

Dissident Philosophers

Voices Against
the Political Current
of the Academy

Edited by

T. ALLAN HILLMAN AND TULLY BORLAND

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1

Introduction

Thoughtcrime Revealed

T. Allan Hillman (University of South Alabama)
and *Tully Borland* (Independent Scholar)

In 1902, at the first meeting of the American Philosophical Association (APA), philosopher (and inaugural president) J. E. Creighton ruminated on the formation of the first national society of philosophers in America, its purposes and designs, as well as its probable effectiveness as a symbol of solidarity for a discipline noted for the diverse interests, methods, and views of its constituent members. In the latter vein, he observed that “philosophical theories, like theological tenets, are so closely related to what is most intimate and fundamental to our personal nature, and, consequently, so suffused with emotion, that it is difficult to be tolerant and fair with those who differ from us.”¹ But more than an apologetic for the APA, or even a hopeful forecast of its future success, his address is a sort of early twentieth-century “State of the Union Address” for the discipline as a whole. Indeed, his talk conveys, even if inadvertently, a sense of what an academic philosopher is: one who appreciates the historical importance of the discipline without failing to articulate topics of current concern; one who overcomes the burden of teaching in order to produce scholarship in the cooperative endeavor that is philosophical inquiry; and, of course, one who resists the temptation to surrender the important questions to the “objective” sciences. Much can be learned from his essay about the nature of the academic philosopher at this time; in fact, much can be learned about what the ordinary academic philosopher—taking Professor Creighton to be just such a creature—thinks the nature of philosophy is. There is, then, something of historical interest, something of psychological depth, and something of sociological consequence to be gained by attending to his reflections.

We do not intend to rehearse Professor Creighton’s concerns or his conclusions here. Instead, we too—as ordinary academic philosophers—would like to take a moment to assess the philosophical discipline as it stands today, and at this time over a

century later, ruminate on topics consequential not only to our fellow philosophers in the here and now but also to those, perhaps, in later generations. Ours, too, then, is something akin to a State of the Union Address. Like Professor Creighton, we do not intend to confine ourselves to the APA or its purposes, but our aim is to catalog a series of reflections on our discipline as a whole. Unlike him, we intend to explore (in a rudimentary fashion, of course) the social and political terrain of practicing philosophers and their institutions in the Western world, the United States in particular. Let us emphasize that in this essay, we are not *engaging* with other philosophers in rational discourse, as that is not our aim; instead, we are *reporting* and offering *commentary* on various facets of our discipline—and those who practice it—that raise serious concerns for those who do not promote what we take to be leftist² group-think. What's more, we shall do so from admittedly personal vantage points, offering anecdotal stories, autobiographical vignettes, and general (if not gentle) criticism in the spirit of many of the essays to follow in this volume.

Speaking of the essays, they are all written by academic philosophers with decidedly nonmainstream political views. By *nonmainstream*, we mean “nonmainstream in the academy” insofar as several of the authors would likely count themselves members in good standing of the American Red State contingent and so be mainstream in *that* sense. Still, while most of the authors self-identify as politically to the right on the standard spectrum, others eschew the label (or perhaps eschew the left/right dichotomy as a whole). “Political right” is an admittedly broad term, ranging from American conservatives to British Tories, from religious right to secular right, from libertarian to authoritarian. What unites this otherwise disparate group of philosophers, then, is their dissent from the predominant political trends of academic philosophy, political trend(s) primarily associated with leftism of one variety or other.³ The goal of this volume is to represent a broad constituency of political philosophies and perspectives at variance with the prevailing political sentiments of the academy, and so the essays are partly autobiographical in nature (detailing personal experiences that have influenced these philosophers from childhood on) and partly philosophical, reflecting on the intellectual viability of a right-leaning (or decidedly non-left-leaning) political philosophy or some segment of it.⁴

One aspect that makes this undertaking particularly special (we think) is the fact that ours is an academic discipline of wordsmiths—or, more precisely, “ideasmiths.” Though the mythology of the lone wolf philosopher suggests otherwise, our smithing rarely takes place in isolation but instead occurs within, and in service to, various institutional venues. Proverbially, this is just to say that, as philosophers, we wear different hats on different days, and our introduction will focus primarily on this headwear.

