all of it." p. 129.
of humankind through projects of imperialism and war against other states (pp. 133 - 134). Nothing is more contrary to welfare than war. Moreover, (b) the state is an elite conspiracy aimed within, against the population of their own nation. On this, there are many texts one might select from Bakunin, often powerful diatribes that leave us gasping, and wondering whether they could really be of contemporary relevance. Here is part of one from 1870, from a text called *Science and the Urgent Revolutionary Task*:

"[Government] is the science of covering whole countries with the finest net of bureaucratic organization, and, by means of regulations, decrees, and other measures, shackling, disuniting, and enfeebling the working people so that they shall not be able to get together, unite or advance, so that they shall always remain in the salutary condition of relative ignorance - that is, salutary for the government, for the State, and for the ruling classes - a condition rendering it difficult for the people to become influenced by new ideas and dynamic personalities. This is the sole aim of any governmental organization, of the permanent conspiracy of the government against the people. And this conspiracy, openly avowed as such, embraces the entire diplomacy, the internal administration - military, civil, police, courts, finances, and education, and the Church.\(^{16}\)

Clearly, Bakunin was drawing here on his own experience of the Czarist regime in Imperial Russia, where administrative, military and ecclesiastical power fused in a tight knot: a conspiracy united the conscious intentions of the members of an elite. Bakunin always saw military conquest as the foundation of the state. But such conquest leaves its lasting effects for centuries. Even when the battles are long over and won, and even where no conspirators gather in unison, the relationship of domination lasts. There continues the domination of a tiny minority over the vast masses of working people, the tiny group being no different in terms of intelligence or physical force, merely associating and organizing among themselves, on the grounds of their common education and access to leisure time. The state, the matrix of domination, is the absolute institution, centralizing all functions into its hands, and forming a colossus that seems impregnable. The relation of domination is, for Bakunin, the root of the class system. The latter does not spring from processes of production, which are pre-eminently in the keeping of the working people. Bakunin continues the diatribe, picturing the masses of people up against the absolute institution.


And it is against this huge organization, armed with all means, mental and material, lawful and lawless, and which in an extremity can always count on the co-operation of all or nearly all the ruling classes, that the poor people have to struggle. The people, though having an overwhelming preponderance in numbers, are unarmed, ignorant, and deprived of any organization! Is victory possible? Has the struggle any chance of success?

It is not enough that the people wake up, that they finally become aware of their misery and the causes thereof. True, there is a great deal of elemental power, more power indeed than in the government, taken together with all the ruling classes; but an elemental force lacking organization is not a real power. It is upon this incontestable advantage of organized force over the elemental force of the people that the might of the State is based.
Consequently, the question is not whether they [the people] have the capacity to rebel, but whether they are capable of building up an organization enabling them to bring the rebellion to a victorious end - not just to a casual victory but to a prolonged and ultimate triumph. *Op. cit.*, pp. 366 - 367

In my opinion, the problem is not that this is extreme - but that in one particular way it is dated. What dates the picture of the state is the reference to conscious conspiracy. Today we can still see the state consolidated into a global network of controls that determine employment and unemployment, development and undevelopment, but the point is that this is not accessible in its completeness and entirety to the consciousness of those who are dominated or, for that matter, those who dominate. I should like to attempt an updating of Bakunin's vision.

**The State Today**

At the opening of a new century and after a century of unprecedented violence, humanity finds itself divided into two, on a globe bisected by a line that runs from the bottom of Mexico, through the Mediterranean Sea, and then northward through the Caspian Sea and the Urals. On one side of it is the North, on the other side the South, except for some outposts of the North that include Japan, Australia and New Zealand. This North is sometimes called "the West" because it is the heir of Western history. Though its political capital now is Washington, in fact it is the successor to the imperial centres of several different empires, the British, the French, the Russian, and others. The North is the regrouping in which all the old imperial centres are now fused into a single hegemonic entity. On the other side of the line, with some exceptions as I noted, are the regions and territories that were once occupied by one or another of the old empires. The South has come to resemble a vast plain that is kept under watch by a North that, in relation to the countries of the plain, appears as a gigantic fortress. Such a harsh duality is not yet entirely realized, but it is the tendency, the possibility, that is inherent in many of the policies pursued by the countries of the North, especially by the current government of the U. S. A.

The North contains perhaps twenty or thirty states, but it is not because of their political constitutions that they form a hegemonic unity. These states all extend their power and their life into a group of further organizations, including several military alliances, especially NATO, and several economic unions, especially the EU. These state-extensions are crucial to the vital fabric of the North. Further extensions of the states are such entities as the International Monetary Fund and the regular conferences of the G-8, which contribute greatly to the unity and hegemony of the North. Though the states differ among themselves in power, wealth and culture, and though the U. S. A. now enjoys unchallenged primacy among them, still, when we view them together with the state-extensions, we become more aware of their unity than their division. That is what the American press now describes - using the language of war - as "the U. S. and its allies."
In addition to the states and the state-extensions, we need to recognize the innumerable corporations that, under the present constitutions of the Northern states, are defined as "the private sector." They are innumerable because they come and go perpetually, and enter into fluid combinations with ever-new names and acronyms. Corporations in extractive industries, manufacturing, transport, computers, etc., tend to work in concert with financial companies and banks, and it is impossible to separate their activities from those of the states and the state-extensions. The IMF and the World Bank work with the national banks and the international corporations. I might call this third sector the Capitalist Internationale. Traditional constitutional theory calls it "private-sector," but now it blends seamlessly into the activities of the states and the state-extensions, playing the most important part of all in differentiating the fortress of the North from the Southern plain. The Capitalist Internationale is one part of the fortress state. Capitalist libertarians who complain about "state power" and want to liberate the "private sector" are in fact working, through the Capitalist Internationale, to secure the hegemonic control of the actual state, the Northern fortress.

So Bakunin's nightmare vision of the state does have its application today, and is echoed in different ways by philosophers in our time, Heidegger, for instance, with his vision of technology, and Foucault, with his analysis of power. Moreover, many recent meetings of the G-8 and other international organizations have been picketed by protesting demonstrators, and I believe that they are guided by similar ideas about the gulf between the fortress and the plain.

But there is the other possibility - that the divide between the North and the South might become ameliorated. Whether it could be eliminated altogether in the long run is a question with no ready answer now. Today's North-South confrontation is not the same as earlier ones like "East and West" or "Communism versus the Free World." For one thing, the South is not a unity or an entity to the degree that the North is. In the not-too-distant past, many of these countries were represented by Communism, whether Moscow-line or Peking-line, but the possibility of Communist leadership of the South now appears to be gone forever. The Islamic world is only one part of the South, and will never be able to represent it as a whole. A Southern unity of interest that would arise from resistance to the fortress is certainly conceivable, but at the moment can only be seen in fits and starts. Many initiatives that are afoot today can strengthen solidarity among these countries.

There is the vast array of Non-Governmental Organizations, in which local leaders make widespread fraternal contacts, and they can accommodate helpers and experts from the North.

There is the U. N., with its various agencies, that has consolidated its position as an advocate for the South. There are the world religious organizations that have worked, usually, in concert with the U. N. and the N. G. O.'s. Anarchists need to learn about the work of religious organizations, and overcome the hostility to religion and churches that they have inherited from 19th century anti-clericalism and 19th century atheism and materialism. Of course, religion itself is brimming with differences and contradictions.
The world-wide ecumenical churches, including the Catholic, have a necessary role in the future of the South. Some currents of Catholicism, however, are still wedded to hierarchy and authority, and will probably inhibit unity and peace in the world. Some of the sects that sprang up in the U. S. A. over the past century and a half have little connection to world Christianity and merely articulate the ideas of Fortress America. A fourth force for unity and peace is what I shall try to describe below as a contemporary application of anarchist syndicalism.

Inside the Fortress

Now to focus on the impact of the contemporary state upon individuals and groups living in the North. I cannot really thread my way through this infinite mass of experiences, whose meaning is of course controversial. So I'll draw on just one study that is illuminating and suggestive. It illustrates how a government programme, basing itself on scientific research, works its way through the education and health systems, and, interacting with private entrepreneurial initiatives, television and the press, weighs heavily in the conscious and unconscious minds of all, and governs behaviour and interaction on a vast scale. This is a study of the physical fitness industry: Brian Pronger's book *Body Fascism: Salvation in the Technology of Physical Fitness* (Toronto: University of Toronto Press, 2002). This physical fitness phenomenon reaches through the educational system ("phys. ed."), including the post-secondary sector where the kinesiology faculty promotes research, and trains phys. ed. trainers. Governments in Canada, like other governments, contributed their policies and publications to promote fitness in the population (Pronger, pp. 126 - 129); the life sciences were assembled into a science of fitness with their own production of texts (pp.129 - 136); popular publications of every kind, in magazine or other format, engulf the population (pp. 136 - 143) and facilities are created in vast array for training of every kind; the media and publication circulate endlessly representations of fit bodies for advertising and other purposes (143 - 144); all this with tremendous effects on all of us in the use of our time, as we all (yes, I too) make our way daily to the gym, and in the mirror confront the daily disappointment. If we compare this particular growth to other sectors of life, common structures that will strike us include: a grounding upon scientific research; the existence of specialists who advise, promote and regulate correct procedures for everything; dissemination of information to the public on how everything is done - in short, what we call bureaucracy, with no difference between the private and public sectors. Inside the fortress, the ancient goals of the state - justice, liberty and welfare - have undergone a mutation into a thicket of regulations, guarantees, procedures and codes, all supervised by duly designated officials. Inside the fortress, the state multiplies into innumerable micro-states: departments, corporations and schools in which every question will have its answer, and every need its remedy, if you just know where to go or who to ask. The state, in its current mutation in the age of technology, is the prototype for all these authority

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18 I would include the educational system, health care, welfare, the police and correctional systems, the judiciary, entertainment, the military, the Internet, banking and finance, publishing, the arts, resource industries, manufacture, broadcasting and television, transport, construction and many others.
structures. The communication to all of us, that procedures are there to be followed, is almost entirely to the unconscious mind.

If there is truth in this picture, we wonder whether there is any possibility of relief. Could there be some type of reform, or rebellion, or revolution, in which the subjects might reclaim their freedom and self-government? What does reason say? Here we might look back to the earlier anarchists.

The Anarchist Dream

The Proudhon-Bakunin idea has its positive sides in addition to critique, and if we mention some of that, we might also ponder contemporary application.

(a) Laws of Freedom. Bakunin's writings brim with visions of the stateless community, and one of the points of interest to us is the place of law. He does not deny that a community of free individuals would have laws, but their status would be quite unlike the status of laws in a state. He calls for:

Abolition of all criminal, civil and legal codes now administered in Europe: because the code of liberty can be created only by liberty itself...All attempts to combat social immorality by rigorous legislation which violates individual freedom must fail.\(^1\)

But this does not mean that there is no law at all, for we also read that:

Individuals condemned by the laws of any and every association (commune, province, region or nation) reserve the right to escape punishment by declaring that they wish to resign from that association. But in this case, the association will have the equal right to expel him and declare him outside its guarantee and protection.\(^2\)

The laws have been accepted by the individual in freedom, and he maintains freedom while adhering to the laws. So membership in the community is absolutely voluntary, including the observance of laws, and this differentiates laws of freedom from those of the state. The community's sanction is expulsion, but it cannot pursue the offender or require extradition, so ultimately it lacks the power to compel. Another sanction Bakunin speaks of is "loss of political rights" (p. 80): participation in the community's self-government can be denied those who are lazy or immoral. Nevertheless, such persons will maintain "economic rights": upkeep, clothing, food, shelter. Loss of political rights, however, can include loss of the custody of your children (p. 81). There remains the absolute right of political agitation, extending also to those who campaign against anarchism. This quick outline, contrasting the laws of freedom with those of the state,

\(^{19}\) "Revolutionary Catechism" [1866], in Dolgoff, Bakunin on Anarchism, pp. 78, 80.
\(^{20}\) ibid., p. 81.
shows clearly that Bakunin is presupposing a small political unit, the "commune", and if that is granted, we can see that he is offering a credible alternative to the traditional philosophy of legislation.

(b) The Commune. The philosophy of the commune was elaborated later on by Kropotkin, though it is always clear that Bakunin is presupposing the decentralized order of things. Urbanism, according to Kropotkin, was the matrix of most of the valuable achievements of civilization by virtue of the relative freedom and co-operation it tended to promote, whereas the state descended historically from the conquests of war-lords (i.e., royalty and aristocrats) who gained mastery over vast territories, forests and plains. And anarchist practice (for example, the history we reviewed near the beginning of the paper) has confirmed the idea that co-operation as such poses no threat to individual freedom and development. This stands as a beacon for the political theory that, in recent years, has been tormented by the antagonism between communitarian and libertarian values. The sharpness of this antagonism is conditioned by its being conceived under the aegis of legislation and authority, i.e., the state.

Bakunin, as we quoted above, assumed that the communes would be federated into "province, region and nation." He also believed that the course of history was leading to a world-wide federation absolutely inescapably (Dolgoff, p. 106). In what sense, then, is his federalism different from a state regime, and why isn't the eventual world union a world state? Many provisions we read of in both Bakunin and Kropotkin intend to guarantee statelessness at every level, but what seems to be central to them is a distinction between what is "political" and what is "economic." Bakunin in particular seems to work with a difference between what is conscious and what is unconscious The force towards federation is the economic force - it is an involuntary tendency towards centralism, an aspect of our life of which we have only partial awareness, and which is not governed by any overall policy. Our political consciousness is directed towards the life of the commune. The centralizing drift, however, stems from unsupervised interactions of groups and companies in different places, with no provincial or national parliaments.

The dream of a libertarian commune is beautiful and inspiring, but the question that concerns this paper is whether reason requires it. If no real way could be found to get from "here" to "there," then we'd have to call it a utopia, an idea of the imagination rather than reason. Many such communities have been attempted on a small scale, both in the countryside and in urban districts, with some wonderful results. The builders have earned our utmost respect. Nevertheless, the communities have remained isolated and have not revolutionized society. Perhaps they signify not so much reason in history as reason withdrawn from history. But caution is appropriate here. Reason is always inventive, and may surprise us. We should concede at the present time that this anarchist communism is not a requirement of reason, but I think that syndicalism needs another look.

Economic Life

This was the subject of passionate interest to Proudhon, and was developed further by Bakunin. He considered that labour organizations already possessed the power and the wisdom to lead a universal revolution, not needing the guidance of any Central Committee or Socialist Party or intellectual theorists. The idea of "scientific socialism" was particularly abhorrent to him, for he had observed in the different French revolutions that human beings, by virtue of their inherent liberty, has the further capacity for spontaneous organization. Rebellion was already a creative force. And anarcho-syndicalism, as the revolutionary workers' movement came to be called, was the expression of this. It made the claim that productive workers in manufacture and all industry already possessed all the skill that was necessary for administration and management of all economic life. No need for bosses, whether in the revolution or in industry or in the state.

In fact, however, syndicalist ventures have had an unhappy history in the 20th century, whether we think of German "co-determination," or Yugoslav and Algerian ventures in "workers' control," or in efforts in that direction in Canada and the U. S. A. It may be that workers have sniffed out a hidden political agenda in those who have sought to promote workers' control, and avoided it as not being a project of workers themselves. Still, if one looks at the labour scene today, there are many indicators of critical and creative workers' initiatives.

One of the ecological dangers we confront arises through unsafe industrial practices in chemical industries as well as mining, smelting and so on. The first victims are often industrial workers themselves. We read, e. g., of "the increased rate of breast cancer in female chemical industry workers," and virtually anybody can tell you about injury and sickness resulting from work in polluting steel plants, nuclear facilities, and so on. The workers who have reported such practices have generally organized more effectively to fight them than have state or provincial governments.

Again, the 20th century has seen the emergence and consolidation of a new group of workers whose work lies at the heart of industry and indeed of modern society: workers in research, members of "the knowledge industry." They are greater in number internationally than was the proletariat of 19th century Europe, and constitute more of a mobile fraternity than did the old working class. They are also mobile in the sense that they move around among firms and across industrial sectors, and (just as important) are to be found not only in industry, but in universities, schools, research establishments, medical establishments of all sorts, and departments of government. They have their hands directly on the "forces of production." Like all human groups, they vary greatly in outlook, of course, yet as a group they are strong in their attachment to the scientific method, truth in reporting, and academic freedom - attributes that are certain to exercise influence in the management of technology and its impact on human beings and the

23 ibid., 193.
environment, and that resist the compromises and betrayals that tempt all governments. The name of "anarcho-syndicalism" may seem odd for this, and yet that is the reality and the potential. Needless, to say, this is a force that crosses the border between the fortress of the North and the plain of the South, and has enormous potential for promoting worldwide fraternity.

Syndicalist ideas, combined with some of the initiatives taken in the South that I mentioned above, might have a long-term potential for reviving anarchist communes, and breathing into them the breath of life, though, as I have conceded, one cannot yet assert that reason is on the anarchist side.

**Freedom and Rebellion**

Our study has brought us to the confrontation between the fortress and the commune, neither of them being able to lay claim to the title of reason. It seems that reason would appear wherever a pathway is discovered that leads away from the fortress towards an increase in liberty or justice or welfare. Perhaps some of the paths we have been pointing to do meet that requirement. There are no grounds for identifying reason itself with one particular scheme of things, such as the commune that we have imagined. More likely is that reason resides in the very rebellion, the act of refusing a given state of affairs such as the fortress. If the rebellion adopts an ideal utopia as its guiding light, it is still the rebellion itself that incarnates reason, not the utopia. The image of utopia is secondary, something projected in the movement of rebellion itself. Reason is not the calculation of the benefits that might arise from this or that state of affairs, contrasting one image with another. Reason is the firm grasp of the principle. Bakunin articulated a philosophy of freedom, which comes through whenever he speaks of the human power of rebellion. Rebellion is every bit as central to human existence as thinking is, and as our material needs are.

While the social world tempts us to timid obeisance, it is by rebelling against its guidance, against social convention and popular prejudice, that we fulfill the truest and most valuable part of our being, the instinct for freedom that can never be finally crushed. Rebellion itself is the very deed of freedom. It is the same thing as freedom.

This point needs also to be applied to our search for reason in history: reason appeared in the spontaneous activism of the *sans-culottes*, in the Kronstadt uprising and in the struggles of Ukrainian peasantry, in the war against Franco and the collectives of Andalusia - it appeared in the projects, not in their guiding ideals or in their results.

If freedom is rebellion itself, there could arise the suspicion that it is an utterly arbitrary power, a pointless rebellion, without goal and without motive. There is perhaps a current of nihilism in the thought of Bakunin that we must beware. But in the present study we cannot accept the conclusion that rebellion is a formless negation. If rebellion is the face of reason in history, then there are constraints that come into force that

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25 See Dolgoff, pp. 239 - 240.
belong to the very structure of freedom itself, its form, its idea. The
rebellion of reason is not arbitrary, which is to say that rebellion will
always have in it a plea for reform, an idea of reform: wage reform, land
reform, welfare reform. Reform in itself is perhaps less than rebellion, but
it is a component therein. The rational component of reform that belongs
to rebellion need not be the conscious intention of the rebels - it can
operate unconsciously, as the implicit demands of the rebellion. And I
believe that this theme has been revived and strengthened by modern
existential philosophy. It can be found in many places, but I'll zero in on a
few ideas of Albert Camus, especially from his book The Rebel. That
freedom itself *is* rebellion is affirmed just as much by Camus as by
Bakunin, even though Camus was suspicious of him. What Camus
supposes in his book is the rebellion of workers against totalitarian and
unreasonable bosses. The very act of rebellion discloses to the rebel what
he values in himself, the line that he will not permit the boss to cross. The
rebel is the one who says No. But rebellion is also the point of origin of a
genuine community of workers, the point of transition from purely
individual existence to the solidarity of the group: in Camus' beautiful
phrase that rings the changes on Descartes: "I rebel, therefore we exist" (p.
250). And Camus, so consciously a partisan of "Mediterranean
moderation," establishes that with the discovery of the line within the self
that brooks no transgression, there appears also the line outside the self,
the limit. This rebel is not to kill his oppressor, and, in relation to the "we"
that became constituted in the rebellion, the rebel recognizes the
inviolability of every one of his comrades. The further conclusion Camus
draws is that the rebellion is not to become further transmuted into
revolution. Revolution is that immoderate project that never stops,
continuing to transform every institution without limit into the likeness of
that image that had guided the rebellion, seeking to secure ultimate
command of all sectors in the revolutionary regime. Here Camus shows
himself the anarchist rather than the professional revolutionary. Rebellion
is a self-limiting undertaking, and discloses the essence of freedom itself
as self-limiting. This is the authentic note of anarchism, as we see it in a
poster set up by Nestor Makhno as his forces liberated a part of Ukraine:

The freedom of the workers and peasants is their own, and not subject to
any restriction. It is up to the workers and peasants themselves to act, to
organize themselves, to agree among themselves in all aspects of their
lives, as they themselves see fit and desire...The Makhnovists can do no
more than give aid and counsel...In no circumstances can they, nor do they
wish to, govern.

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1956).

In this article, I will present the case for Bernard Bosanquet as a political philosopher who recognises the necessity and value of justice and of legalistic notions generally. I thus wish to challenge the prevalent 'inherited' view of Bosanquet as an unrepentant moralist who in his *The Philosophical Theory of the State* engages enthusiastically in a form of 'state worship'. So strong and widely held is this view that David Runciman can state in an almost matter-of-fact fashion that he (Bosanquet) 'regards technical jurisprudence as something a philosophical theory of the state must get beyond, as it "move[s] toward a point of view which deals more completely with life and culture"…He does not provide a secure juristic foundation for the part he wishes groups to play in the life of the state. He does not in fact provide what is an overtly moral conception of order with any juristic basis at all.' He contrasts Bosanquet with theorists such as Hobbes and Rousseau "who sought to formulate the unity of the state in juristic terms" and states that "Bosanquet did not address any of those problems which are commonly understood in legal terms - the problems of representation, or of obedience, or of ownership." Runciman holds, indeed, that "it was precisely the purpose of Bosanquet's political philosophy to transcend such legalistic notions altogether". This line of criticism is a serious one because, unlike other criticisms of Bosanquet's work which may be quickly dismissed as superficial and simply lacking any textual basis (for example, the Austinian charge of 'abstract idealism'), this particular criticism (ie. of 'anti-juristic moralism') is so well grounded in Bosanquet's text that it is not even, or not so much, advanced by Runciman as a criticism at all but more, rather, as a fairly unexceptionable observation. Another reason for the seriousness of this criticism (with Runciman's indulgence, I will henceforth treat his remarks on Bosanquet as if they were intentionally critical, even though it is by no means certain, or even likely, that they were intended to be so) is that it resurrects the ghost of 'statism', for if the juristic concern for justice and the rights of

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1 Bernard Bosanquet, *The Philosophical Theory of the State* (London: Macmillan, 1965). Please note: I normally insert an asterisk after a term to indicate that it is being used in a gender inclusive sense. However, in this article, as requested by Animus, I have used "he" in both a gender inclusive and gender exclusive sense, without employing the asterisk technique.


3 Ibid., p 77.

4 Ibid.

5 Ibid., p 77-8.

6 Ibid., p 78
individuals as Kantian ends-in-themselves suffers annihilation or subordination and justice is forced to vacate its legitimate place in the moral sphere, justice can no longer operate in that sphere as a complement or counterpart to the 'common good' and the vacuum, so to speak, is liable to be filled by a triumphalist state. However, I wish to suggest that the concern for justice and individual rights suffered no such annihilation in the mind and work of Bosanquet and that since he was not an anti-juristic moralist, he was not, for that very reason, a 'statist' either.

After presenting, in section one, a preliminary 'case for' Bosanquet as a political philosopher who did indeed recognise the necessity and value of justice and of legalistic notions generally, I then consider in section two the 'case against' him. In section three, I speak more directly in my own voice and arrive at my own final judgement, which is that Bosanquet is indeed a genuinely juristic thinker. However, while supporting the 'case for', I also try in this section to acknowledge the undoubted strength of the 'case against'; in particular, I concede that Bosanquet does make himself vulnerable to the charges of statism and anti-juristic moralism by his outright and, in my view, ill-considered rejection of the tradition of civil association which we now generally associate with the work of Michael Oakeshott. It is certainly a weakness in the 'case for' that he condemns, instead of taking advantage of, this tradition, for it lends powerful practical and theoretical support to the juristic concern for justice and for solidly grounded individual rights. However, I argue that Bosanquet's undoubted antipathy to this tradition is certainly not enough to substantiate the charge against him of anti-juristic moralism, for he establishes and justifies the value of justice, rights and legalistic notions generally on other grounds. In particular, he provides an insightful analysis of the meaning of the 'social' which helps us to see that the decisive issue is not whether 'juristic' ethical concepts (rights, justice and, more broadly, the 'right') should take precedence over what we might call 'statist' ethical concepts (common welfare, public interest and, more broadly, the 'good'), or whether the 'individual' or 'society' is primary, but rather, as Bosanquet points out, the really decisive issue is whether we are prepared to patiently investigate their nature, their complementarity and mutuality, or whether we simply assume that they (the 'individual' and 'society') are mutually repellent notions or entities. Finally, in a brief concluding section, I note that through his conception of the 'social', Bosanquet provides theoretical support both for the juristic rights of individuals to live and breathe in freedom in liberal democratic societies and also for the more positive ('statist') freedom or right to participate politically in the formation of a common will or social purpose, and that, in doing so, he succeeds where modern communitarianism and postmodernism have failed.

(i) Bosanquet As A Genuinely Juristic Thinker : A Preliminary Case For

The first point to note in this discussion is that Bosanquet does indeed state that a philosophical theory of the state must get beyond technical jurisprudence as it moves towards "a point of view which deals more completely with life and culture", though what precisely he means by this expression needs to be carefully considered. For

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7 Bosanquet, *The Philosophical Theory of the State*, p 37
Runciman, it appears to mean that justice and the law (or, in broad terms, 'juristic considerations') are 'transcended' or gone beyond in the sense of being left behind or as having value merely as a dispensable medium or point of transition to this higher point of view. However, just prior to making this remark, Bosanquet states that while jurisprudential generalisations convey important meanings, still they are, he says, "obviously very far short of the whole truth and as we pass beyond these everyday working conceptions, we are beginning to leave the central ground of jurisprudence, and to move towards a point of view which deals more completely with life and culture." Thus even a cursory glance at the immediate context of this remark is, it could be argued, enough to indicate that jurisprudential considerations have important meanings which may not, after all, be transcended in any annihilating or undermining sense by moving towards this higher point of view; this impression is confirmed when we embed this remark in the chapter in which it appears.

The relevant chapter in Bosanquet's book is entitled 'Sociological compared with philosophical theory' and its broad intention is to offer a critical analysis of the idea of a science of society which includes "human society among the objects of natural science" and which has no hesitation in availing itself of the methods employed in natural science. Following Comte, the watchwords of this science (sociology or social physics) are "law and cause - in the sense in which alone positivism allowed causes to be thought of - and scientific prediction." Bosanquet is clearly unsympathetic to this enterprise, to what he regards as the inappropriate use of the language of physical science in a sphere (human society) where its employment is bound to be generally distorting in its effects. He concedes that it is not always distorting, or at least not equally distorting, in all social spheres. He points out that economics, for example "is not really a sphere of natural causation, but it is a sphere of certain simple and general conditions in physical life, corresponding to external facts which admit of more or less precise statement and, we may hope, of reduction to fairly trustworthy uniformities." However, if it is not altogether implausible to attempt to model economics on natural science, Bosanquet is entirely clear that in the case of jurisprudence, we encounter "a branch of experience which seriously strains the working conceptions of the sociologist." Clearly, the law of physical science is entirely inappropriate in dealing with "the wealth of experience and of ideas which is furnished …by jurisprudence and the science of right."

Bosanquet then proceeds to present what we might call the 'jurisprudential aspect' of society. He holds that 'facts of law' are what he terms 'ideal facts' that constitute the frame or 'formal mind' of society. If we are to have a science of society worthy of the name, then it is important "to comprehend that the social phenomena which are among the most solid and unyielding of our experiences, are nevertheless ideal in their nature, and consist

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8 Ibid.
9 Ibid., p 17.
10 Ibid.
11 Ibid., p 31-2.
12 Ibid., p 32.
13 Ibid.
of conscious recognitions, by intelligent beings, of the relations in which they stand.\textsuperscript{14} The system of law, understood in this way (ie. 'ideally') as formal acts "of mind and will\textsuperscript{15}, is often seen as being "in opposition to the idea of a social growth"\textsuperscript{16} or to the idea of society as a living, moving, breathing and growing totality, but there is, he holds, no need to choose between 'society as artefact' and 'society as growth'; for Bosanquet, the former is but one aspect of the latter. A society may be more than, but is not less than, a formal or artificial system of law. He summarises this point of view in the following way.

From the beginning of social theory the facts of law have been set in opposition to the idea of a natural growth. It has been observed that, as a definite institution maintained by formal acts of will, society is artificial, conventional, and contractual. We all know to day that there is much more than this to be said about the nature and principles of social growth. Nevertheless, it remains true that the social whole has an artificial aspect, an aspect of will and of design, of the agreement and mutual recognition of free conscious beings.\textsuperscript{17}

Thus the system of law, or the formal artificial juristic aspect of society, is entirely necessary and also natural, since "nature", he insists, 'includes and does not exclude that action of intelligence in virtue of which society may be termed artificial.'\textsuperscript{18} There is thus no question of Bosanquet transcending justice and the law in the manner in which Runciman suggests. The latter is, in a sense, quite correct to say that Bosanquet fails to provide his "overtly moral conception of order with any juristic basis at all\textsuperscript{19}, but this is only because, for Bosanquet, the juristic dimension is so thoroughly integrated into the social whole that while it can be separated and treated separately for analytical purposes, it cannot be treated as a basis, as that on which society rests or stands. (There is surely an element of internality or integrality associated with the terms 'dimension' or 'aspect' which contrasts with the externality or non-integrality associated with the terms 'basis' or 'foundation'.)

If we turn our attention from the relationship obtaining between 'society as artifice' and 'society as living whole' to that obtaining between procedures for making law (the process whereby the general will is sought) and the law itself (an attempted embodiment of the general will), we find that there is a great deal in common between the two and that a misunderstanding of Bosanquet's position with regard to one of these relationships is liable to duplicate itself in the other. We can see this clearly in Runciman's account of the use Bosanquet makes of Rousseau's general will.

Bosanquet makes much of Rousseau's conception of the 'general will', but he also suggests that Rousseau himself could not make full use of it because he remained preoccupied with the problem of relating it to the 'will of all'. In the end, Bosanquet

\textsuperscript{14} Ibid., p.33.
\textsuperscript{15} Ibid., p.32.
\textsuperscript{16} Ibid., p 33.
\textsuperscript{17} Ibid.
\textsuperscript{18} Ibid.
\textsuperscript{19} Runciman, \textit{Pluralism and the Personality of the State}, p 77.
argues, Rousseau succeeded only in 'enthroning' the will of all, because he was fixed on the notion that the general will could be expressed in the vote taken by an assembly. We can express this argument in terms of personality: for Bosanquet, the general will was an expression of the 'moral' personality of the state; the will of all, in contrast, was an expression only of its 'legal' personality, since it was arrived at by legalistic conventions (i.e. contracts and shows of hands); and the solution, for Bosanquet, was to discount the possibility of deriving a general will from mere legal procedures, and instead look for it in the moral life of the state as a whole.20

A problem or task that confronts us in weighing the merits of this interpretation is to first of all attach a clear - or at least a viable and intelligible - sense to the expression 'deriving a general will from mere legal procedures'. No one, I think, would seriously suggest that a general will can be 'derived' from mere legal procedures, for clearly a true or real general will cannot be derived from any procedure whatsoever. However if, as I believe, Runciman actually means 'achieving or arriving at a general will by means of legal procedures' then he is quite right to point out that Bosanquet would regard such procedures as an inadequate means of realising the general will. While necessary and important, they are nevertheless insufficient, for such procedures, Bosanquet would insist, are unable to guarantee that the wisdom and experience stored in the rich institutional life of a modern complex nation will be brought to bear on a particular issue or proposed law. What Bosanquet objects to in Rousseau's account is not the procedures he employs to arrive at the great will but the fact that Rousseau so strenuously insists that individuals who hope to realise this will are to be completely unassisted in their task; they are forbidden access to an invaluable resource, i.e. the treasure stored in society's institutional life and traditions.

By reducing the machinery for the expression of the common good to the isolated and unassisted judgement of the members of the whole body of citizens, Rousseau is ensuring the exact reverse of what he professes to aim at. He is appealing from the organised life, institutions, and selected capacity of a nation to that nation regarded as an aggregate of isolated individuals.21

What Rousseau would disallow, for example, is access to "the wealth of experience and ideas which is furnished…… by Jurisprudence and the Science of Right."22 There can be little doubt that for Bosanquet mere legal or formal procedures, in so far as they enable, through free flowing discussion, the wisdom of the past to be brought to bear on the problems of the present, cease, in a sense, to be 'mere' legal procedures and become the living instruments of the 'birth' of a more truly general will. It is important to note that, for Bosanquet, the quest for the general will by means of these procedures is the moral life of the state, so that he would, I'm sure, take issue with Runciman's suggestion that he (Bosanquet) chose "to discount the possibility of deriving a general will from

20 Ibid., p 77 footnote.
22 Ibid., p 32.
mere legal procedures, and instead look for it in the moral life of the state."^23

(ii) Bosanquet As A Genuinely Juristic Thinker: The Case Against

Let it be granted, for the sake of argument, that the last section has succeeded in demonstrating that there is indeed an important juristic dimension in Bosanquet's *The Philosophical Theory of the State*; still, a major objection remains which has yet to be overcome, namely that while there may well be a juristic dimension - even an important one - to Bosanquet's account of the state and its moral life, nevertheless he 'pressgangs' that dimension into the service of the state and thereby de-natures it and deprives it of its true and essential character. Posed in his way, the full seriousness of the objection is apparent, for it raises the charge of 'statism' in a manner which is not so easily disposed of by reference to the text of *The Philosophical Theory of the State*. It is by no means certain, for example, that reference to the latter can provide us with reassuring responses to the following concerns. Would it be the case for Bosanquet, as it is for Gierke, that, in the words of Maitland "it is as impossible to make the State logically prior to the Law (Recht) as it is to make law logically prior to the State, since each exists in, for, and by the other"^24 Bosanquet holds that the point and purpose of what he calls 'negative or juristic' liberty is to facilitate 'positive or political' liberty but, if so, is it its only point? When considering the contrast between the two conceptions of liberty, Bosanquet notes that "the apparently negative has its roots and its meaning in the positive"^25 but is the positive to be construed only in terms of the common good or general will? Would he agree - and this is, I think, the crux of the matter - (i) that the 'positive' in which the 'negative' has its roots is not only the positive realisation of the common good but also the positive affirmation in the law of the value, integrity and inherent dignity of each person? Would he also agree (ii) that this positive affirmation is an important aspect of every law, so that if the law's point and purpose (its essence) is to promote the common good, this aspect (i.e., its 'jurisprudential' aspect of positively affirming the value of persons as ends-in-themselves) is nevertheless 'co-integral' to that essence or purpose?

Laws generally have as their aim the common good or public interest but it is important to recognise that laws also implicitly (and at times, when necessary, explicitly) acknowledge the value of each person as an absolute end. If we isolate and consider separately the role of law in positively affirming and reinforcing the supreme dignity and value of each person, we can readily see that this 'positive' element of law has a 'negative' dimension that corresponds to it, that is, the positive 'Thou shalt respect others as absolute ends or as Kantian ends-in-themselves' complements and corresponds to the negative 'Thou shalt not interfere with the life and freedom of another person, as absolute end, without due warrant.' Now, it is of course true that in the case of Bosanquet's 'zone of negative freedom / positive common good' relationship, the negative aspect of law has its roots in the positive dimension of law but there lurks the suspicion in many minds that

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^23 Runciman, *Pluralism and the Personality of the State*, p 77.
for Bosanquet the positive dimension of law is exhausted by its intent to realise the common good, and that he ignores the kind of positivity which pertains to law independently of the common good and which recognises and reinforces the absolute value of each individual as such; what he is suspected of ignoring, in brief, is the positivity of justice, not only in the ordinary sense of being fair to all but in the fundamental sense of 'positive acknowledgment of individuals as centres of absolute value' that the ordinary sense implies. It is Bosanquet's commitment to justice in this sense, and to the autonomy of justice in this sense vis-à-vis the common good, that appears tenuous at times in The Philosophical Theory of the State, whereas his commitment to justice in the equally legitimate (Platonic) sense of 'each person being obliged to make his* distinctive contribution to the common good' is beyond question.

It would be helpful at this point to present a summary of a position that I have presented at greater length elsewhere. In the moral consciousness the 'good', including the 'common good', consists of our endeavours (individual or collective) to realise values, whereas the 'just' primarily consists in the requirement to recognise the absolute value of persons or persons as Kantian ends-in-themselves. The former is concerned with (absolute) value as the ultimate goal or end of human endeavour, whereas the latter is concerned with absolute value in the form of a person and as present in, and inherent in, a person or spiritual being. Now it could be argued that Bosanquet certainly treats with complete seriousness absolute value in the former sense (ie as the goal of human endeavour) but not in the latter sense (ie as inherent in persons) and that a consequence of his doing so is that he tends to see the person or human subject merely as a locus in which the drama of absolute value is enacted (which, in a certain, though non-exclusive sense, it certainly is) and to see true individuality as consisting only of an inner response to the call of absolute value (which, again, in a non-exclusive sense, I would agree that it is). The danger is that the inherence of absolute value in persons may be lost sight of and that the insight or truth that 'persons are for values' may override or suppress the insight or truth that 'values are for persons'. Thus it could be argued that the case against Bosanquet as a genuinely juristic thinker is strengthened by the consideration that we simply cannot find in his political philosophy the kind of individuals that we would expect to find in a truly juristic world, ie. rights/bearing autonomous individuals. Law, justice and right focus deontologically on persons or individuals as centres rather than seekers of absolute value, as Kantian ends-in-themselves or as 'sacred sites' in which absolute value inheres, rather than as agents in quest of the (personal or collective) good. Certainly, some such juristic conception of the individual, or one not too far removed from it in spirit, is presupposed by justice and jurisprudence but in Bosanquet's political world, it could be argued, it is conspicuous by its absence.

A further consideration that tells against Bosanquet as a genuinely juristic thinker, it could be argued, is that the 'jurist' conception of the individual finds its 'natural' juristic/political expression in the state conceived of in a manner which Bosanquet decisively rejects, ie., the state as a (civil) association. No doubt, the state is much more

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than a 'mere' association; it is, after all, concerned to realise the association's point and purpose, but if it is more than an association, yet it is not less than one, and the fact of its being an association should not be seen as only a springboard to higher or nobler purposes; the state, as a civil association, is a system of mutual recognition which is important in itself in so far as it is a constant affirmation of the absolute value of each person. Now Bosanquet of course is positively hostile in his attitude to this conception of the state and to the conception of the individual of which it is both a kind of expression and justification at the same time, as the following quote makes clear.