Maybe on one particular week of the year, ours is “the APA member” hat.⁵ We attend, for example, the Eastern meeting, go to and perhaps even present at a certain session, reconnect with our peers at other colleges and universities, meet and greet and maybe even interview a few job candidates, and the like. More usually, however, our hat is “university faculty,” and we chair committee meetings, attend graduation ceremonies, and complain about our students. Or we're tenured mem-

bers of the Philosophy Department, and we teach classes, serve as advisors to majors, write letters of recommendation, and complain about our students. Or we're active participants on some professional or generally public internet sites and use our well-known blog handles to post on Facebook, Twitter, and assorted internet blogs in order to discourse with friends and colleagues, stay in touch with former students (about whom we still occasionally complain), and attempt generally to influence popular culture with our expertise. Inasmuch as all of these hats may have some degree of purchase on our time and attention, the organization of this Introduction will accord with each: the ideasmith in the APA, in the university, in the department, and in the world at large.

Before proceeding and in keeping with the designs of this volume, we ought to say something about our angle. Like the authors of the essays, we take a dissenting view of the leftward political conformity found in the academy. We, the editors of this volume, are both right-wingers in the traditional sense, and neither of us has ever felt particularly compelled to hide the fact, even if we both exercised enough practical rationality in graduate school to refrain from advertising our voting predilections to all and sundry. There were, though, ironies aplenty. One of us took a course on Rawls taught by a self-professed Marxist, never thinking for a moment that it would become necessary to *actually defend John Rawls*, much less argue against claims that he was too much of a conservative. It's true that working in the history of philosophy helps us to remain insulated. Not that historians of philosophy are typically any more comfortable with the politically unorthodox than are, say, bioethicists, but working on Leibniz's metaphysics or Duns Scotus's ethics seldom offers public opportunities to celebrate Rush Limbaugh or castigate Nancy Pelosi. While we are sure there are journal referees who'd likely award us approval points for smuggling in a pithy "Trump is a fascist" footnote, it has just never seemed worth the effort. Thankfully we do not work in those highly politically charged areas like analytic metaphysics, where attempting to demarcate "substantive" from "non-substantive" metaphysical issues may—as Professor Ted Sider has learned—incite an entire subdiscipline.⁶

But there's never been for us anything like a "coming out" party, where we show up to campus one day sporting a "You can't defend the 1st without the 2nd" baseball cap and a "Socialism works for those who don't" T-shirt. Neither of us has ever really experienced a sense of fear stemming from being "found out" as right-leaning (although, as we note below, our experience in this vein seems to be in the minority). We suspect that most of our colleagues have long had suspicions about our political views even if they never asked outright. We are not, after all, terribly angry, unhappy people who complain incessantly about (all too often apparent) injustice and oppression; and so that may have tipped our hand. Our attitude, we think, is simply typical of the conservative disposition: "Why should [insert latest leftist declaration of outrage] matter *here* and *now* to me?" We are philosophers. Our job is to educate students in the methods of critical reasoning, the history of philosophical thought, and the general love of wisdom for its own sake. Such an undertaking need not be, and in most cases should not be, *political* in any interesting sense at all. We've

no particular agenda of which we're aware,⁷ and if we did, we hope we'd have the self-control to refrain from treating our students as a means of satisfying our own self-importance. And yet, for the academic leftist, it seems that there is no area of life—ours or yours or anyone else's—immune to politicization in the name of the latest leftist trend. A student once told me (Hillman) that his professor had declared, during class and apropos of nothing, that we (and by “we” she meant perhaps “the US government” or maybe “the American People” but most likely “all people who make more money than I do”) should be sending washing machines to third-world countries. No mention was made of the 25,000–50,000 miles of extension cord that would also be quite helpful to the mission. So, was she serious? Who knows, but we've found that leftists normally take themselves *very* seriously, particularly in relation to matters political . . . which, for leftists, is pretty much most matters.