If you call the state an association, you speak the language of individualism, and still more so, if you speak of individual rights which can be asserted against it, and of the individual judgement as ultimate. To call it an "association" is contrary, I think, both to usage and truth.\textsuperscript{28}

Hegel once remarked that "though marriage begins in contract, it is precisely a contract to transcend the standpoint of contract, the standpoint from which persons are regarded in their individuality as self-subsistent units."\textsuperscript{29} His key point is that a marriage may well be more than, but is not less than, its contractual/legal frame and a broadly similar kind of relationship surely obtains between the legal contractual obligations of the individual to the state (the state's juristic frame) and the purposes pursued by the state. In brief, the state, too, is more than but yet is not less than, its juristic frame (or its aspect as a civil association). However, Bosanquet, as we have just seen, strongly insists that it is not a civil association at all, and here he provides a direct contrast to Michael Oakeshott who just as strenuously insists that, properly understood (or in its ideal essence, so to speak), it is only an association.\textsuperscript{30} Thus, Bosanquet, in rightly denying that the state as a whole can properly be characterised as a civil association, forgets altogether the state's juristic aspect or frame. He also challenges the existence of the individual as an independent complement and counterpoint to the state, the kind of 'individual' presupposed, as we have seen, by the juristic world. He insists that individuals have rights, not by the virtue of being individuals or in acknowledgment of their status as absolute ends, but because they have been conferred on them by society. He says that the state's role is to protect rights but he defines rights as "the claims recognised by the will of the community as the sine qua non of the highest obtainable fulfilment of the capacities for the best life possessed by its members".\textsuperscript{31}

If, as it seems reasonable to suggest, the political world of liberal society is marked by an ongoing tension between the (private) rights of individuals and the (public) pursuit of the common good, and if this tension is more like the tension of 'sexual opposition', promising the emergence of a deeper harmony (of a recognition and embrace of the other as its other) than it is like the tension of combatants facing each other in mortal combat,

\textsuperscript{30} M. Oakeshott, \textit{On Human Conduct}.
\textsuperscript{31} Bosanquet, \textit{Social and International Ideals} p.271
then both the tension and the deeper harmony have to be acknowledged. However, this is precisely what Bosanquet fails to do. The key task of a liberal government is to try to ensure (i) that liberal societies, as societies or organised states, are fully aware of the risk that, in their endeavours to be more than a mere association of individuals and to pursue the common good, they may become less than such an association, that is, they may fail to respect the rights and liberties of subjects; and (ii) that liberal societies, concerned in their liberal character with the maintenance of individual rights, are constantly alert to the risk of lapsing into a mere association of individuals, like a loveless marriage. However, a political philosopher may be tempted to try to overcome the tension by destroying the pole considered to be offensive, that is, by conceiving the state, for example, as only a civil association, thereby confirming the status of individuals as absolute ends but making it very difficult for the government to pursue any common purposes, or by absolutising the state and its common or general will in such a way as to make individuals solely its media or instruments, thereby effectively eliminating individuals as rival centres of real (independent) value. Clearly, or so it could be argued, the latter temptation is the one to which Bosanquet succumbs.

When we call ourselves 'individual members' of a community, we wish to be acknowledged both as 'individuals' and as 'members', with perhaps a special emphasis on one term or the other as the occasion requires but normally with an equal emphasis on each term. However, it could be argued that Bosanquet seems to merge the 'individual' into the 'member' and that he provides us with no stopping rule which could prevent his disappearance. His 'individuals' are assuredly at the service of the state as its loyal members but we lack any assurance that the state is equally at the service of individuals. One might think that in conceding that under certain circumstances there might be a duty to rebel, Bosanquet would be acknowledging that the individual is an independent counterpoint to the state but in fact he holds, to the contrary, that "it does not rest on a non-social right, but on a recognition that the state is divided against itself." This is because "the individual's private will, we must bear in mind, is certainly and literally a part of the communal will. There is no other material of which his will can be made. If he rejects the communal will in part, he rejects it on the basis of what it is in him, not from any will of his own, which has a different source. This is the ground of the duty of rebellion."33

Finally, some may suggest that there is really nothing surprising in all this. Bosanquet was, after all, like Bradley, an Absolute Idealist and in the end their common philosophical enterprise foundered because it led to a view of the human person as unreal, as of no value as such (that is, as a distinctive unique centre of value) and as the mere instrument of the will of the community or state. In his contribution to a symposium entitled "Do finite individuals possess a substantive or an adjectival mode of being?", Bosanquet, for example, boldly and frankly challenges the thesis that 'spiritual finite individuals possess substantive or substantival being', holding instead that their mode of

32 Ibid., p.284.
33 Ibid., p.272.
34 B. Bosanquet, "Do finite individuals possess a substantive or an adjectival mode of being?", in Proceedings of the Aristotelian Society, Vol., 18, 1917-1918, p.479.
being is, on the whole, more accurately characterised as 'adjectival' or 'predicative' of
dearer, more inclusive wholes (the social whole, the state, the Absolute). Thus the brand
of idealism espoused by Bradley and Bosanquet was in clear opposition to that espoused
by Andrew Seth Pringle-Pattison, James Ward, J.M.E. Mc Taggart and Hastings
Rashdall, who, as 'personalists', offered precisely the kind of philosophical account of the
'person' needed to underwrite the juristic world which the Absolute Idealism of Bradley
and Bosanquet undermined.

(iii) Bosanquet As A Genuinely Juristic Thinker : The Final Case For

My own final judgement in the matter is that Bosanquet's jurisprudential credentials
remain intact. This is because there is considerable evidence that he actually, and
strongly, endorsed the kind of Kantian conception of the individual which, as was pointed
out in the last section, the science and practice of jurisprudence presuppose. He states for
example that "individual human beings have to be taken account of; each is one among
others, having a bodily and spiritual life of his own".35 This last quote surely provides as
strong an endorsement as one could wish for of Bosanquet's commitment to, and
recognition of, individuals as Kantian-ends-in-themselves. Taken together with his
insistence that "the individual's right to be recognised and considered should be given
effect in a human commonwealth"36, it could indeed be said to leave the 'case against' in
ruins, for the reader will recall that the crux of the case against the juristic dimension of
the moral life of the state in Bosanquet's work rested on the question mark that hung over
his commitment to the inherent dignity and value of each person and to the role of law in
recognising and reinforcing it. Thus he did not concentrate absoluteness (or absolute
value) in the state at the expense of the absoluteness (or absolute value) inhering in each
individual; rather, he made it plain that while each law and public act (the imposition of a
tax, for example) pursues the 'good' in some way, it must be just in doing so, recognising
at all times "the inherent claim or right of human individuals to reasonable treatment - i.e.
similar for similar, dissimilar for dissimilar."37 Justice, for Bosanquet, is the ongoing,
constant, 'non-transcendable' condition, rather than the purpose, of all public policy
measures. As further evidence for the 'case for', we should also note Bosanquet's adamant
insistence that "of course the state is not the ultimate end of life"38 and in the care he takes
to explain the limited sense in which the state is, and must be, absolute, that is, it is
absolute only in the sense that "it has the distinctive function of dictating the final
adjustment in matters of external action."39 Thus understood, the state is clearly not "the
whole end of life"40, but rather provides - here Bosanquet refers sympathetically to Hegel
- the "basis of the further more specialised achievements (art, philosophy and the like)."41
Bosanquet also implicitly acknowledges the inherent value of persons as absolute ends

35 Bosanquet, Social and International Ideals, p.198.
36 Ibid., p.199.
37 Ibid., p.204.
38 Ibid., p.271.
39 Ibid., p.273.
40 Ibid., p.272.
41 Ibid., p.273, footnote.
when he speaks, as we saw earlier, of the "mutual recognition of free conscious beings." It may be objected that when we consider the tone and tenor of The Philosophical Theory of the State as a whole, this expression could be construed as meaning (i) 'the mutual recognition of each other as beings who live in and for absolute value, and whose true individuality is expressed and achieved in this collective pursuit', rather than as (ii) 'the mutual acknowledgment of each other as centres of absolute value' but I would suggest that this is an implausible and forced interpretation or even an unwarranted and alien imposition. Likewise, as Sweet reminds us, Bosanquet states that "the aim of politics is to find and realise the individual" which again would appear to be as clear-cut an endorsement as one would like of Bosanquet as a respecter of persons as absolute ends but as if in anticipation of the objection that, in the light of his alleged 'statism', his real view must be otherwise, Sweet adds that the context of his remark makes it clear that, by 'the individual', Bosanquet "is referring to the individual human person." It is highly likely, then, that Bosanquet saw his writings as a theoretical expression of the moral universe into which he was born, to which he belonged, and of which a strong 'juristic tradition' was an integral part.

With regard to the familiar charge that Bosanquet absolutises the state and its communal or general will, thereby transforming individuals into its mere instruments or media, his reply is clear, definite and strong. He holds that the 'self' and 'society as the state' are inseparable, that they are intimate aspects and expressions of each other and that they 'contain' each other, so that we need to remember that the distinction between the two may well be analytically useful but becomes disastrous if we come to think of the two as distinct or separate in any absolute sense. As he says, 'the fact is that the decisive issue is not whether we call the "individual" or "society" the "end" but what we take to be the nature at once of individuals and of society.' The root of error in this matter, he insists, "lies, on both sides, in an insufficient appreciation of what is involved in man's social being", for this leads to the adoption of the following two extreme and erroneous positions.

The one party credits the individual - the supposed self-existent isolable being - with all that does not emanate from the formal procedure of the political group as such; and thus, setting down, for example, art and religion as "individual" activities and concerns, has a certain justification for alleging that the individual is the end to which society…is the means. The other, rightly aware that the deepest and loftiest achievements of man do not belong to the particular human being in his repellent isolation, and, like his antagonist, recognising only two opposites, society as the State and man at his minimum as the

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42 Bosanquet, The Philosophical Theory of the State, p.33.
43 Ibid., p. liv.
45 Bosanquet, The Philosophical Theory of the State, p 76.
46 Ibid., p xxxii.
individual, naturally claims for the State the glamour which belongs to the highest self-expression by which man transcends his isolation.\(^{47}\)

Being mesmerised and misled by these two parties, we miss the profounder meaning of the term 'social', for our minds are captivated by this confrontation between society as the state and the atomic individual, "the private person who hugs his privateness"\(^{48}\), and we thereby 'forfeit all possibility of understanding the nature of an activity which is neither semi-political on the one hand, nor 'individualistic' on the other.'\(^{49}\) We fail to properly understand the vast areas of social life, including for example art, religion and philosophy, that are "at once ultra-social as being above all compulsory social arrangements, and ultra-individual as being beyond the aspect of exclusiveness, which, however falsely, clings to the current conception of individuality."\(^{50}\) (Presumably, Bosanquet would say that the kind of reflective criticism of society that occurs in the mind of the rebel discussed in the last section is 'ultra-social' and 'ultra-individual' in this sense.)

In light of the above, I would suggest that whatever strength the 'case against' Bosanquet gains from the consideration that it is quite possible to interpret his work as endorsing a form of 'statism', that is, of inflating society as the state at the expense of individuals, should be immediately forfeited or at least counterbalanced by the consideration that it is just as possible to interpret his work as espousing a form of 'hyper-individualism', that is, of inflating individuals at the expense of society as the state, for in Bosanquet's case, any enlargement or diminution of the one is, at the same time, by virtue of their intimacy or 'inner-connectedness', an enlargement or diminution of the other. I would also suggest that what I earlier referred to as the inherent tension of liberal society is for Bosanquet not so much a tension between a private self and its government but rather a single or the same tension experienced in different domains or at different points, just as, for example, the individual members of a family may all be upset by a family problem but may experience the tension of the family differently by virtue of their different locations in the family world. The consciousness of the individual-as-such cannot be separated from the consciousness of the individual-as-family member and for Bosanquet, the political world is like an enlarged version of the family world.

Concerning the criticism that the brand of idealism espoused by Bosanquet (and especially his depiction of the mode of being of persons as 'adjectival') is in clear opposition to that espoused by the 'personalists', and that the latter offer precisely the kind of philosophical account of the 'person' needed to underwrite the juristic world which Bosanquet's Absolute Idealism undermines, it is important to note, firstly, that when Bosanquet describes the mode of being of finite individuals as 'adjectival', his primary aim is to challenge the view that persons are self-existent, self-subsistent, complete in themselves, solid self-standing subjects, conceivable as unchangeable soul-substances or metaphysical atoms, and to thus decisively undermine "the pre-eminence claimed for

\(^{47}\) Ibid., p xxxiii.
\(^{48}\) Ibid.
\(^{49}\) Ibid.
\(^{50}\) Ibid.
He is against "the substantiation of provisional subjects" and holds that the 'mere individual' as a definite substance or solid, unvarying subject nowhere exists and is a misleading abstraction. However, Bosanquet is in no doubt that spiritual finite individuals do possess substantive reality as moral beings in quest of unity and coherence within themselves and the universe as a whole. We carry within us, he asserts, "a pretension to be ourself, which includes less and more than we find in our existence" and which seeks a 'truer' self beyond our actual or empirical self. We can either attempt to escape this quest for unity determined from within by descending to the status of an inert thing that coincides with itself (Browning's 'finite clod untroubled by a spark' or Sartre's 'bad faith') or pursue the 'ascending' quest for unity in the full (and terrifying) recognition that we will become utterly transformed and "no longer be what we experience our existence as being." This 'ascending unity' (my expression) or the unifying 'pretension to be ourself' (Bosanquet's expression) is what he calls our 'substantive reality', our true mode of being as 'substantival solidly founded entites, possessed of an indefeasible unity.' Bosanquet's reflections on this 'substantive reality' of the finite individual are instructive; in effect, he insists, as the following crucial passage makes clear, that we are not the source and centre of our own being and, in so doing, he expresses in clear philosophical terms what Augustine expressed religiously in saying "Our hearts are restless until they rest in Thee".

Yet, what is the nature and structure of this reality? Is it the self as we experience it in detail? Surely not; or it is that self, but in an illumination more intense than the customary, and revealing a further structure. It is a substance and an ultimate subject, but not in its own right. Its existence, as an existence, bears the unmistakable stamp of the fragmentary and the provisional. Can there be anyone who does not feel it so in every act and in every thought? But through all this, and operative in it, there shines the intentional unity. It is not my monad or my star. It is the life which lives in me, but it is more of that life than I succeed in living. I am substantive and subject, then, but only so far as I recognise myself to be adjective and predicate. If...I set up to be in myself a self-centred real, I become ipso facto in the main a false appearance and all but worthless. This is when I come nearest to being a substantive in my own right, in error and in sin.

It is true that, because of their transience and imperfection, Bosanquet denies that persons are eternal substances and that he is, moreover, hesitant to regard them as 'members' of the Absolute but at the same time he does speak of "their transmutation and absorption in the Absolute" and in this way he again comes close to the religious view that persons are -to express the point more philosophically- 'derived substances'

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51 Bosanquet, "Do finite individuals possess a substantive or an adjectival mode of being?", p.484.
52 Ibid., p.485.
53 Ibid., p.489.
54 Ibid., p. 496.
55 Ibid., p.497.
56 Ibid.,
57 Ibid.
58 Ibid., p.490.
59 Ibid.
60 Ibid., p.493.
destined in and beyond time to become re-integrated with the source of their being (the Divine Substance or substance itself). Moreover, far from distancing himself from the more religious view that persons enjoy a kind of eternal substantivity in that they undergo various modes of being in the 'course' of their 'eternity' (from an 'existence' in the mind of God, through the 'soul-making' of earthly existence, to final unity with God), in the final comments of his article on the mode of being of finite individuals, Bosanquet sympathetically refers to the religious view, or at least a specific religious view which he derives from Dante, as really signifying for religious thought "a communicated and derived substantiality, founded on a sense of unity, whose ultimate meaning was unity with the creator - a unity not conditioned by time."\textsuperscript{61} Thus while explicitly rejecting any notion of unchanging, ever self-identical 'eternal substances', Bosanquet is more open and sympathetic to Dante's more subtly expressed and nuanced account of "substances eternal indeed but created".\textsuperscript{62}

It is also important to note, as a final defence of Bosanquet on this point, that in a recent article William Sweet has marshalled a considerable body of textual evidence which indicates that Absolute Idealism does not take a uniform view of the human person and that Bosanquet's style of Absolute Idealism, as contrasted with Bradley's, was more in tune with, or at least more compatible with, 'personalism'. He holds\textsuperscript{63} that Bosanquet departs from Bradley in regarding the finite individual self as "the climax and sum and substance of evolution"\textsuperscript{64}, as having a central role in the realisation of the whole\textsuperscript{65}, as the conscious medium through which nature acquires its significance and value\textsuperscript{66} (the individual is conceived of as a 'copula' between nature and the Absolute) and, finally as a unique and distinctive 'world' enveloped by a 'world of worlds' (the Absolute).\textsuperscript{67}

Finally, I would suggest that the 'case against' Bosanquet assembled in the last section fails to take into account the fact that Bosanquet saw himself as living and working within a living tradition, within what communitarians might nowadays refer to as a 'thick', (already) socially constituted, moral world. He has the deepest respect for "the tissue of obligation within which the individual lives" and saw the necessity of a moral tradition or a "recognised moral order such as to guide the conscience itself".\textsuperscript{68} He thought it inappropriate, at the time in which he wrote, to speak of international organisations as 'societies of states', for the latter in his view conspicuously lacked what states possess, that is, they have "no moral tradition, imposing adapted and appropriate obligations on all units, comparable with the social consciousness which constitutes the

\textsuperscript{61} Ibid., p.506.
\textsuperscript{62} Ibid.
\textsuperscript{63} Sweet, "Absolute Idealism and Finite Individuality", p.437. My own view is that Sweet is entirely persuasive in his account of Bosanquet but not of Bradley, who was, I think, more of a 'personalist' than Sweet is prepared to concede. Though he holds that the relation of the self to the Absolute is inexplicable, Bradley is confident that the self is in some sense 'in' the Absolute, which certainly suggests that he assigned the greatest possible dignity and importance to the human person.
\textsuperscript{65} Ibid., p.287.
\textsuperscript{67} Bosanquet, \textit{The Principle of Individuality and Value}, p.158.
\textsuperscript{68} Bosanquet, \textit{Social and International Ideals}, p.287.
whole basis and material of the normal individual will." This moral world or social consciousness could, I believe, be broadly described as the political culture of which the Westminster model of government is the institutional expression. The juristic traditions and wealth of jurisprudential experience that they contained were an important part of that world and, as such, Bosanquet judged them - in an almost semi-conscious manner, given their 'already there-ness' in his world - worthy of the highest respect. He saw the state as a kind of guardian of that moral world, as the instrument or guarantor of its internal coherence and as the organ whose task it was to preserve the internal 'balance' of its essential components (including its juristic component). However, he also saw himself as a guardian of that world, the juristic traditions of which assuredly fell under that guardianship.

Now it was of course his broad intention in his writings to provide a kind of theoretical articulation of the political world of his experience, but this endeavour, while successful on the whole, was yet inadequate with regard to the juristic dimension of that 'common' moral world. In the end, the strength of the 'case against' him has also to be acknowledged: his theorising in this respect is surely inadequate, I would suggest, because he forthrightly rejected, instead of taking full advantage of, the theoretical tools which lay ready to hand, that is, the juristic/political language of civil association and social contract. If it is reasonable, as I think it is, to characterise the socio-political universe of Bosanquet and his contemporaries as the moral world of which the Westminster model is the institutional expression, and if within that world there is acknowledged to be an ongoing tension - generally productive and creative but also capable of causing destruction - between the rights of individuals (or groups) and the communal pursuit of the common good by the state, then I would say that the language of civil association and social contract represents in a paradigmatic and unsurpassable manner the 'individual rights' pole of this ongoing tension.

(iv) Conclusion

If a weakness of Bosanquet's political philosophy is that he condemns, rather than taking full advantage of, the rich language of civil association, and that he thus appears at times to make it difficult for the members of a liberal society to breathe as free, autonomous individuals, it should also be pointed out that a real strength of his conception of the 'social' (of that realm which, as Bosanquet points out, 'statists' and 'individualists' fail in their different ways to appreciate) is that it is 'non-claustrophobic' and 'free flowing'. What I mean by the latter expression is that in Bosanquet's work as a whole, there is a very fine grasp, firstly, of the in-forming 'flow' (the 'first' flow) of the universal into each socio-political whole, regarded as a 'particular' and, secondly, of the vivifying flow of each socio-political whole, regarded in its role as a universal, into its differences/particulars. Bosanquet would insist that each socio-political whole or form of life is a distinctive particularisation of our (universal) humanity and that it is justifiable and legitimate in so far as it 'blessed' by the in-dwelling presence of 'universal humanity'.

69 Ibid., p.288.
in its midst and can thus stand unashamed, so to speak, before the universal court of humanity. This is the gist of his insistence that, in the case of a particular socio-political whole, "its special form of good life, being a moral consciousness, is not merely a self-contained habit of conduct in the members of a group, but is an attitude and moral outlook which, though existing in them, has for its object the whole world, and is determined by the view and spirit which the group has evolved for itself, implying its conception of the best thing for the world." Individuals thus live in an atmosphere and culture of freedom; they are at all times free to appeal to this font of political legitimacy against the laws of the Commonwealth. Thus Bosanquet's political philosophy acknowledges the importance of the 'first' flow, i.e., of the 'political' or political life as it is itself in-formed, as distinct from the manner in which it informs its own differences/particulars (the second flow) and in this way it contrasts with the stifling immanentism of modern political communitarianism as it has developed under the shadow of Wittgenstein. For the latter, each form of life is ultimate and for social and political scientists under his sway, each socio-political form of life is likewise ultimate in the sense that, as a hermetically sealed universe of discourse, its 'internal' processes are either self-justifying or not justifiable at all. However, for Bosanquet, a socio-political form of life is anything but ultimate. Thus he insists that the spirit of humanity, or what he calls 'devotion to humanity as a best', is the ever present criterion, final court of appeal, and final font of political legitimacy (the wellspring of its flow, so to speak) of each human society.

If Bosanquet's political philosophy provides free individuals with a justified freedom to appeal to the 'court' of humanity against current laws and authorities deemed to be oppressive, it also acknowledges and theoretically supports the more positive freedom to engage in the collective formation of socio-political universals (or laws) which truly represent the well being of society. In this way, his work offers us a stark contrast with the profound and distorting antipathy directed by postmodernists and poststructuralists against the socio-political universal, for it fully acknowledges the importance of the second 'flow', i.e., of the 'political' or political life as it in-forms its own differences/particulars, as distinct from the manner in which it is informed by the enveloping spirit of humanity (the first 'flow'). I have in mind here the thoroughly benign, 'non-totalising', life giving, constitutive flow of the socio-political universal (the socio-political whole as universal) into its differences/particulars. Bosanquet alerts us to the important fact that the all too easy and casual manner in which post-modern exponents of a 'politics of difference' identify 'universality' with 'repression' is really quite reckless and serves to excuse us from the demanding but necessary task of distinguishing between a (true) social universal that informs its diversity and a (false or 'totalising') social universal that overrides differences.

70 Ibid., p 199.
In conclusion, I wish to suggest that the sense of 'openness' (of freshness and 'freedom') that we find in the theorising of *The Philosophical Theory of the State* is strongly linked to the fact that Bosanquet both (i) acknowledged the value of justice and of legalistic notions generally and the legitimacy of their deployment, under appropriate circumstances, against the state and (ii) insisted upon the freedom and responsibility of each citizen to (in a more positive sense) participate in the 'mind' of the state, that is, in the formation of laws in the public interest. Fully alert to the two 'flows' which constitute the 'real' political world and which serve as criteria of legitimacy of the 'actual' or everyday political world, his work (and especially, I think, the freedom and sense of openness in his theorising) exposes by contrast the cramping claustrophobia of communitarian and post-modern theorising on politics. It was as if the fullness of the world of reality, because acknowledged as extending far beyond him, was allowed, by the very humility of that acknowledgment, the maximum 'freedom of expression' in his mind and work. One has the sense, in reading that work, of being challenged and invigorated by a mind that has plumbed, by opening itself to, the deeper realities of our common human experience and of being refreshed by the eternal well-spring of reality that flows through his work into our world.
Patients In The New Economy: The "Sick Role" In A Time Of Economic Discipline

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From the anonymous victim of epidemics as collective scourges, from the traditional image of the alienated and passive "patient" to the "self-provider of medical care" as a new cultural figure, to the "health-care user" as a collective actor in the public-health system, and finally to the militant for whom the body is the basis of a new political action, the "sick person" appears to have travelled a long way, about which a number of questions must be asked (Herzlich and Pierret, 1987: 229).

A system of healing, like any other structure, includes a set of roles for the major agents. Within our modern health-care system, there is a set of social expectations around what it means to be a "patient," how one comes to be a patient and, especially, what one is to do upon becoming a patient. Nevertheless, it is rare that one finds a serious consideration of the role of the patient within the whole practice of medicine. Indeed, one overview of Canadian studies of the sociology of health and illness stated:

we are prompted to note the absence of patients in most Canadian theories, explanations, or descriptions of occupations and professions.... The general absence of patients in the conceptualization of the "health care system" suggests that sociologists have not defined "the system" in sociological terms (Coburn and Eakin, 1993: 100-101).

However, there have been different social roles for patients, each of which has been influenced by scientific, social and cultural shifts. Indeed, the experience of being "sick" is influenced by prevailing social and historical attitudes toward illness. For example, at various times in western history, illness has been claimed to be evidence of sin or guilt or a lack of self-control or just plain bad luck. Each of these conceptions of the causation of illness will affect the treatment of the ill. This essay considers the emerging view of the patient, one which is primarily influenced by economic forces. For example, a part of the retrenchment of medical services involves a conception of patients as more fully responsible (both socially and fiscally) for their sickness, and thus not deserving of total state assistance in their recovery. The major question I wish to ask is: "What is the social meaning of patients in this New Economy?" First I consider Talcott Parsons' concept of a "sick role," and then suggest the ways in which that classic role has been challenged by
the policies of economic restraint. Finally, I argue that a new "sick role" is developing, in response to economic and structural forces, and outline five characteristics of this new role for patients in the New Economy.

The Patient and the Sick Role

One of the most widely-accepted sociological attempts to define the place of the patient in modern health care was that of Talcott Parsons, the prominent American scholar who was a champion of the Structural Functionalist approach to social analysis. For Parsons, individuals played set roles within particular institutional settings, such as the family, the workplace, the legal apparatus, the medical system, and so on. Parsons argued that the ill take on a sick role, which (like all roles) provides them with a set of responsibilities and privileges. As he wrote, "illness is not merely a state of the organism and/or personality, but comes to be an institutionalized role" (Parsons, 1978: 21). Illness represented a legitimate withdrawal into a dependent relationship -- a sick role -- and Parsons outlined four aspects related to this role, two rights and two obligations (Parsons, 1951: 436-437):

(i) An exemption from normal social role responsibilities. The physician is usually the one to legitimize this right.

(ii) An exemption from responsibility to get well by one's own actions alone. In other words, the sick person cannot be expected to get better on her/his own, and has the right to assistance.

(iii) An acceptance that the state of being ill is not desirable, and an accompanying obligation to want to get well.

(iv) An obligation to seek "technically competent" help, namely, in the most usual case, that of a physician and to cooperate with him in the process of trying to get well. It is here, of course, that the role of the sick person as patient becomes articulated with that of the physician in a complementary role structure" (Parsons, 1951: 437, emphasis in original).

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1 Parsons was not the first to recognize that the ill take up a different position in society than do the healthy. For example, until well into the 19th century, disease was regarded as resulting from "a lack of harmony between the sick person and his environment" and an upsetting of the balance among the four humours (Dubos, 1959: 101). This was very different from the later, and less wholistic, approach ("specific aetiology") which held that specific diseases had narrow causes. In these two cases, both the social conception of disease and the roles of the patient would differ. In addition, it is argued that there have been shifts (in Western society) in seeing the ill as either sinful, or as guilty, or as morally-neutral unfortunate victims. These historical shifts in the role of the patient suggest that changes in science, social attitudes, and even economics, affect the role that patients take on in society.

2 Parsons initially outlined one "sick role," but he later recognized that a broader social context would have some effect on a society's sick role. For example, in writing of the nationalized health system of Britain,
While Parsons insisted that the sick role should be characterized as a "deviant" role, he also noted that it differed from other deviant roles:

precisely by the fact that the sick person is not regarded as "responsible" for his condition... and usually the patient got into that condition through processes which are socially defined as "not his fault" (Parsons, 1951: 440).

As a result of this complex of elements of the sick role, the patient is generally considered to be entitled to assistance.

One of the prominent characteristics of Parsons' theory is an asymmetry between the roles of patients and healers. Their rights and obligations are not equal, with the more institutionalized and legitimized functions of doctors taking precedence over the role of the patients. Indeed, from a phenomenological standpoint, a doctor and a patient may define the illness in different ways. For example, in a study of elderly patients who were recovering from strokes, Becker and Kaufman (1995) noted that the experience of "living" a disease means that one will construct a different idea of the illness trajectory (the narrative, often quite personal, of the progress and development of a disease) and the expected outcomes of that disease. The acceptance of the sick role implies that the patient takes on some responsibility for getting well, and some patients may be actively advised to take over even greater responsibility (diabetics represent a prime example here). Indeed, much healthcare-related intervention relies on the passive co-operation (usually referred to as "compliance") of the patient. Patient compliance has been a standard feature of medical journals in the last couple of decades. Trostle (1988), who interpreted patient compliance as a euphemism for "physician control," claimed that it was an ideology which reaffirmed and legitimized the unequal doctor/patient relationship. The fascination with patient compliance indicates a particular conception of the patient as an "opponent" of the doctor. This interest in patient compliance was ascending in Parsons' time, and came to full bloom in the 1970s and 1980s (based on the importance of the topic in the medical literature; see Trostle, 1988). In some ways, the concern over patient compliance could also be read as a reaction to the rise of self-help movements, the increasing competition from non-traditional medicine, and the emergence of patient activists of various sorts. These developments represent threats to the established institutions of medicine.

Despite challenges, Parsons' theory provides a theoretical model of how, in one particular medical system, patients were placed within the structure in a particular role.³

³ Parsons wrote of the "particularly strong British feeling that the sick individual has a right to care... [thus] illness, far from jeopardizing the individual's status, gives him special claims on the collectivity" (Parsons, 1972: 116). These "special claims" are in jeopardy under the current restructuring of healthcare in the New Economy.

³ It should be noted that Parsons' theory of the sick role has been criticized on a number of grounds. For example: (i) West (1989) argued that the asymmetricality of the sick role actually decreased the chances for good doctor-patient communication; (ii) Koos (1954) found that class made a significant difference in whether one would seek medical assistance, with labourers being far less likely to define symptoms as requiring the attention of a physician (see also Kassebaum and Baumann, 1972; Zola, 1989); (iii) Ablon
His model also provides a point of comparison which helps in focussing on the changes which the concept of the patient has undergone since the 1950s, and the ways that the institution of medicine has been able to manage changing demands for services. The following sections will address these changes in some measure, but first another important element must be added into this shifting mix of doctors and patients and structures and roles -- the economic discipline imposed by the New Economy.

The New Economy and the Fiscal Crisis in Medicine

Throughout the 1990s, the phrase "New Economy" rose to prominence in discussions of economic and social policy. It is encountered in numerous discourses disseminated by government and industry, often presenting a gloss of opportunity, freedom, competition and entrepreneurship. This positive rhetoric may hide some of the concrete effects of the New Economy (cutbacks in public services, heightened regional competition, privatization, layoffs, an eroding public sphere, growth without increased employment, economic insecurity, rising Corporate power).

Like many other keywords, the "New Economy" is rarely defined, making it somewhat slippery as a referent. One attempt at definition may be found in a Newfoundland government pamphlet, "At the Crossroads: The New Economy in Newfoundland and Labrador." It claims that the New Economy began with Japan's rise after the Second World War and the move toward a global economy and the increase in information technology. According to Industry Canada (cited in the booklet), the New Economy contains the following characteristics: (i) Globalization (free trade, global competition for businesses); (ii) Prominence of the services sector of the economy; (iii) Knowledge-intensive industry; (iv) Competitive advantage (automation helps short runs to be cost-effective); (v) Niche marketing (customization, to meet specific requirements); (vi) Continuous and rapid change, shorter product life cycles, compressed time for the introduction of new technologies (cited in Economic Recovery Commission, 1994: 5).

As a result of these conditions, the New Economic Actor will be a self-reliant information processor, always ready to take another course or to look for another job. All of these characteristics may result in higher levels of stress among workers (and especially non-workers) and increased health problems (as well as more reticence to interrupt work by seeking medical assistance). The Economic Recovery Commission of Newfoundland and Labrador lectured that: "It should be recognized that few jobs are secure in the new economy, and many people will change their places of employment -.

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(1981) argued that some patients are stigmatized even before they enter the medical system, so that differences in social class, age, gender, ethnicity and sexual orientation may affect the legitimation given to patients; (iv) borrowing from Goffman, one could argue that patients with "discreditable" diseases (such as leprosy or venereal disease), are not provided the sympathy which normally accompanies the sick role (Goffman, 1963); (v) Parsons did not account for the growing tendency to hold patients as being "responsible" for their own illness (see Sontag, 1977); (vi) Segall attempted to apply the concept of the sick role to a group of patients and found that "the respondents' perceptions of the sick role did not overwhelmingly support the Parsonian model" (Segall, 1981: 174).
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even their careers - several times during their lifetimes" (Economic Recovery Commission, 1994: 29).

In this economic context, there is increased pressure on our medical system and a resultant shift in conception of patients' roles. There are dire warnings in magazines about the loss of Medicare which is, for many Canadians, a sacred trust. Panel after panel of buffed experts fill the TV screens to tell us we cannot have tomorrow what we've got today. Clearly, one of the major issues in health care today is the crisis in funding, which is sometimes presented as a result of the unrealistic demands of patients. This positions patients as the cause of the funding shortfall and ignores other contributing causes, including: the expansion of medical knowledge and technology, resulting in increased interventions; the heavy reliance on pharmaceuticals, even when they are sometimes unnecessary (Mickleburgh and Nasrulla, 1994); and the way in which doctors get paid, based on the nature of their assistance and the number of patients they see (Canadian Press, 1995).

Proposed solutions to the fiscal crisis intend to affect patient behaviour. For example, one solution is to impose user fees. A 1993 poll found that 73% of respondents were in favour of a $5 user fee for visits to hospital emergency wards (Came, 1993). While this may not result in significant revenues, it may dissuade patients who are in the habit of using emergency rooms for health care, instead of their doctors. Thus, such fees may be designed more to change patient behaviour than to recover costs, illustrating that changes prompted by the New Economy go beyond the economic sphere. With this brief context of the New Economy in mind, we now turn to the ways in which the "sick role" has changed since Parsons' formulations.

The Sick Role in the New Economy

To paraphrase Marx: "We make our own health, but not always under conditions of our own choosing." This underscores a basic complexity in relation to illness -- that it is a result of both individual and social (or public) factors. To emphasize one source of disease causation and to ignore the other is poor medicine, though it may make for good ideology. What follows are five characteristics of the patient's role in the New Economy. This is not meant to be exhaustive, but simply to bring together some of the changes which the concept of the patient has been encountering since Parsons' initial definition of the sick role. Furthermore, just as the New Economy is only partially set in place, this new sick role is also still in the process of being implemented.

(i) Patients in the New Economy are Responsible For Their Own Illnesses.

The attribution of responsibility for disease has become an important part of the sick role of the patient. Kirkwood and Brown (1995) argue that attribution of responsibility is frequently a rhetorical strategy that is used by medical professionals to promote behavioural changes in their patients, but the effects of this go beyond the walls of the
clinic. While being held responsible for having an illness may make disease similar to a crime, the flip side to an imposition of responsibility is the potential for patient empowerment. Ideally, the patient who is responsible for her/his health would also be given more control over its maintenance. This would put the locus of control back at the individual level, and there is evidence that people with an individual locus of control will engage in more positive healing behaviours (Kirkwood and Brown, 1995). If people are convinced that their actions have some effect on their illness, then they are more likely to be involved in decisions regarding therapy and to claim more control over the illness experience. Indeed, the rise of "patient's rights" movements may actually facilitate this shift of responsibility from the system to the patient. Such patient-oriented movements are often seen as inherently positive, and as a natural outgrowth of self-empowerment groups (Burston, 1990).

However, an increasingly prevalent effect of holding individuals responsible for their illness is to also hold them economically responsible for its cure. Thus, one result of this "privatization" of responsibility is then a privatization of medical assistance. Some openly question, for example, whether the State should pay the medical costs of people who fall ill due to "lifestyle choices." As Canadian physician R.E. Goldberg stated:

If a patient is injured in an auto accident while not wearing a seat belt or while intoxicated, his or her health benefits should be denied for that accident. This would emphasize personal responsibility for irresponsible lifestyle choices (cited in Francis, 1993).

The belief that individuals are responsible for ill health can lead to a parallel pursuit, that of the attribution of "blame." This is most pronounced in the case of illnesses related to "lifestyle," an ambiguous word which comes to stand in for many things, such as eating patterns, sexual desires, work schedules, leisure pursuits, etc. The word "lifestyle" assumes that we have choice in all of these matters, and this may not be accurate. As a counter, medical research on genetic predispositions to disease may alleviate some of the blame that is placed on the sick. If the disease which will terminate our life is already marked in our genes, then there is little possibility in altering the outcome and patient responsibility is diminished.

Ivan Illich claimed that the notion of responsibility for our health, in the midst of our manufactured environment, was absurd. As he contends: "I believe it is time to state clearly that specific situations and circumstances are 'sickening,' rather than that people themselves are sick" (Illich, 1994: 11). This points to a significant effect of holding individuals responsible for their own health -- the obscuring of the social causes of disease. While individuals can no doubt be in certain senses responsible for their diseases, we must be careful not to obscure other causes. We must ask: Are employers responsible when they create a work climate that rewards over-work and stress? Is a society responsible when it creates a social system that keeps people struggling at low-

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4 Sontag (1977) also explored the ways that illness was used in modern society - how it came to "stand" for particular character types.
wage jobs? A number of researchers have stressed the ways in which the social and economic structure of our society can have effects on health, from its effects on the environment to the manner in which it structures relationships in the workplace (D'Arcy and Siddique, 1985; Schwalbe and Staples, 1986; Livesey, 1989; Taylor, 1993). However, medical intervention tends to focus on individual solutions to disease, rather than fundamental social changes. For example, while stress is often a (dis)product of one's social environment, it is treated through pharmaceutical drugs, thus obscuring and even legitimating underlying social causes of the illness (McKinlay, 1981; Labonte). This tendency to hold individuals responsible for their own illness fits with both the fiscal and ideological needs of the New Economy. It decreases the legitimacy of claims for medical assistance and it depoliticizes the negative effects of social structure on individuals.

The increased focus on a patient's responsibility for her/his own illness, results in both a new conception of the patient and a new conception of the state's responsibility toward the ill. Even before the current fiscal crisis, Crawford (1977) noted that the ideology of "victim blaming" (or seeing individuals as responsible for the onset of their own illnesses) was one result of the threat of high medical costs. In order to lower expectations, and lower the sense of entitlement to health care, Crawford argued that there was a refocussing onto individual responsibility for the onset of illness. It is ironic that we are being convinced to be ever more cautious about our own behaviour at the same time as the social causes of disease (pollution, social disruption, economic insecurity) are increasing. Clearly, behavioural change can affect health outcomes. However, to focus on individual change without also looking at social change is to provide a partial and thus distorted analysis.

**(ii) The Patient in the New Economy is Instructed to Tread Lightly on the System.**

A part of the current sick role is to use as few medical services as possible. For example, in 1994 the Ontario government undertook a pilot campaign to get people to stop going to a doctor for minor complaints. The government targetted the city of London, and it distributed pamphlets, giving home remedies for the cold and flu (including such time-tested therapies as chicken soup). The purpose was to keep patients from clogging doctors' offices, and in the process spreading their colds even further, through waiting room contacts (Mickleburgh, 1994).

However, a concurrent study found that people overwhelmingly knew that one should not go to see a doctor for a simple cold or flu, even before the government education program had been launched (Breckenridge, 1994). Nevertheless, the fact that a provincial government went ahead with a campaign explicitly to cut down on the number of medical consultations, despite the lack of any evidence showing the necessity of such a campaign, illustrates an underlying conception of the patient as ill-informed, over-serviced and deserving of cutbacks.
(iii) In the New Economy, the Requirement to Get Better Relates to One's Duty to the State, Rather Than One's Duty to Self.