While we regret the lack of space to develop our own views in any sort of detail, suffice it to say that we share Oakeshott's view that we should enjoy what is here and now as best we can without corrupting our soul by wishing for something else in its stead. It is the “disposition appropriate to a man who is acutely aware of having something to lose which he has learned to care for.” Consequently, we are the sort

to prefer the familiar to the unknown, to prefer the tried to the untried, fact to mystery, the actual to the possible, the limited to the unbounded, the near to the distant, the sufficient to the superabundant, the convenient to the perfect, present laughter to Utopian bliss.⁸

Yes, the future will undoubtedly bring about considerable change (both good and bad), and the past roundly deserves our respect and gratefulness. We attempt to be at once cautious and hopeful about what is to come, humble about where we have been and what we have learned. But what is most significant is the present moment and a life well lived with loved ones and activity.

What, then, is our attitude to leftism generally? Admittedly, throughout our academic careers, it has primarily been one of annoyance. To wit: Halloween on campus canceled because of “cultural appropriation” (only an academic leftist could have come up with that); another two-hour webinar on sexual harassment just in case the one-hour webinar last year did not infiltrate our common senses nearly enough; campus counseling for “the traumatized,” advertised following the election of President Trump. From the student affairs administrators trying to keep up with the leftist zeitgeist all the way down to the student activists interrupting lectures in order to correct the professor's language, most nonsense is overlooked. Primarily this is because conservatives typically do not feel the need to defend what to them are obvious truths of daily life (e.g., that “his” and “hers” and “its” appear to exhaust all sensible singular possessive pronouns in the English language, that most men do not in fact hate women or think them inferior specimens of the human race, that there are two and only two sexes [independent of what, in fact, a “gender” is], that the Western world is obsessed with race to the detriment of everyone). There are, of course, other shibboleths of the left (new ones seem to appear weekly), but our

point is simply that we have refused on principle to take part in these little exercises in political correctness, and we have ignored them accordingly. Increasingly, however, we have come to understand that such intellectual reclusiveness is not really a viable option for the long term. The stakes get higher for the social experiment that is Western Civilization. And so leftist activism is no longer simply obnoxious; it has gradually become more disquieting and, indeed, a threat to good sense and decency everywhere. And so, we think, this volume is timely.

THE AMERICAN PHILOSOPHICAL ASSOCIATION (APA)

Occasionally, philosophers—rather whimsically—bemoan the professionalization of the discipline. From “lovers of wisdom,” they say, we have devolved into “4/4 load professors who chair committees and foster long-distance relationships with wisdom.” Still, it’s a good job (if you can get it). Most of us fortunate enough to have academic appointments share a common experience—our attempt to secure our position at the Eastern Division APA meeting. Whether in formal interviews in suites or jostling around with the rest of the herd at the meat market, most of us recall the sheer excitement (terror?) of entering the official portal of the job market during the annual Christmastime meeting of the APA.

The APA is more than a locale for earnest, job-seeking, newly minted PhDs. From its foundation in the early twentieth century, the organization has served to foster cooperative activity and joint solidarity of academic philosophers within the United States (and elsewhere, for that matter). Its primary purpose since its inception, in fact, has been the “promotion of American philosophical scholarship,” to serve as an agency “to inspire and direct original work” so that previously unproductive scholars have an avenue through which they may take part in the “original investigation and publication” of those serious ideas without which philosophy makes no progress.⁹

While scholarly camaraderie and professional promotion may have been its original *raison d'être*, it’s interesting to note the expanding role of the organization over the past century. No longer can it fully justify its existence by appealing to the abstract spirit of philosophical solidarity. Now, as we mentioned above, it is the semiofficial institutional gatekeeper of the discipline. While Zoom and other video-conferencing software have gained traction with more departments aiming to do first-round interviews over the last ten years or so, the practice does not seem likely to completely overtake the APA’s overall importance to the hiring process. After all, there is *PhilJobs*, partner of the APA and chief publication for advertised jobs in the academic market for philosophers. Here, at *PhilJobs*, we meet our first organizational leftist staple: the apparent bureaucratic necessity of formulating, posting, and acting on a “nondiscrimination policy”¹⁰ over and above Title VII and the whole host of state and federal employment discrimination laws of the modern administrative state. No, the APA must go further. We learn the imperative that no one be discriminated against “on the basis of status” or, importantly, “on the basis