What is our underlying reason to undergo medical therapy (beyond the relief of painful symptoms)? Is it solely for the well-being of ourselves or is it for the benefit of others, especially institutions? In the New Economy, we are told that the government deficit is the fault of all of us, and that we must all do our part in reducing it. This includes reducing the extent to which we rely on medical assistance, and the length of time we might spend as "unproductive" members of society. Thus, we are to get better so that the State does not suffer.

This view of the patient fits with a new moralism about the way in which individuals are held responsible for their own health. Thus, in the New Economy, one has a duty to take care of one's body not just for the good of the self, but also for the good of the State. Furthermore, by shifting the public health and preventive focus onto individual behaviours and individual responsibility, corporate contributions to ill health are ignored and the exercise of social control becomes even more effective. For example, the majority of cancer information to consumers focusses on individual risk factors, rather than societal or cultural risk factors (Breckenridge and Westell, 1995). While individual sacrifice to the public good is not in itself undesirable, in the contemporary situation the ideology of health care is one that is more and more individualistic. And yet, the proposed motivation for maintaining a healthy population relate to issues of productivity and economic advantage, and not to the simple well-being of citizens, or to the common good.

(iv) Patients in the New Economy are not to see Health as an Experience, but as a Commodity.

In the New Economy, which is solidly permeated with marketing, health has ceased to be simply a condition of one's body, but it has become a commodity -- a thing to be purchased and even traded for further gain. This fits with the general government emphasis on privatization (which is really an expansion of commodification, or the invasion of the cash nexus into more and more spheres of life). Illich (1994) argued that "life" itself has become an idol in today's Western culture, a fetish. It is talked about as if it were property -- a commodity rather than an experience -- which then fits in with our bias toward possessive individualism.

Along with this commodification of health, there is also an alienation of the patient from the process of medical intervention itself. New techniques of diagnosis and observation can "identify symptoms without depending on the subjective perceptions of the patient" (Doyal and Doyal, 1984: 90). For example, in relation to people with HIV, the decision regarding when to begin prescribing drugs such as AZT or DDI may depend on the results of laboratory testing (such as a T4-cell count or a CD4 count), rather than a consideration of how the person is "feeling." A patient may arrive at a doctor's office with few complaints and in a positive frame of mind (thus, they are "feeling" well), but will
leave with a new prescription due to test results. Some have argued that the discourse around hypertension ("a symptom without a disease") likewise subjects patients to treatment when they receive certain test results, regardless of how they "feel" (Banerjee, 2000).

\textbf{(v) Patients in the New Economy are Not to be Trusted.}

The concern over the abuse of the medical system is an ideological plank of the New Economy, and a further attempt to shift the blame for the fiscal shortfall on to the patients and off of the system.

In an article summing up a week's special coverage of the health care funding crisis, the \textit{Globe and Mail} noted that: "There will be more public education aimed at ending abuse of the health-care system" (Valpy, 1992: A5). This, despite the fact that there was no significant evidence in the stories of any such "abuse." The only thing mentioned, in the summation, was the number of people with a cold seeing a doctor (and this figure was later disputed).

Mickleburgh (1993) reported that, according to studies, less than one percent of health-care spending could be due to the provision of "unnecessary" services. Thus, the introduction of user fees would be of little value, and would deter many who truly need medical care (thus resulting in a net decrease in the nation's health status). So, while we have no solid evidence of abuse, we see it used as a justification for stricter surveillance of patients in the New Economy.

In sum, in the New Economy, the doctor has two patients -- the ill individual who comes looking for physical relief, and the ill economy, which is in need of some fiscal relief. Medicine has been asked to balance these two in some way. It is thus no wonder that the conception of the patient has been altered as well.

\textbf{Conclusions}

\textit{(M)edicine itself, and not illness, has become a metaphor} and ... medicine has become the focal point of certain of our most fundamental questions concerning the future for which our society is headed (Herzlich and Pierret, 1987: 239, emphasis in original).

This paper has argued that our conceptions of the ill, and the roles they are given to play, are affected by social factors. Thus, the sociology of medicine is not the analysis of a static social institution, but is an attempt to study the shifting values of society itself (using the site of medicine as its focus).

I have not only identified some of the ways in which economic discipline is changing the view of patients, but I have also tried to identify the positive aspects of current shifts
in health-care thinking. Maybe we will become more empowered as patients. Maybe these shifts are in our own interest, and not solely in the interests of the government of the day. Or maybe the sociobiologist's dream will come true, and we will begin to see ourselves as fractured, atomistic collections of genes, each one plotting a possible treason.

As for a remedy to this situation, there is a temptation to focus possible solutions on the individual level -- to further empower patients through new models of public health education. For example, Homans and Aggleton have called for a "socially transformatory" model of health education, which would provide a critique of the "pervasive inequalities of power in society which affect the choices people make and limit opportunities for healthier forms of living" (Homans and Aggleton, 1988: 168). The resulting social transformations would not only change the nature of our society, but it would give the patient another (maybe more humane) sick role to play. This time, a role which recognizes the complexities of maintaining one's health within a structure that is itself sometimes ill.

And yet, to believe that a new model of health education will solve these problems is to be naively idealistic. One cannot simply call for more patient adaptations if the causes of the problem are structural. The new model of health education would not alter the discipline of the New Economy. Social transformation is occurring, but it is a transformation toward the New Economy, not away from it. It is unlikely that a significant cultural shift (which would be needed for the above model to work) could be negotiated against the grain of the "teeth-gritting harmony" of economic trends. The altered conceptions of patients in the New Economy will likely be with us for some time to come.

We do, indeed, make our own health, but not under conditions of our own choosing. Nor, I might add, do most of us have the luxury to choose the sick role which we shall inevitably play.

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Labonté, R., 'Is Stress a Social Disease?' This Magazine, June 1985, pp. 4-9.


In 1965 George Grant created a national debate when he published his classic text, *Lament for a Nation*. The central thesis of this book was captured in its subtitle, "The Defeat of Canadian Nationalism." While Grant sees the defeat of Diefenbaker's government in 1963 as emblematic of the inability of Canadians to sustain their independence from the United States, he argues that the causes of this defeat lay deeper than any particular political event. For Grant, the sources of Canada's demise lay in the philosophical and political spirit of modernity and in the technological domination it asserts. He saw in Canadian Nationalism the noble belief that a more stable, conservative society could exist on the borders of the United States, the nation which, on his view, more than any other embodied this technological modernity. In 1963, Grant argued, the folly, the impossibility of this belief had finally exposed itself.

In April 1965 James Doull, George Grant's friend and former colleague, wrote to him about the newly published work: "Your book is as exasperating as it is brilliant. The worst is that you, incapable as any could be of inaction and mere lament, encourage Canadians to give up the battle before it has been fought."1 Three years later Doull wrote again to Grant, now expressing how some of their difference over Canada had affected their friendship: "Sometimes I have spoken or written harshly about your attachment to Upper Canadian conservatism, not evidently without giving offence I had not intended. What moved my comments was that you know young Canadians, can speak to them as no other: that this being so, you did not speak a little more hopefully to them - did not prepare them to resist a little more strongly absorption into the American Empire. For my part, I can only act as though resistance makes some sense."2 Doull would continue to engage Grant's *Lament for a Nation*, throughout his political writings and reflections on Canada, for example, in Naturalistic Individualism: Quebec Independence and an

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1 Letter on file with the Doull Archive, Sir Wilfred Grenfell College, Memorial University of Newfoundland.
2 Letter on file with the Doull Archive, Sir Wilfred Grenfell College
Independent Canada, published in a *festschrift* for Grant (1983) and in his most important political writing "The Philosophical Basis of Constitutional Discussion in Canada" (1997).

While Grant and Doull articulate their reactions to the Canada of the second-half of the twentieth-century in the contrasting emotional terms of lamentation and hope, these reactions should not be understood to be simply subjective or personal. This disagreement between Doull and Grant is of more than merely biographical interest, it reflects more than a dispute between friends. In both cases the personal responses reflect deeply considered philosophical principles. For both Grant and Doull, the right understanding of Canada's historical lot must be placed within a deeper reflection of what history is and whether through it there is accomplished a relation between the human and the divine. Both Grant and Doull were uncommon among political philosophers in that they wrote not in the context of concepts borrowed from the social sciences (economics, sociology, psychology, historiography) but within the expanded horizon of the long history of western philosophy and culture, from the Ancient world to their own twentieth century. At home in the world of Plato and that of Rawls alike, they represent peculiarly complex accounts of their own contemporaneity animated by an extraordinary historical resonance and perspective. An investigation of their conflict then involves quite instructive questions about the history of western philosophy and represents a significant moment in Canada's own philosophical history. This essay hopes to serve as an introduction to their conflict through an analysis of some of its essential components. The leading question is why Grant believed Canada impossible and Doull believed in the possibility of Canada. To address this question we first consider key differences in their philosophies of history (and histories of philosophy), then we address their varying conceptions of technology (a central concept in each of their views) and finally by this circuitous route we arrive at a consideration of their diverse approaches to Canadian sovereignty.

**History, Necessity And Philosophy**

Grant tells us that the context of his lament for the demise of Canadian nationhood rested in an understanding of history fundamentally opposed to the liberal conception of history as the development of freedom and equality. Grant, by the time he wrote *Lament for a Nation*, had broken with the doctrine of progress in which he had been raised and to which in his first book, *Philosophy in the Mass Age* (1959) he subscribed, in what he believed was the form articulated by Hegel. In 1966 - the year after *Lament for a Nation* was published, Grant described his earlier attachment to Hegel's account: "At the theoretical level, I considered Hegel the greatest of all philosophers. He had partaken of all that was true and beautiful and good in the Greek world and was able to synthesize it with Christianity and with the freedom of the Enlightenment and modern science. It

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cannot be insisted too often how hard it is for anyone who believes the western Christian doctrine of providence to avoid reaching the conclusion that Hegel has understood the implications of that doctrine better than any other thinker. I therefore attempted to write down in non-professional language the substance of the vision that the age of reason was beginning to dawn and first in North America."\(^4\) By the early 1960s, due both to reading figures such as Leo Strauss, Jacques Ellul and Simone Weil and his experience of the deepening modernization of Canada, Grant came to reject Hegel's "claim to have taken the truth of antique thought and synthesized it with the modern to produce a higher (and perhaps highest) truth."\(^5\)

In the concluding chapter of *Lament for a Nation*, Grant turned explicitly against what he found most disturbing in the Hegelian doctrine of progress, namely the claim that "*Die Weltgeschichte ist da Weltgericht*". Here Grant argued that "the doctrines of progress and providence have been brought together."\(^6\) Historical development was both development toward higher forms of human life and at the same time made God's will scrutable as being accomplished in these higher forms. This doctrine of progress was connected to Grant's account of Canada because he saw in its hold upon Canadians a source of their blindness to what was being lost in the passing away of what was specifically Canadian through ever greater integration with the United States and its dynamic modernity. In this doctrine, Canadians could see this integration not as loss, but rather, as part of the beneficent, liberating movement of history, a stage in the fuller realization of freedom. In portraying the future as a necessarily higher stage than the past, the doctrine of progress, in Grant's eyes, reconfigures evil, loss, destruction and the whole suffering of historical life, as good, as redeemed through its role in the higher achievement of future development: "But if history is the final court of appeal, force is the final argument. Is it possible to look at history and deny that within its dimension force is the supreme ruler? To take a progressive view of providence is to come close to worshiping force. Does this not make us cavalier about evil? The screams of the tortured child can be justified by the achievements of history. How pleasant for the achievers, but how meaningless for the child. As a believer, I must then reject these Western interpretations of providence. Belief is blasphemy if it rests on any easy identification of necessity and good."\(^7\)

Grant saw in the doctrine of progress, and most fully in the Hegelian expression of it, a confusion between what he referred to as the order of necessity and the order of the good. Grant argued that Plato, and the ancients generally, preserved a distinction between the eternal or the Good and necessity, a realm of becoming which participates in the eternal, but remains as other to it. It was only by so distinguishing the historical and the eternal that the distinction of good and evil could be retained. Grant found the same distinction in Christianity that he found in Platonism in the notion that for Christianity God's will, Providence, is not scrutable and so we are called not to look to human history but to Christ, and most fully, his crucifixion, for our theology. Using Luther's terms, Grant


\(^5\) Grant, *Mass Age*, viii.


\(^7\) Grant, *Lament*, 100.
distinguished a theology of glory - above all embodied in the doctrine of progress - from a theology of the cross. In the one, Grant saw a triumphalism where human will or subjectivity was seen as an agent of divine activity in the world; in the other, he saw a deep humiliation of Christ not asserting his will, but rather giving it away both to his Father and, in forgiveness and love, to those who had persecuted him. For Grant, Christ's greatness lay in his giving his will away toward the eternal order and, even in the face of extreme affliction, in the very abandonment of God, not conforming to the willfulness of the realm of necessity and historical life.

Grant saw in the Hegelian uniting of progress and providence a radical reduction of all otherness to human historical life, ultimately to human subjectivity and will. Grant saw otherness - both the otherness of God and of other beings - as preservable only in the recognition of an order of the good, an order of justice, that precedes human willing and activity. Grant here saw two levels of recognition: 1) a Platonic recognition that affirmed justice as the love of the beautiful in otherness and so the limitation of one's will through virtue made possible by the illumination of one's intelligence by the Good; 2) the still more radical Christian form of love of otherness in the giving away of one's self for the sake of otherness in the face of radical affliction or the experience of the absence of the Good. In spite of these distinctions between what Grant took to be the platonic and Christian accounts of the Good what they together affirmed was a relation of the human to the good as receptive or participatory and not as generative or determining. For Grant, religion, art and philosophy are all forms of participation and so, in a broader sense they are all religious. There is certainly a human activity in each, but only as responsive to and within a "gift" from the eternal source. It is only this standpoint of receptivity or openness, as Strauss and a number of other contemporary thinkers also suggest, that makes possible an apprehension of the eternal as eternal and not simply a moment of human self-activity.

Doull, by contrast with Grant, defends the Hegelian account of history as not only compatible with the Christian religion, but as inherent in it. Doull agrees with Grant that religion has within it a passivity, a received character. Doull, following Hegel, argues that religion is to be understood primarily under the concept of representation or image, what Hegel called Vorstellung. Hegel conceives religion as: "[T]he consciousness of absolute truth in the way that it occurs for all human beings." While the inward feeling of this union with God is the subjective component - what Hegel calls certainty - the content of the feeling is its objective side - and this for Hegel is representation. This inward certainty of a given content does not for Doull any more than for Grant represent a demonstration of the truth but rather an immediate experience of God. Where Doull and Grant will part ways, however, is in their conceptions of the relationship between the rationality of the finite thinker and his intuition of God. Doull, by contrast with Grant, will insist that revelation in its religious form is not authoritative for philosophy. He will contend that the experience especially of the Christian representation calls forth in the human subject a free rationality comprehensive of its intuited content. But it is as Idea

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9 Hegel, Philosophy of Religion, 144.
and not as representation that the truth of the Christian religion, for Doull, is most adequately articulated or revealed. Philosophy, on this Hegelian account, is comprehensive of religion through a twofold transformation of representations into concepts. On the one hand, thought brings to representation the category of necessity, while on the other, thought, beyond the immediacy of representation, exhibits the mediation and contradiction involved in simple images.¹⁰

However, it is important to recognize that this transformation of religion, and specifically the Christian religion, at the hands of philosophy is, according to Doull, neither simply religion's dissolution into philosophy nor an external imposition. In a number of articles Doull defended Hegel's claim that philosophy could comprehend religion and specifically the Christian religion in thought and yet in doing so preserve it in its distinctness as religion. According to Doull, the Hegelian standpoint is, in one sense, beyond religion, but as well also secularity: "The ladder to the philosophical science seems unscalable to Christian and atheist alike. It is indeed unscalable to whoever adheres to any form of experience as ultimately authoritative."¹¹ But this "dissolution" of experience that Hegel accomplishes in the Phenomenology of Spirit is only a stage necessary to establish the beginning point of philosophy. As Doull puts it: "It does not fall within the argument of the Phenomenology to show how religion and philosophy are related to each other in the Hegelian philosophy."¹² While, for Hegel, philosophy as the highest and most complete form of spirit is comprehensive of religion, this by no means entails that religion (and art) is not to remain an autonomous expression of spirit. Rather, according to Doull's reading of Hegel: "Philosophy of religion has for its purpose, not to replace religion, but to save it from confusion with other forms of spirit."¹³ Furthermore, Doull argues that an intellectus fidei is an inner demand of the Christian revelation itself: that it is inherent to that revelation that it "be for thought, as well as for the Vorstellung of the apostolic faith."¹⁴ The Hegelian philosophy of religion arises from this demand and as such belongs to the whole history of Christian theology.

Hegel's philosophy of religion everywhere informs Doull's own account, which contrasts so strongly with Grant's, of the relation of Christianity to historical existence. It is useful, therefore, briefly to consider some of the detail of Hegel's account of the Christian Vorstellung. Hegel contends that it belongs to the inner content of the Christian revelation that the rational believer knows what is revealed in scripture not only in the abstraction of an otherworldly ideal (whether mythologically or metaphysically expressed) but also concretely as active in human history. Indeed on the Hegelian view, the term "representation" refers not only to the realm of religious analogy, simile and image but also to history itself. Hegel's consideration of the historical Jesus is instructive here. He states: "This story does not merely count as a myth in the mode of images. Instead it involves sensible occurrences - the nativity, passion and death of Christ as

¹⁰ Hegel, Philosophy of Religion, 154.
¹¹ Doull, "Would Hegel Today be a Hegelian?", Dialogue 228.
¹³ Doull, "Comment on Lauer", 278.
something completely historical. Of course it therefore exists for representation and in the mode of representation, but it also has another intrinsic aspect. The story of Jesus is something twofold, a divine history. Not only is there this outward history, which should only be taken as the ordinary story of a human being, but it also has the divine as its content: a divine happening, a divine deed, an absolutely divine action. This absolute divine action is the inward - the genuine, the substantive dimension of this history. Thus for Hegel scripture, by virtue of its historical dimension, is beyond the indeterminacy of myth; the divine Idea is the substance equally of scriptural representation and of the historical dimension of revelation.

But, for Hegel, to conceive the 'revelation' of the Divine Idea as belonging to the historical life of Jesus alone and not as the substance of human history itself, is to confine oneself to the immediate and hence representative consciousness characteristic of the limited perspective of the first Christians. To speak in religious terms, to hold in a hardened way to the empirical side of revelation's Vorstellung is radically to historicize the Incarnation, consigning the revelation to the externality of the life Jesus. The result of such an externalizing of revelation is to treat Jesus's death as simply the loss of the unity between God and humanity and thus to make the Holy Spirit into a ghost. This approach conceives Jesus at best as an image for humans: like Socrates a great teacher, like Mohammed a messenger, like Isaiah a prophet. There is in this consciousness a polemical attitude to worldly things. Loosely quoting and drawing together passages from Scripture, Hegel states, "Thus Christ says: 'Who is my mother, [my] sister, and [my] brother.' Or: 'Follow me! Leave the dead to bury the dead. Go forth and proclaim the kingdom of God.' 'I have not come to bring peace on earth, but rather children will leave their parents and follow me.'" Hegel's interpretation of these passages is of interest: "We see here a polemical attitude expressed against the ethical relationships that have hitherto prevailed. These are all teachings and characteristics that belong to its first appearance, when the new religion constitutes the sole interest [of its adherents], which they were bound to believe they were still in danger of losing." On Hegel's account this expresses a desire for immediate reconciliation with the Kingdom of God. However, what is lacking in this impulse is a recognition of the "mediation through which this elevation [of soul] may come to pass for humanity." For Hegel this mediation and the full meaning of the Incarnation demands that the externality of the life and death of Jesus be converted into its inner spiritual truth. Beyond Grant's sense that the death of Christ shows the path for humans in the sacrifice of subjectivity and will, Hegel argues that death is not only the "stripping away of the human and the negative". He states: "At the same time death itself is this negative, the furthest extreme to which humanity as natural existence is exposed; God himself is [involved in] this." As argued above it is this radical identification of God with finite otherness to which Grant most vigorously objects. It is this divinization of the finite that

Grant sees as the determining hubris of modernity and against which his whole standpoint is defined. Hegel (and Doull) would agree with Grant that any direct identification of human and divine is destructive of ethical and spiritual life and he is clear that this is a limitation of modern consciousness. However, Grant's view is nonetheless, from a Hegelian perspective, one-sided: Grant, in seeking to preserve God from identification with the finitude and violence of human history, simply separates God from history. For Hegel, by contrast, it belongs to the Christian Vorstellung that: "God has shown himself to be reconciled with the world, … even the human is not something alien to him, but rather … this otherness, this self-distinguishing, finitude as it is expressed, is a moment of God himself, although to be sure, it is a disappearing moment." For Hegel, then, the unity of God with finite otherness is eternal, but eternally disappearing as well. God is eternally beyond the negativity and evil of human finitude but not as from the standpoint of the understanding because he is simply separate from it, but because he is eternally the activity of revealing himself as the redemption of suffering and evil, as in principle comprehensive of all difference. The unity of God and human history is not then in itself absolute but rather an eternally passing moment of spirit. That the immediacy of the relation between God and history is in important ways transitional, as expressed for example, in Hegel's image of history as the "slaughterbench of nations", suggests that it is inadequate directly to identify his view of history with the modern notion of progress and further that along with the immanence of God in historical life, he maintains the transcendence of God beyond historical existence.

For Hegel, Christianity is revelatory of God's relation to historical life: "Christians, then, are initiated into the mysteries of God, and this also supplies us with the key to world history. For we have here a definite knowledge of providence and its plan. It is one of the central doctrines of Christianity that providence has ruled and continues to rule the world, and that everything that happens in the world is determined by and commensurate with divine government." This revealed knowledge of the positive relation of God to human historical existence, while at first religiously received, becomes the foundation, according to Hegel, of a new confidence in human historical agency a confidence that underlies modern secularity. It is the appearance of modern secularity and the need to relate it to the Christian Vorstellung, that according to both Hegel and Doull, is what generates a philosophy of religion freed of the form of Vorstellung, but in agreement with its content. As Doull puts it: "This [Hegelian] philosophy gives adequate form to what is believed in the Christian religion and is the true intellectus fidei; a thinking neither extraneous to its content nor mediated only through the subject, as in the Augustinianism become modern philosophy." Or as Hegel says of the simply religious representation of God's relation to historical life: "Religion does not go beyond this general representation;

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21 This standpoint forms the background of Doull's position in his debate with Emil Fackenheim in "Would Hegel Today be a Hegelian".
it remains on the level of generality. But we must proceed from this general faith firstly to philosophy and then to the philosophy of world history.²⁴

Doull argues on the basis of Hegel's philosophy of religion that Grant's account of the separation of God and history, or necessity, is neither true nor Christian. On Hegel's account it belongs to the full philosophical articulation of the Christian Vorstellung that the human relation to God is mediated by the activity of the thinking subject and by the development of history. The contemplation of God, from an initial withdrawal from the world in early Christianity, is inwardly transformed so as to bring forth a recognition of the logos present in human activity, both in its contemplative and practical dimensions. History is not conceived then as a merely external necessity or Fate but as the activity of an infinite actuality, a necessity that has as its telos the Good conceived as self-conscious freedom, what Hegel calls spirit. It belongs to the Hegelian philosophy to know that the Trinitarian God revealed in Christianity is at the same time the ground of historical, worldly existence. Doull makes this point relative to the Hegelian position: "The movement of this thought, as in the Vorstellung, is to a relation of equal 'persons' within which are contained all subjective and objective concepts. On this foundation rests a Sittlichkeit in which 'life' or the immediate existence of spirit, and its relation of individuals in their particularity, are comprehended in a self-governing community wherein the unity of freedom and nature in family, society and state is equally the unfolding of an objective end, and, from the side of individuals, the realizing of that end is their concrete good."²⁵

It is the state, and above all the modern state, that is, according to both Doull and Hegel, the focus of God's relation to historical life and is, as such, the precise object of world history in general and so also the substance of Hegel's theodicy.²⁶ In the Philosophy of Right Hegel contends: "The march of God in the world, that is what the state is. The basis of the state is the power of reason actualizing itself as will."²⁷ What constitutes the divinity of the state for Hegel is that it is the finite completion of the spiritual life of individuals, the fullest expression of their practical freedom: "The state is the actuality of concrete freedom. But concrete freedom consists in this, that personal individuality and its particular interests not only achieve their complete development and gain explicit recognition for their right (as they do in the sphere of the family and civil society) but for one thing they pass over of their own accord into the interest of the universal, and for another they know and will the universal; they even recognize it as their own substantive mind; they take it as their end and are active in its pursuit." And further: "The principle of the modern states has prodigious strength and depth because it allows the principle of subjectivity to progress to its culmination in the extreme of self-subsistent personal particularity, and yet at the same time brings it back to the substantive unity and so

²⁴ Hegel, Reason in History, 41.
²⁵ Doull, "Postmodern Thought", 6.
²⁶ Hegel, Reason in History, 43 and 97.
²⁷ It is important to see that, contrary to persistent caricature, Hegel does not identify the Idea of the state with any particular state: "In considering the Idea of the state we must not have our eyes on particular states or on particular institutions. Instead we must consider the Idea, this actual God by itself" (Philosophy of Right, 258-A).
maintains this unity in the principle of subjectivity itself." 28 Doull argues, from this Hegelian account, that the state in its full development surpasses and comprehends modern freedom so that this freedom is not corrupting of pre-modern virtue, but is rather the fulfilling of the promise of the ancient world: "In Plato's polities the ruling power was freed from the special interests of classes. The difficulty then occurred how the ruling part could be in the state. How this uncorrupted independence of the ruler could move effectively the classes to the realization of the good is shown in Hegel's concept of the state." 29

But this is just what George Grant denies. Fundamental to Grant's denial of the Hegelian account of history is his claim that modernity is fundamentally corruptive of virtue and the human participation in Justice and thus rather than fulfilling the platonic philosophy is its ruination. For Grant, the synthesis of ancient and modern, of Christian and secular that Hegel took himself to have effected is seen to be impossible. The ancient account that preserves the distinction between the necessary and the good cannot, with integrity, be united with an account that dissolves this distinction. In the doctrine of progress and its turn to human historical activity, Grant sees not a realization of the divine, but rather an obscuring of the divine and of genuine otherness - their reduction to moments of the will. For Grant otherness is preserved as otherness by being seen as grounded in the Good as its source and so as having a being apart from human willing. The destruction of otherness, however much it belongs to the order of necessity to bring this about, is therefore secured as irreducibly evil. In the doctrine of progress both the realm of natural and human otherness and divine otherness or the order of the Good, are drawn into human will and subjectivity and so obscured. From this perspective Hegel's understanding of history must be seen, if not in intention, at least in result, to involve the dissolution not only of religion, but of every relation, philosophic, artistic, civic or moral, of the human to an order transcending and defining the human Grant sees built into the modern conception of the state, not as Doull and Hegel would have it a fulfilling of the ancient, but its dissolution.

Grant agrees with Leo Strauss that the articulation of that modern break occurs through a set of stages or "waves" beginning with Machiavelli and Hobbes who reduce the order of justice to a set of natural rights based on given human needs - no longer purposes given to humanity. 30 The next wave is that expounded by Rousseau, Hegel and Marx which finds justice or right as having no basis even in the givenness of natural need, but is the result of historical development. It is this stage of modernity that gives rise to the doctrine of progress. However, this wave is replaced by the still more radical modernity of Nietzsche and Heidegger, that grounds justice and right in the pure becoming of a historicity understood as without rational ground - beyond good and evil and beyond providence. In this account, which Grant borrows from Strauss, the modern state is revealed to be more and more an instrument of a nihilistic, secular will that has lost all contact with an eternal order of Justice and the Good. For Grant, this account of modern

28 Hegel, Philosophy of Right, 260.
30 According to Grant, in contrast to Strauss, the origins of modernity do not lie in modernity but in medieval and ultimately Augustinian Christianity and the primacy of will and personality found there.
political thought describes much of what is at work in modernity and the kind of obscuring of the eternal effected at a political and moral level; but what interests Grant is not so much this articulation of nihilistic willing in the thought of the great modern political philosophers, but a more deep seated historical shaping - symbiotically related to the development of modern political thought - which Grant describes as "technology."

From Grant's perspective it is the coming to be of "technology" in the modern world that most powerfully undermines both the Hegelian account of history that Doull upholds and the confidence of Doull and other Canadians that Canada has an independent sovereignty. Grant's argument that the orders of good and necessity are separate, that God's providence is and must be inscrutable, rests on his effort to establish a standpoint free of the technological. Grant's claim that Canada is no longer sustainable rests on the understanding of technology as inherently destructive of particular societies and especially those sustained by a pre-modern understanding. Canada cannot both sustain its independence and participate in modern technology. Equally, Doull's claim that the Hegelian account of history is true and that Canada can, even while embracing modern technology, retain its independence, requires both that the Hegelian account of history be capable of comprehending the "technological" and that Canada be capable of sustaining itself in the context of modern technology. How technology is understood by Grant and Doull respectively is fundamental for seeing the connections between their accounts of the fate of Canada and their differing conceptions of how God relates to historical life, especially in and through the state. Whether 'technology' is destructive of the state as an ethical community or comprehensible within the state is the central question dividing Grant and Doull over the possibility of Canada.

The Question Concerning Technology

According to both Grant and Doull, the fundamental question of the contemporary is posed by the presence of technology. And according to both thinkers technology is not to be understood as simply the devices before us, nor the science that gave rise to those devices, nor even the various developments in moral, political and religious thought that made possible the coming to be of those sciences. Deeper than these levels is the characterization of technology as a mode of being, what Heidegger characterizes as an ontology. Doull and Grant agree that the standpoint of technology involves a break with the European tradition of contemplation and rise to the eternal. In technology is the assertion of a radical, this worldly mastering of nature and humanity that is essentially atheistic and destructive of the givenness of all traditional forms.

What principally distinguishes Doull's accounts from Grant's is that Grant takes technology so understood as a complete or comprehensive ontology, while Doull, though acknowledging the profound contemporary experience of technology as ontological, would question this status. That is, Doull fully accepts that the contemporary world encounters technology as the underlying standpoint that shapes all encounters with the world, that is, as an ontology. However, Doull also asserts that a deeper and historically informed analysis reveals this experience as, in fact, historically constructed or mediated.
What we contemporaries experience as an all-pervasive immediate ontology, is, in truth, a mediated relation. In short, Doull does not so much reject Grant's account of technology and its fundamental role in shaping the contemporary, as seek to place it in a larger context that frees our understanding of the contemporary of the apparent fatality of technology that Grant perceives. On Grant's view, Doull's claims fail adequately to grasp the inner nature of technology and assert an Hegelian standpoint that makes the impossible claim to mediate technological ontology and the ontology of ancient and Christian accounts. However, to assess the relative merits of Grant and Doull's claims it is necessary to consider in more detail their respective enunciations of technology.

The experience of the society he lived in as "technological" was fundamental to Grant's thinking throughout his life. The titles of a number of his writings bear simple testimony to this fact. For the purposes of this brief exploration of Grant's account of technology it is useful to divide the development of his thinking, after his break with Hegel in the early 1960s, into two stages. The first stage comprises most of the 1960s when his thinking about technology was principally guided by Jacques Ellul and Leo Strauss. The second stage began with his encounter with the writings of Nietzsche and Heidegger. It should be said that underlying these developments there was a common structure to his thinking about technology and one that relates him to a set of contemporary thinkers. Like Heidegger, Nietzsche, and Strauss, but also figures such as Karl Lowith, Etienne Gilson, and Alisdair MacIntyre, Grant argues that technological modernity is nihilistic, and that this nihilism reveals a suppressed, forgotten or overlooked principle that we can now recover through a return to an older tradition or standpoint refused by modernity, but nonetheless presupposed by it. For Heidegger or Nietzsche this return was to the pre-Socratics: for Lowith, it was to the Stoics, for Strauss, to Plato and for Gilson and MacIntyre, to Aquinas. In Grant's case the return is to a Christian Platonism, especially as expounded in the writings of Simone Weil. This basic structure - the nihilism of technology and the corresponding return to a hidden Christian-Platonic standpoint - remains constant in Grant, once he broke with the thought of Hegel. What develops in his thinking is a deepening of the two sides: a deepening that involves a growing clarity about the irreconcilability of technology with Christian-platonism.

Grant began his account of this division through the work of Ellul and Strauss. What they taught Grant, was to see the contemporary world, especially North America, as fundamentally given over to a civilizational order incompatible with ancient or Christian accounts of virtue or piety. Grant has learned from Strauss that built into all forms of modernity is a certain dynamic leading to the "universal and homogeneous state." Grant agreed with Strauss that the universal and homogeneous state, that both liberalism and Marxism pursued, would result not in a liberated humanity released from all former limits and structures of oppression, but in a total tyranny inherently obstructive of all forms of higher life - religion, philosophy and so on. Grant, however, disagreed with Strauss's assertion that the most completely modern forms were to be found in the second and third waves - those he associated with communism and national socialism respectively. Strauss made fundamental the level of the political order and the ideology underlying that order. At that level Grant agreed that communism and national socialism represented more "advanced" forms of modernity. But for Grant, and here he drew on Ellul, the actual
dynamic of modernity, what underlay and informed its civilizational hold upon the world, was not at the level of political thought so much as at the level of "technology". The best way, in Grant's eyes, to characterize the contemporary was, in Ellul's phrase, as a "technological society." The principle articulated in this society is "the conquest of human and non-human nature."\(^{31}\)

When the dynamic of modernity is understood in terms of the conquest of human and non-human nature, the analysis of the contemporary world is importantly reconfigured. According to Strauss, but also Marxist analysis, communist regimes informed by the more developed thinking of figures from Rousseau to Marx, are more modern than a regime such as the United States, informed by the earlier thought of Hobbes and Locke that emphasized natural rights. However, Grant, in pointing to the deeper role of technology, suggests that in fact American liberalism is the more modern form - not because it is a more advanced form politically, but because it is less developed and more pragmatic at the level of political thought and is thus, ironically, more permissive of the unconstrained unfolding of technological dynamism: "Liberalism is, then, the faith that can understand progress as an extension into the unlimited possibility of the future. It does this much better than Marxism, which still blocks progress by its old-fashioned ideas of the perfectibility of man."\(^{32}\) In liberalism the dynamic modern account of man's essence as freedom is allowed untrammeled development.\(^{33}\)

The implication of this analysis of the role of technology as the dynamo of modernity, is the recognition of the United States as the centre of modernity. This is obviously going to be a vital point when we turn to Grant's account of the impossibility of Canada. But here what is worth noting is that Grant sees that the U.S. is inherently imperialistic precisely because of its technological character. American imperialism, however, while sharing many similarities with traditional European imperialism is distinctive in its fundamentally technological character. American imperialism is not primarily realized through conquest and colonial expansion, as were the older European empires, rather it is accomplished by the willing or coerced accession of other peoples and civilizations to the expansion of technological civilization. For Grant, in the 1960s, the clearest expression of American technological imperialism was the Vietnam War. As Grant put it, there the Americans were willing to commit genocide rather than allow the Vietnamese to stand apart from the American liberal technological empire.

What the reading of Nietzsche and Heidegger brought to Grant was not so much a revision of his earlier conception of technology, as a deepening of that conception. One way to refer to the account Grant held of technology while he was writing *Lament for a Nation* was that it was fundamentally a "civilizational" account. Technology was, centrally, a certain civilizational form given over to the mastery of human and non-human nature. The reading of Nietzsche and Heidegger, following *Lament*, allowed Grant to see the ground of this civilization as "ontological". What makes technology so enveloping and fateful is that it enfolds the very fundamental ways of our thinking and

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\(^{31}\) Grant, *Lament*, 70.

\(^{32}\) Grant, *Lament*, 71.

\(^{33}\) Grant, *Lament*, 71.
being: "To put the matter crudely; when we represent technology to ourselves through its common sense we think of ourselves as picking and choosing in a supermarket, rather than within the analogy of a package deal. We have bought a package deal of far more fundamental novelness than simply a set of instruments under our control. It is a destiny which enfolds us in its own conceptions of instrumentality, neutrality and purposiveness. It is in this sense that it has been truthfully said: technology is the ontology of the age. Western peoples (and perhaps soon all peoples) take themselves as subjects confronting otherness as objects - objects lying as raw material at the disposal of knowing and making subjects. Unless we comprehend the package deal we obscure from ourselves the central difficulty in our present destiny: we apprehend our destiny by forms of thought which are themselves the very core of the destiny."\textsuperscript{34}

How this ontology of technology came to be is a real question for Grant. Precisely because it is nihilistic and historically specific, it can not be seen as belonging simply to the nature of things, but neither can it as ontological be attributed to a self-conscious human agency. The ontology of technology arises specifically out of the historical development of the West, but not as willed or consciously constructed. In this sense the origins of technology are inherently obscure. Certainly modernity is, for Grant, through and through technological. But the roots of technology lie deeper than modernity, which Grant argues, with Heidegger, presupposes technological ontology rather than initiates it. Grant points to these deeper roots in a late essay: "I do not mean by 'technology' the sum of all modern techniques, but that unique co-penetration of knowing and making, of the arts and sciences which originated in Western Europe and has now become worldwide. Behind such descriptions lies the fact that 'technology' is an affirmation concerning what is; it remains unfathomed, but is very closely interwoven with that primal affirmation made by medieval Westerners as they accepted their Christianity in a new set of apperceptions. That affirmation had something to do with a new content given by Western people to the activity of 'willing.' 'Technology' is the closest, yet inadequate word for what that new affirmation has become as it is now worked out in us and around us."\textsuperscript{35}

What Grant learned chiefly from reading Nietzsche was that the heart of technological ontology was what Nietzsche characterized as the will-to-power: a will to mastery, a will to more free and creative willing in which all otherness or givenness is reduced to being but a moment of the will. As the above quotation suggests, Grant saw the roots of this pure willing in the Western Augustinian turn to the will. It is in reaction to this development of the Western tradition that Grant turns to a Christian Platonism more consonant - in his eyes- with the Eastern development of Christianity.\textsuperscript{36} What this non-Western tradition preserved was a sense of the Good or God as participatively, but not willfully, present in the world. God and the order of creation, especially the order of

\textsuperscript{34} George Grant, \textit{Technology and Justice} (Toronto: Anansi, 1986) 32.
\textsuperscript{35} William Christian and Sheila Grant, eds., \textit{The George Grant Reader} (Toronto: University of Toronto, 1998) 435-6.
\textsuperscript{36} On Grant's relation to Eastern Christianity, especially through the work of Phillip Sherard see Harris Athanasiadis, \textit{George Grant and the Theology of the Cross} (Toronto: University of Toronto, 2001) 134-7 and 168-71.
justice were present in the very being of the world, not through a self-active will - whether divine or human. All of this is clearly related to Grant's break with the Hegelian account of history as God's activity.

The centrality of the will in the West, Grant suggests, is ultimately generative of the standpoint of technology, of an ontology of the will to power that necessarily, as Grant puts it "has meant for all of us a very dimming of our ability to think justice lucidly." What Nietzsche clarified, above all, for Grant was that the ontology of technology was inherently incompatible with the ancient accounts of justice and the Good: "Nietzsche's writings may be singled out as a Rubicon, because more than a hundred years ago he laid down with incomparable lucidity that which is now publicly open: what is given about the whole in technological science cannot be thought together with what is given us concerning justice and truth, reverence and beauty, from our tradition." In the older account there is an order "we do not measure and define, but by which we are measured and defined." The standpoint of technology necessarily must elide this order: the very possibility of a self-active will requires a break from the given order. The very being of technology, of modernity, of a self-contained secularity can only be ontologically established by a negating or occluding of the order of what is. For Grant the very nihilism that is manifested in pure technological willing brings to light the negativity present in the very being of technology.

A crucial implication of the ontological character of technology is that it cannot be itself mastered or taken-in hand or subordinated to higher human ends. All such efforts to get control of technology are themselves technological, not only in the obvious sense that one cannot master mastery, but in the more deep-seated sense that for the contemporary person the viable forms of moral and political thought that are supposed to give direction and purpose to technology, are themselves implicated in technological modernity: "The result of this is that when we are deliberating in any practical situation our judgement acts rather like a mirror, which throws back the very metaphysics of the technology which we are supposed to be deliberating about in detail." For Grant, the only possibility for getting "beyond" technology is, on the one hand, through the recollection of a pre-technological ethic evoked by those remnants of pre-modernity still present, this is Grant's conservatism, and, on the other hand, by the self-destruction of technological civilization as it collapses under its own nihilism, this is Grant's radicalism. What is crucial in this prognosis is that Grant's account of technology allows no mediation of technology and a humanly livable order. As ontological, technology is corruptive of all efforts to humanize it by relating it to human ends. Technology must rather be allowed to fulfill its self-dissolution, purging the western tradition of all voluntarism and opening us to a participatory and receptive relation to the divine.

For James Doull, Grant is right in characterizing technology as ontological - but only in a relative and conditional sense. Doull argues that technology in the ontological sense

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37 Grant Reader, 437.
38 George Grant, English-Speaking Justice (Toronto: Anansi, 1974,1985) 77.
39 David Caley, George Grant in Conversation (Toronto: Anansi, 1995) 82.
40 Grant, Technology and Justice, 33.
is not to be seen as modern or pre-modern in its origins though he would certainly concede it is not possible without the whole development of modernity. Rather, Doull argues that "technology" in the sense Grant intends is a nineteenth- and twentieth-century phenomenon. According to Doull technology arises out of the corruption and later collapse of the nineteenth-century nation state. He argues that technology is in fact one aspect of a two-sided corruption of the nation state: the other side Doull speaks of as nationalism, existentialism or fascism. Doull contends that technology is in truth an element of the nation state, but an element that takes itself to be self-complete and immediately actual. The other element suffers the same immediacy. In the nineteenth-century these two elements had their radical and revolutionary theorists: the most developed of whom were Marx and Nietzsche. Doull suggests the twentieth-century is where these elements take on a life of their own as the European nation state is destroyed in the trenches of the First World War. The history of twentieth-century Europe is a gradual development from the two elements assuming themselves to be self-constituted wholes in the forms of communism and fascism to the dissolution of this assumption to the point of the present European Union in which the two sides remain as irresolvable but restrained aspects of European life.

What is crucial to grasp in Doull's analysis of technology is that he places technology in a comprehensive context in which it can be seen not as the whole reality but as one element of a more comprehensive dialectic. There is alongside technology, to which it is necessarily related, the existential or nationalist aspect which, for lack of a better term, we will call the "communitarian" aspect. The communitarian side of the contemporary, like the technological, takes on a variety of forms. Some of the anti-technological positions are religious and traditionalist, others more radical and revolutionary. However, according to Doull they share a common logical and structural character informed through the relation to technology: to preserve a realm of being from the technological reduction, there is the need to uncover a principle whose being is beyond the technological. From Doull's perspective, then, Grant himself takes up just such an anti-technological account and so occupies a one-sided aspect of the contemporary. Grant thus dogmatically asserts the radical difference of technology from the standpoint that would recognize the Good and order of justice that informs the world. Now Doull would allow that this is a true perception so long as one leaves undisturbed the immediate distinction of the forms in which the contemporary experiences itself. But it is Doull's argument that this assumption is misplaced. These forms that take themselves to be directly what they claim to be - and this is what it is to speak of them as ontological - are in fact dialectically related to one another and in three senses.

First, according to Doull, the two sides of the contemporary are in truth historically derived forms arising from the nation state where, so long as the nation-state had life, they could be related and connected to one another. This took especially the form of the relation between civil society and the state, where universality and particularity were able to be concretely related and united. In the dissolved state of the twentieth-century there tends to be either the collapse of the state into civil society in communism, socialism or liberalism, later in a global economy, or the separation of the two in nationalism, fascism or Nazism and later in communitarianism. As Doull states: "In their time the thought of
Marx and Nietzsche was not of general interest. Both perceived the national political community in a partial and unbalanced way through one of its elements. With the decline of the national state their thought came into its own, since the decline is nothing else than that elements contained before in the whole came to have rather a life of their own. The assumption on which the independence and completion of the national state rested was that life and nature were capable of containing technology - that the concreteness of the Christian principle existed naturally in the state. The history of these communities has been rather the disintegration of these elements."

Doull maintains that what each side of the contemporary takes as immediate, the free individuals of the technological society or the rooted individuals of the particular community, are, in truth, historical results which do not know themselves as such. Indeed, according to Doull, not only are the two sides results of the whole development of the nation state, but the very immediacy that hides this history is itself an historical result. On his view, it belongs to the inadequately self-conscious or free character of the nineteenth-century nation state that it should so readily collapse at the point that it is fully developed into opposed forms.

There is a second sense in which there is an undisclosed dialectic at work in the relation of technology to community. Doull's claim is not only that the two sides share a common origin, but, that even in their claim to be self-grounded, they are in fact defined negatively through one another. The technological defines its activity relative to an anti-technological standpoint that resists the freedom of technological universality by holding, for "superstitious" reasons, to a particularity that can only be understood as oppressive and limiting. Equally the communitarian standpoint is drawn to a principle that is defined precisely in its being beyond the technological - whether this be Heideggerian Being, Straussian nature or Gilsonian God. Further, the immediacy of the one side is precisely necessary to the self-grounding of the other side. Now in each case, the immediacy of the opposed standpoint turns out to be false: a false particularity or a false universality. For the technological will, the attachment to the particular is simply a negation of the universal and the attachment to what is in truth nothing. For the communitarian, the attachment to technology is a nihilism premised on negating rootedness and so is, in truth, the attachment to nothing. So long as these forms - the technological and the communitarian - stay in their distinction from one another they can at best - such as in the European Union - be alternately balanced, but not in truth related or reconciled.

This leads to the third form of dialectic that Doull points to: that precisely because of the two earlier forms of dialectic, there is both the possibility and need to move beyond the contemporary opposition of the sides of technology and community, to an actual relating and uniting of the two sides. Not technology simply, but the relation of technology to community through the institutional order of the state, Doull took to be the question before the contemporary era: "The practical interest of the present age is transparently that science and technology be brought under universal will, and that

41 Doull, "Augustinian Trinitarianism and Existential Theology" Dionysius III (1979) 121.
individuals have their particular freedom explicitly and primarily therein - not through the blind conflict of aggressive wills.\textsuperscript{42} By contrast with Grant, Doull contends that technology can and must be subordinated to human ends. He states: "In antiquity Prometheus could be subdued and taught to live under the power of Zeus. But now he has captured the citadel of Zeus and founded technology on the sovereign right of the individual. The principle of the modern age is the unity of theoretical and practical. A more dangerous principle there could not be. But Hegel would, as before, see no other course than to awaken in men a clearer knowledge of this principle. Danger he would see to lie exactly in a seeming modesty which left open to human passions and false certainties to seduce reason and science from their natural end of serving humanity.\textsuperscript{43}

For Doull, the course of the twentieth-century in Europe, from the rise of fascism and communism where community and technology took themselves to be complete wholes and accrued to themselves the whole power of the state through to the unstable relation of global technology and community in the European Union, there has been a coming to clarity that the truth of both sides of the contemporary are in themselves nothing. This result is already known, in Doull's eyes, in postmodernity, where the instability of both universal and particular is known in an all-dissolving scepticism. Doull sees postmodernity as the philosophy proper to the European Union. Thus, the nothingness that each side of the contemporary took to be the truth of the other side is found to be their own truth. But this is to suggest a purely negative result.

For Doull, this negative postmodern result is one aspect of the contemporary - that it comes to nothing in its effort to establish itself in itself. But equally for Doull, the contemporary is the fullness of the whole historical development. What Doull takes to be at work in the period between the Hegelian nation state and a return to the fullness of the historical development is not simply revolt, corruption and denial. That is to say the return to the lost content of the European nation state is not simply a return. The old nation states are, in Doull's eyes, gone for good. What the collapse of the older European order has accomplished is the liberation from received forms that can readily lose their actuality as forms of spirit. The contemporary has been, according Doull, a painful education beyond the immediacies that the old Europeans fell prey to. Doull suggests, especially in his last political writings, that it belongs to North America, and its more directly universal and self-conscious forms of polity, to realize the returned dialectic that knows technology and community as aspects of one totality in a freer and more complete form than even the nation states that Hegel had before him.

But from Grant's perspective, Doull's claim can appear contradictory. On the one hand, Doull claims that the state - that is the Hegelian concept of the state - can comprehend the difference between technology and community and yet the historical realization of this in the nineteenth-century nation state was in fact unable to hold together these "elements" and suffered disintegration. Grant's argument - as of so many others - is that given the actually experienced division of technology and community, it is more compelling to see

\textsuperscript{42} Doull, "Hegel and Contemporary Liberalism" 229.

\textsuperscript{43} Doull, "Would Hegel be a Hegelian?", 235.
in technology a principle destructive of community, virtue, religion and life, than to suppose that there can be a uniting of technology and community, freedom and virtue, secularity and religion. Doull insists that this is in fact the true experience of contemporary Europe and sees in Heidegger especially, the most powerful and profound articulation of this experience. But what undergirds Doull's whole account are two claims: 1) That even in the division of technology and community the Idea of the State is still effective. This is what allows Doull to articulate a threefold dialectic even in the very opposition of technology and community in contemporary life and; 2) That the nineteenth-century European state was only an immediate instantiation of the Idea. As we saw earlier, Doull and Grant divide over the relation of God to historical life: here is another form of the same argument. For Doull, what is at work in history is the Idea of the state, or God's presence, as comprehensive of technology and community, even in their contemporary opposition. Grant, by contrast, sees God as removed from history and denies the Idea in its Hegelian sense. From Grant's perspective the theology of the cross demands the renunciation of the will, so also in civilizational terms the life in community in accord with virtue and in relation to the Good demands the renunciation of the nihilistic technological will. On Grant's view, the darkness of contemporary experience, the obscuring of the eternal, is the most powerful testament to the falsity of all claims such as Doull and Hegel make that technology or modernity can be united with virtue, religion and community.

Doull throughout his career could defend his claims by referring to the Hegelian system, he could explicate more accurately than Grant the history of philosophy and of the West more generally and so display the historical reality of the Hegelian system and the inadequacy of accounts of that history that assumed one or another of the aspects of the contemporary standpoint. He could also point to the experience of the contemporary which seemed to undermine the Hegelian position as in fact confirming it. For while each side of the contemporary divide between technology and community recognized the divide, they could explain it only one-sidedly and in turn could not explain the ground of their own position or its relation to the whole history it none the less presupposed. But, of course the claim to be able to rise to a standpoint, beyond the opposition of technology and community that can be "objective" and mediate in thought their division is precisely what Grant denies.  

In the last decade and half of his life, and after Grant's death, Doull argues that the Idea of the state is not only available to a philosophical comprehension of the divisions of contemporary European culture, but is in fact actual and effective in the societies of the New World, especially the United States and somewhat more obscurely Canada. During Grant's life, Doull and Grant tended to agree that the United States was a technological empire as much given over to one-sided contemporary corruption and revolution as Europe in the disintegration of the nation state. In the period after Grant's death, however, Doull began to see in the United States an actual integration of technology and community.  

Doull could, from this standpoint, point not only above

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44 Indeed, from Grant's position Doull is not beyond the division, but has rather sided with modernity.
45 Doull did of course see the United States as the most perfect form of this integration but nevertheless saw the integrity there achieved as real and as capable of further development. See James Doull, "The Philosophical Basis of Constitutional Discussion in Canada" (Animus 2, 1997) http://www.swgc.mun.ca/animus/1997vol2/doull1.htm.
contemporary life to the Idea as comprehensive of what was experienced dividedly, but argue that this division was being actually and effectively overcome not in Europe, but in the New World.

The State Of Canada

For Grant, Canada and, indeed, any sustained independence from the technological dynamism of the United States is impossible. The kind of hopes Doull wrote of in his letters to Grant are, in Grant's eyes, empty and deluded. They show a failure to come to grips with the nature of the age in which we live. For Doull, Canadians do not yet recognize their true statehood and Grant's lamentation is thus premature and arises from a misreading both as to what Canada is and as to the possibilities of contemporary freedom. Both accounts of Canada have a certain intuitive plausibility: both acknowledge the ambiguity of Canadian political identity, the allegiance to a state which is neither fully self-governing nor fully understood in its own terms. Is Canada in the last throes of an already lost existence or is it only now coming to be?

George Grant in *Lament for a Nation* argues that: "To be a Canadian was to build, along with the French, a more ordered and stable society than the liberal experiment in the United States."\(^{46}\) Canada was, for Grant, an inherently conservative society and one built upon a rejection of the United States and its directly humanistic individualism. Through its relation to Britain and France, a connection was maintained with a culture that preceded what Grant called "the age of progress." This meant that English and French Canada sought to keep alive through their political and especially their educational institutions their sense of what the economy was for, and the place of religion in society. For Grant this embodied a connection to a pre-modern culture that saw human life in terms of purpose and goodness and not simply in terms of humanly enacted values and the individualistic pursuit of them. For Grant, a relation to the Good, a sense of one's creatureliness and fellow-creatureliness belonged to this older European tradition to which Canada sought to keep its relation.

The decision to build a nation more stable and less given to the illusions of modernity than the United States was noble but born for failure. The British connection (and in Quebec's case, the French connection) was vital not because of its specific ethnic characteristic but because it was the only living connection Canadians had with this older European conception of society. Thus for Grant, the failing of this connection, the decision of Liberal politicians to weaken rather than strengthen it, was equivalent to the end of Canada. Grant combines here a sense of *Fate* and a sense of *betrayal*: Canada could not hope to sustain this connection in the face of the dynamism and massiveness of American modernity. Also, specific politicians and specific social groups acted, even underhandedly and manipulatively, to break with this British connection.\(^{47}\) For Grant

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\(^{46}\) Grant, *Lament*, 25.

\(^{47}\) Grant made himself clear in his 1970 forward to a reissuing of *Lament for a Nation*, that he a) was not attached to the British connection ethnically - indeed he saw such unthinking attachment as part of the demise of that connection; b) nor as without ambiguity - especially given the British abasement before the
these two moments of fate and betrayal came together in the defeat of John Diefenbaker in 1963: the slick and ambitious in Canada's metropolitan centres turned against him, used his personal follies and weaknesses to ridicule his great and specifically Canadian virtue of loyalty, the attachment to the given, to one's own. When Canadians turned their backs on their own, their loyalty to the connection to an older European sense of stability, they gave up, except in name, all that distinguished them from the United States. 48

But while Grant blamed various politicians and social groups for what he took to be Canada's demise, as he himself put it: "The confused strivings of politicians, businessmen, and civil servants cannot alone account for Canada's collapse. This stems from the very character of the modern era." 49 In Lament for a Nation, Grant emphasized the fate that encompassed Canada in seeking to be a nation apart from the United States in the age of progress. But it would be later, with his encountering the thought of Nietzsche and Heidegger, that Grant would come to purge his standpoint of a residual accidental quality - that if only Canadians and their ruling classes had acted differently, Canada's independence could have been retained. With the account of technology as an ontology, as the metaphysics of the age, the contradiction of Canada's being both a modern state and yet seeking to stand apart from technological absorption in the United States, is evident.

For Grant the failure of Canada, then, is not merely the failure of a small cultural experiment, but is the very vanishing of a relation to older, more sustaining forms: "The impossibility of conservatism in our age is the impossibility of Canada. As Canadians we attempted a ridiculous task in trying to build a conservative nation in the age of progress, on a continent we share with the most dynamic nation on earth." 50 For Grant we can speak of the state in two senses: On the one hand as the institutional life of a community that participates so far as it is able in the order of justice and makes justice, constraint, and a sense of public good primary. Grant describes Canada's conservative nationalism and difference from the United States in these terms. On the other hand, we can speak of the state as a set of institutions that serve as instruments toward the realization of a technological will. It cannot be both or, rather, it can be both only in the sense that over a long period there is a transition from the one to the other in which residual elements of virtue and constraint both mask the true character of technology and slowly give way to its inexorable unfolding. 51 The technological state where, as Grant states, "no appeal to

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48 "The argument that Canada, a local culture, must disappear can, therefore, be stated in three steps. First, men everywhere move ineluctably toward membership in the universal and homogeneous state. Second, Canadians live next to a society that is the heart of modernity. Third, nearly all Canadians think that modernity is good, so nothing essential distinguishes Canadians from Americans. When they oblate themselves before "the American way of life," they offer themselves on the altar of the reigning western goddess." Grant, Lament, 68.
49 Grant, Lament, 67.
50 Grant, Lament, 81.
51 See here Grant's discussion of the role of residual Protestantism and its demise in North America in Technology and Empire, 39 and English-Speaking Justice, 60-8.
human good, now or in the future, must be allowed to limit [individuals'] freedom to make the world as they choose is clearly incompatible with the desire of Canada's founders to "build a society in which the right of the common good restrains the freedom of the individual." Canada was caught between attachment to older forms through the British and French traditions received from Europe and participation in modernity both in terms of the overwhelming presence of the United States, but also the inherent corruption of the British and French traditions in so far as they were already modern. What Grant denied, by contrast with Doull, was that tradition and modernity, community and technology could be actually united. This impossibility meant that, in Grant's eyes, Canada was a contradiction waiting to unravel.

According to Doull, however, Canada is not established in its difference from the United States by an attachment to a conservative tradition. Doull doesn't deny that such a conservatism and attachment has been part of Canada's history and was vital to Canadian founders, both English and French. However, Doull argues that such a form of difference is passive and indefinite, making Canada's independence rest upon the external - and as it turned out unstable - realities of the British Empire and the Tridentine Catholic Church. Doull sees such forms of self-definition as Canadians used in the period before the quiet revolutions of Quebec and English Canada as "colonial". He agreed with Grant that this revolution destroyed the older forms of Canadian self-definition but he thought that this was a positive development. Doull argues that Canada's independence from the United States rests not upon certain qualitative measures, traditional or technological, but upon a substantial difference. He agrees with Grant that Canada is distinguished from the United States in its history and through its relation to a form of state that would order and restrain the passions and interests released under the American constitution but, on his view, this is not what fundamentally distinguishes Canada from the United States.

For Doull, what distinguishes Canada from the United States in the qualitative sense that Grant points to, that Canada is more stable and orderly, more given to the common good, is only a borrowed or received identity, simply British and French hand-me-downs. As Doull once put it: "The mere continuance of the old and customary has no power to educate, but can only impart an external order to the savagery of the natural will." Thus for Doull, the demand for Canada is that it come to define itself not principally through either Europe or the United States, though these are undoubtedly elements of Canada's self-definition, but through itself and so bring these elements, and others, into a concrete relation.

On Doull's account, Canada is not a confusion or mixture of technology and tradition, but rather a certain form of the unity of the two. Clearly, in making such a claim Doull is assuming the reality of the Hegelian account of the state. On Doull's view Canada is in principle beyond the corruption of Europe that we considered in the section above. For

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52 Grant, Lament, 70.
53 Grant, Lament, 87.
54 Doull, "Naturalistic Individualism: Quebec independence and an independent Canada" in Eugene Coombs, ed., Modernity and Responsibility: Essays for George Grant (Toronto: University of Toronto Press) 44.
Doull, the Europe Union is just such a mixture and confusion of technology and tradition - though he argues that it is tending to move beyond this in postmodernism. Nonetheless, his belief throughout his intellectual career was that Canada need not be consigned to such a condition. What especially distinguishes his political thought in the last decade and a half of his life is a clarification of his grounds for upholding his confidence in Canada as a sovereign state. Central to this clarification was a reevaluation of the United States.

For a long time Doull shared Grant's view that the United States was a technological empire. In the 1960s, 70s and much of the 80s, Doull saw in the United States a technological naturalism liberated from the rationality and constraint of its older Enlightenment constitution: "In place of the older order one had come to assume in the later nineteenth century a naturalism and against it an abstract moralistic idealism. Marx and the socialists would draw these elements into one view: the free natural individuality they proposed combined these elements. Such in general is the technological culture of the present time, in the United States, where it occurs in its purest and simplest form, it is commonly assumed that technology and a free naturalistic individuality can sustain each other."55 Certainly the New Deal and the emergence of the welfare state together with the rise of consumerism in America lead Doull, as well as Grant, to see in the United States the most complete embodiment of technology. So long as Doull held to this view, his account of Canada, as at least implicitly beyond the division of technology and tradition was hard to justify: why should Canada escape the corruption and revolution besetting the rest of the Western world? Grant's assessment that what remained of Canada's sense of its difference from the U.S. as resting on a residual traditionalism was at least as plausible.

By the late 1980s, however, Doull broke with this account of the United States, and in doing so, reconfigured his account of Canada and of the possibilities of the contemporary period. In a lecture Doull gave in 1992, he contrasted this new account with Grant's position in Lament for a Nation: "Some years ago George Grant in a well-known book lamented the demise of Canada; a Canadian nation, betrayed by politicians, had fallen prey to the great technological empire to the south. But in truth neither was Canada a nation nor...is the United States rightly defined as a centre of 'global technology.' What then were we to lament? George Grant grew up in the ruins of Victorian culture in Ontario and Heidegger was for him a principal interpreter of the culture which took its place. Amicus plato, sed magis amica veritas. The effect on Canadians of this twofold relation to the Old World has been to make possible the question, what are we as a North American people, whose freedom and its political articulation has a different basis than for Europeans."56

Doull's reconsideration of the United States and re-grounding of his hopes for Canada lay in his recognition of what he came to call "North American freedom." This freedom belongs to and defines the character of the "post-national," federal states of North

America. It is necessary to the understanding of his fully developed account of Canada and its contrast to Grant's to see more clearly his conception of North American freedom. Doull's claim is that while Canada and the United States are each species of the genus North American freedom, and so provide different articulations of this freedom, because Canada remains immature and underdeveloped in its articulation, it is best to turn to the United States to capture the character of this freedom.

Doull defines the nation state as an uneasy symbiosis of the Enlightenment sense of universal freedom and equality with an adherence to the particularities of the language, culture and history of a given state: England, France, etc. On his view the United States, then, is not a nation state, as such: "The United States is the first post-national state, the first state based not on national particularity but on rational principles, whose history is essentially the development of those principles. Americans were from the first conscious that they attempted something new, and of consequence for the human race: there began with their independence a novus ordo saeclorum."

Thus for Doull: "The American Union is not derivative from particular communities in the manner of the European Union, but is directly the common state of all Americans." It is this rational or universal origin that secures, in principle, the inviolability of the Union. Doull states: "The Union as the common state of all Americans and that which defined their relations with other states, had a priority over the particular states. As the States were not prior to the Union, once founded, so were they not subordinate but shared a coincident sovereignty distinguished by the powers appropriated to each." On Doull's account, the constitution as the historical and philosophical foundation of the political and social institutions of the American people is thus a presupposition of the rights of individuals in the world, the concrete reality of their lived freedom. Thus he will argue: "The Union is the ultimate support of 'government of the people, by the people and for the people'. Political power derives from the people who made and can amend their institutions. But the constitution on which the self-government of free individuals depends, so far as it expresses and gives objective form to their freedom, is in a proper consideration only amendable in its essentials if the amendment is thought to be more adequate to that freedom. The individuals who constitute for themselves a state are 'created equal' and have rights in virtue of that equality, among others, to 'life, liberty and the pursuit of happiness'. Government exists to support and make room for these 'inalienable rights' and has thus a corresponding stability in its primary structure not subject to arbitrary amendment."

In the case of the United States civil war was required to cement the sense of the precedence of the Union to the rights of states. For Doull there is an immanent logic afoot in this development. He states: "The war between these immovable forces made evident what lay in the doctrine that there was not right of secession from the Union as directly the state of all Americans. In that relation the society of free individuals had the objective

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57 Doull, "The Philosophical Basis".
58 Doull, "The Philosophical Basis".
59 Doull, "The Philosophical Basis".
60 Doull, "The Philosophical Basis".
constitutional structure in which democratic government - government of the people by their own agency and for the common well-being and the reality of their freedom - was possible. Through the primary concurrence of individual freedom with the operation of the federal state the Union was indivisible. Individuals might again find themselves unfree in the free society, but from that time with the sense of themselves as one nation - not as an association only of sovereign communities.\footnote{Doull, "The Philosophical Basis"}

In short, for Doull the Union was not, in the first place, based on a contract of atomic individuals, rather it was founded by individuals already involved in civil society, already educated to political life in their particular states. In the second place, the secessionist movement, concretely the slave states, could not uphold the principle of freedom which animated the Declaration of Independence and the Constitution itself. The Union was the only actual historical institution, among the meaningful options, which could continue the principles of the U.S. constitution; its dissolution by the actions of the slave states would be irrational, against the current of western history, and a destruction of the very freedom it would seek to defend. In the Gettysburg Address, Lincoln gives voice to this standpoint. Describing the United States as a "nation, conceived in Liberty, and dedicated to the proposition that all men are created equal", he conceives the Civil War as "testing whether that nation or any nation so conceived and so dedicated can long endure".\footnote{Abraham Lincoln, \textit{Speeches and Writings 1859-1865} (ed) Don E. Fehrenbacher (New York: Library of America, 1989) 536.} Doull thus conceives the Civil War as the complete ratification of the U.S. constitution, as the point at which: "the loyalties of individuals to the whole and to a sovereign part coincide and are articulated according to the division of powers."\footnote{Doull, "The Philosophical Basis"}

For Doull, then, the United States is to be differentiated from the European nation states because founded explicitly on rational principles and not suffering in itself a division between the Enlightenment principles of universal freedom and equality and attachment to a particular culture and language. As a result, whereas the European nation states suffered in World War Two the virtual destruction of independent sovereignty and required a European Union to secure political life in the global technological economy, the United States is in principle beyond the nation state and not subject to its history. The United States is for Doull, in his most recent political thought, the clearest instantiation of North American freedom; a freedom that retains the concreteness that Hegel saw to belong to the nineteenth-century nation state, but now realized in a more adequately universal and self-conscious form. This freedom can hold together as one reality what contemporary Europe assumes only in a divided form: technology and tradition, the particularity of community and the universality of rights and liberties.

It is this North American freedom that Doull suggests Grant does not sufficiently recognize. From Doull's perspective, Grant is still thinking in a European context when he puts on one side the "nation" of British North America and on the other side the technological "empire" of the United States. Put in these terms, Doull would certainly allow that Grant's analysis is correct. Canada has experienced the dissolution of British
North America - and equally of French Catholic Quebec. But Doull's argument is that these terms are insufficient to the reality of Canada as a form of North American freedom. To get hold of Doull's argument it is not enough to say that North American states, in contrast to the European nation states escaped the direct destruction of institutions and culture wrought by the World Wars - this is largely true of Great Britain also - especially if one finds, as Doull does, the imperial expansion of nineteenth-century Europe to be a corruption and not an essential aspect of those states. But, Britain, as much as the other nations of the European Union, has found itself incapable of holding together technology and tradition. What is distinctive about North American forms is that they are post-nation states and, as such, are not technological empires that dissolve and destroy particularity and tradition. Rather, the federal structure of these states, their capacity to promote and uphold local differences, that are not at the same time simply frozen into external givenness of pure custom, points to a concreteness, a holding together of technology and community, that is beyond and yet comprehensive of the divideness that contemporary Europe experiences.

This distinctive character of North American freedom is crucial to understand Doull's critique of Grant's account of Canada. Grant sees Canada's distinctiveness to lie in its determination to conserve the presence of English and French culture in Canada and so to have access to a tradition of contemplation, virtue and political stability. The role of Canada is to act as a means to defend the institutions and ways of being that sustain these cultures. These cultures are received by Canadians who then participate in them and, as Grant understands the heart of these cultures to be a participation in the Good, there is a coherence here. Doull disagrees with Grant, not only as to the content of these cultures, but also as to the Canadian relation to them. Doull outlines a history of Canada whose purpose is to question the claim that English and French Canadian culture was ever simply participatory and conservative. Rather Doull wants to argue that from its beginning Canadians appropriated and transformed their received cultural forms in the new context of North America.

An implication of the more self-active account of Canadian history sketched by Doull is the claim that Canada's history cannot be understood as the histories of two distinct "nations" - British and French - that out of a shared determination to avoid assimilation into the United States have formed a marriage of convenience. As Doull puts this, "were the history of the 'two nations' such as nationalists recount, they would already have separated painlessly enough, seeing mutual benefit and little loss in their separation."64 Doull's criticism of Grant is that he in fact leaves Canada as just such a compact, without real unity. However, Grant argues that what unites Canadians, whether French or English, is an attachment to the universality of the pre-modern tradition that is instantiated in differing forms in Quebec and in English Canada - a shared standpoint deeper than the differences of culture and equally opposed to American modernity. Doull, in one sense doesn't disagree with this, but says that if it is this universal culture that is the truth of Canada, then the national forms become secondary and this is what the history of Canada has been.

64 Doull, "The Philosophical Basis".
For Doull, then: "There is not only a separate history of Quebec and another of a British 'nation'; there is also a common Canadian history more basic than either of these abstractions." In a brief discussion of the history of Canada, Doull explores both the way in which French and English Canada were already beyond the European culture they brought with them in their free appropriation of it and as such were open to and involved in a history shared and informed by the difference of the two peoples. So, for instance, by contrast with Grant's portrayal, Doull finds in the French people from the beginning that which is beyond a merely ancient virtue. Doull portrays the French as both subordinating the individual to monarch and religion but in the context of an emergent Cartesian sense of freedom. In North America, he argues, the feudal forms of land tenure tended to be merely formal arrangements.

Further the relation to the Monarch for North Americans was less direct than it was for the citizens of France, mediated as it was by the representatives of the French king. Thus Doull states: "In New France the will of the monarch is executed by the divided authority of the military Governor and the Intendant. But the relation of the country people to this system is different almost from the first in New France. There is not a half-servile peasantry, but the 'habitant' with a strengthened sense of his independence and equality."

Doull thus concludes with a radical claim about the basis of English and French unity in eighteenth century Canada: "The disappearance of the old order can appear in a nationalist perspective as an immense shock from which to this day French Quebeckers have hardly recovered. It is also said that they were already a 'people' or a 'nation', in which case they would have in themselves a political order to replace that from which they were severed. It would be better said that the Conquest stabilized their relation to the culture earlier imposed from above, that French culture from that point took root in North America and was capable of an intrinsic development. The conquered were not in a later nationalist sense a 'nation' or 'people', but the bearers of French culture of the 'old regime', towards which they must find a freer relation."

Yet in the face of the intentions of the Durham report (1838) and the Act of Union (1840) it remains to be asked why, in light of such a common spirit, the French were not assimilated to English Canada. Doull's central point here is that the nature of Enlightenment principles of government in their North American context did not require assimilation. Within England an assumed unity of culture and language was present, and thus opposed to other nations who likewise assumed their own culture and language. They could find themselves at odds with these nations on nationalistic grounds but not in terms of universal principles of rights and freedoms. In Canada, however, there was not the division of one nation state over and against another but neither was there an assumed unity. In the context of the Enlightenment toleration of religion, language and civil law these differences among French and English were not impediments to a common state. Thus while the British might want assimilation in this new context they were not

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65 Doull, "The Philosophical Basis".
66 Doull, "The Philosophical Basis".
prepared to coerce it. Assimilation might be assumed but it could not be enforced in a way consistent with the freedom of individuals who shared a common European heritage.

As a result the British found themselves moving in opposed directions. While they desired assimilation, The Quebec Act of 1774 recognized the right of the French community to its religion and law. The Constitutional Act of 1791 granted to English and French equally the beginnings of representative government. Likewise, Lord Durhams recommendations of responsible government made co-existence and not assimilation irreversible. The Act of Union 1840, according to Doull, actually made the sense of the differences among the two communities more visible.\(^67\)

The BNA act was inadequate to the subsequent dialectic of Canadian political life and thus was modified in spirit and practice by the developing notion of provincial rights. In this way Canada begins its own home grown constitutional development. But still within the rubric of a presupposed unity of political ends within the Commonwealth or the Roman Catholic Church, for English and French Canada respectively.

For Doull the participation in the Great Wars drew Canada directly into an experience of the breakdown of the nation state. But the experience of the Second World War in Europe and in North America is substantively distinct and in ways beyond the obvious geographical realities of the conflict. According to Doull, in the wake of the First World War there arose in individuals a sense of the destructive quality of imperialism and the search for nationalist glory. Individuals thus enlightened as to the evils of the nation state retreat from allegiance to the modern conception of political institutions and find themselves able to be inspired by only one side of what the modern nation state was able to hold together, that is, either intuitive attachment to one's fatherland or rationalistic adherence to technological control. Thus the First World War on Doull's account dissolves the unity of reason and nature that had been accomplished in the nation state. But the nation still remained though now upholding primarily only one aspect of what had previously been held together in a mediated whole. The Second World War on Doull's account makes the destructive quality of both nationalized technocracy and nationalized naturalism evident to the former European nation states. What has occurred is an historical demonstration of the impossibility of holding together technology and nature in the nation state and likewise the impossibility of clinging variously to one side or the other of this dichotomy within a single nation. The independence of the nation state is thus dissolved and sovereignty can be maintained only through a union whose intention it is to retain the specifics of culture while protecting individual freedom and drawing member states into the global economy.\(^68\)

Canada in its own way experienced the corruption of the modern nation state but because it was not structured in terms of the precise division of rights and culture characteristic of Europe it did not experience the twentieth century as a corruption of its sovereignty. Rather for Doull the experience of the Great Wars deepened the relationship

\(^{67}\) Doull, "The Philosophical Basis".

\(^{68}\) Doull, "The Philosophical Basis".
of Canadians to their own state and on the basis of this more unqualified allegiance made possible a strengthening of citizen's attachments to their own localized culture and provincial sovereignty.

In this context emerged the Quiet Revolution. While for Grant, this event in Quebec corresponded to and shared something of the collapse of loyalty to the British connection, Doull argues that these parallel developments must be seen not only in the negative light with which Grant portrays them, but also positively as a shift in Canada generally as to the ends of government and the rights and reasonable expectations of individuals in relation to the state. A network of social programs was established which are an important element in Canadians' allegiance to their common government. Doull states: "In Quebec the revolution began at a different point than in the other Canada, out of the aversion of a church-oriented society to the seductions of a modern industrial economy." However, on his view: "The result was generally the same in both cases, if one allows for cultural differences in the attitude of individuals to government."^69

But, according to Doull, the strengthened sovereignty which emerges in Canada in the twentieth century, which we might see to give credence to Prime Minister Laurier's claim that the twentieth century will be the Canadian century, has yet to be fully appropriated by the public political culture of Canada. On his view, for example, the inadequacy of our self-consciousness and the borrowed self-image of Europe soon fragmented the Quiet Revolution into the opposed moments of Quebec nationalism represented by Levesque and French Power, represented in Trudeau's centralist federalism. But this opposition which the constitutional challenge present by Quebec brings to the fore for all Canadians is not true to Canadian history or constitutional forms but rather is borrowed. In this opposition, according to Doull, Canada still remains within a "post-colonial colonialism" - articulating its constitutional difficulties through the logic of the European Union, Europe in its collapse into opposed form of technology and community. From this standpoint, nationalists argue that the true sovereignty of Quebec can only be expressed in relation to Canada if Confederation is replaced by sovereignty association on the European model. However, such a position fails to realize that the nations which take part in the European Union do so on the basis of a loss of nationhood, that the European Union involves a surrender of important elements of sovereignty to the larger association. To conceive the relation of Quebec to Canada on the basis of the European Union, as do separatists, is thus to lose the very sovereignty they wish to assert. For Doull a properly Canadian account of these matters will, in truth, allow a deeper maintenance of sovereignty than is available on the sovereigntist account.

Thus Doull states in dramatic form: "The conclusion that separation is the only course remaining rests on personal feeling and a misreading of certain events. It has no general cogency. The well-founded conclusion from recent Canadian history is rather, as indicated, that the reconciliation of the two peoples, implied and demanded in patriation, is to be found neither in nationalism nor in economic individualism, as conceived in the European model. There is not only a separate history of Quebec and another of a British

^69 Doull, "The Philosophical Basis".
'nation'; there is also a common Canadian history more basic than either of these abstractions. Here Doull's position poses a serious question to Grant's account. While upholding an Hegelian conception of history and of the state as an institutional comprehension of both an ancient and modern ethic, he does not resolve the question of sovereignty into the domineering subjectivity and will of the technocratic consumer. There is that in our history which can be shown as the rational basis of an institutional life which can draw the individual into a common good.

But for Grant, the cultural particularity of the nation state is essential to the possibility of retaining a relation to the older European tradition, as he puts it, we must begin with what is our "own" in order to rise to the Good. And Grant's history of Canada is, of course, quite different from that of Doull. Grant's history was of two peoples joined by mutual antagonism to the United States and mutual respect for a pre-modern European tradition, two peoples joined by shared but also distinctive loyalties. This history was for Grant a mixed affair. Partially it was a history of positive accomplishment that was part of the work of preserving Canada from absorption by the United States: here Grant speaks of the national projects of the railways, the Canadian Broadcasting Corporation, distinctive economic and foreign policies. Grant admired as well the articulateness of various French nationalists, especially those who sought to preserve the Catholic culture of Quebec - though he also admired separatists and Quebec nationalists of his own time so far as they still retained a sense of what a nation is. Partially also, Grant saw in Canadian history a series of misunderstandings and ineptitude in the relations of English to French Canada: Grant saw this as a case of confusing what was important, the larger culture of premodernity, with what was secondary, the particular and differing forms of English and French Canada. So Grant lamented stupidities, such as the conscription crisis, by which English Canada alienated and did harm to French Canada out of a sense of loyalty to what was specifically English. Along these lines Grant also bemoaned, in Lament for a Nation, Diefenbaker's self-destructive relation to Quebec. But for Grant's history of Canada, deeper than both the various triumphs of Canadian nationalism and the missteps between the two founding peoples, was the irresistible modernizing and technologizing of Canada. The Canadian tradition as received from both Britain and France was already a mixed legacy, a confusion of the modern and the pre-modern, the presence of the United States made the outcome of this confusion inevitable. So what for Doull is the period in which Canada begins to come into its own as a sovereign state, the last-half of the twentieth-century, is for Grant exactly when Canada relinquishes its independence. And so we return to Grant's lamentation and Doull's speculative hope.

For both Doull and Grant, contemporary Canadians live in ambiguous times: we are either a state unable to articulate the sovereignty we in fact possesses (Doull) or we are people without sovereignty and independence and yet still think ourselves a state (Grant). For both there is a problem of articulation or recognition. For both what is required for an articulation adequate to our situation is not only a recollection of the whole history of Canada, nor only an understanding of its constitutional order, but also a reflection on the character of the contemporary as a whole - on the nature of technology and its relation to

70 Doull, "The Philosophical Basis".
the sovereignty of political institutions in this era. This latter reflection, in turn, requires a consideration of how higher ends and human freedom and self-activity relate: how God can be present or absent in historical life. It is a testimony to the depth of both thinkers that they are opposed to one another consistently and at the same points. To put the matter in its simplest form, Grant argues that there is a fundamental divide at each level, Doull acknowledges this division at every point but argues that it is overcome. Beyond the division of the British/French connection and American technology, Doull argues for the possibility of a sovereign, post-national Canada. Beyond the division of community and technology, of tradition and modernity, Doull argues for the possibility of a sovereignty in the state capable of uniting these aspects. Beyond the division of God and human historical life, Doull argues for the possibility of their effective and scrutable unity. Grant denies such possibilities on the basis of both an experience of their total division and a philosophical analysis that argues for the irreconcilability of these divisions. Doull, in his turn, allows that short of the absolute standpoint of the Hegelian philosophy, there can be no known overcoming of these opposed aspects. There is in the revolution of recent times a negativity which dissolves the givenness of received traditions and in this there is lost a world and its vision of the good, the true and the beautiful. There is, however, in the freedom from that which is past, a new world whose history requires philosophical form. In the engagement of George Grant and James Doull we find a vivid dialectic of these moments.