of conduct *integrally connected* to that status”—convoluted and obscure conditions seemingly necessary and sufficient for the previous emphasized phrase then follows. It would be simpler to say, “Religious institutions with orthodox requirements for faculty and staff are evil” and be done with it. But, then, why have such a policy at all? It’s unclear, but those using *PhilJobs* “should be aware that ads for institutions and positions that do not comply with the APA’s non-discrimination policy are not posted” on the site.¹¹ Solidarity comes in a distant second to ideological purity. Take *that*, religious zealot (and/or secular sympathizer with non-leftist cultural agendas)!

The erstwhile job seeker will be pleased to know that his profession has an official “Code of Conduct” as well, complete with ethical guidelines for those who are unfamiliar with contemporary American law or value theory generally. Spurred forward by allegations of rampant sexual harassment in the discipline, the APA did what most bureaucracies, administrations, or political authorities do in times of seeming crisis: *be seen to be acting*, regardless of how ineffective, how impractical, how utterly ridiculous the action. “See, we’re doing something. Everyone stay calm, we’re on top of this.” And just what are they doing? They are informing us—though they lack the power to adjudicate or enforce this policy, mind you—to shun sexual harassment and to refrain from bullying, and (this one is beautiful) “to avoid ad hominem arguments and personal attacks, *especially if they amount to slander, libel, and/or sexual harassment.*”¹² So we shouldn’t break the law. Sage advice from this wise and very important organization.¹³

Aside from formulating worthwhile policies,¹⁴ the APA also awards grants and other varieties of funds. While anyone can “support the work of the APA”—you don’t have to be an academic philosopher to donate, don’t worry—of particular importance are the “diversity” initiatives, including a Committee on the Status of Women Fund, a Fund for Diversity and Inclusiveness, and Travel Assistance for Philosophers of Color. With the exception of the latter, it’s unclear precisely who or what the donations sponsor, though we’re vaguely assured that there is a “special focus on seeding new and innovative projects” for underrepresented groups.¹⁵ As readers with knowledge of the profession are undoubtedly aware, “diversity and inclusiveness” are accorded more than mere passing respect for a number of reasons, not the least of which is the ability to secure funding at the state and federal levels simply by using those two terms in the appropriate context.

Several years back, philosopher Brian Leiter pointed out on his blog that, of the ten projects awarded grants by the APA in 2015, no fewer than six appeared to have some relationship—implicit or otherwise—to the “diversity and inclusiveness” enterprise: “In dollar terms, \$26,500 has gone to programs related to the racial and gender diversity of philosophy, while \$18,187 has gone to other programs.”¹⁶ No friend to the right (or to the center, for that matter), Professor Leiter has gone on record to disparage attempts to (overly) politicize the discipline of philosophy under the “diversity and inclusiveness” paradigm. In 2018, he conducted a poll in which he asked, “What do you consider the most pressing issues confronting the academic profession of philosophy in the US currently?”: coming in third in the poll was

“excessive politicization of the discipline,” whereas seventh was “capture of the APA by interest groups with political rather than philosophical aims.”¹⁷ Though it’s not made obvious, we’re fairly confident that the interest groups the voters had in mind are neither the NRA nor the Heritage Foundation.

The APA also has a blog. Its purpose is to “share a variety of perspectives from a broad array of APA members” as well as “to highlight the activities being undertaken by the APA.” That, at least, is the listed *official* purpose. Its unofficial purpose seems to revolve around stumping for the latest leftist causes. For example, readers learn that academic journal editors should avoid the term “blind review” due to marginalization worries,¹⁸ that online dating platforms are really places where men “perform from a script of hegemonic masculinity that requires a disavowal of all things feminine,”¹⁹ and that white philosophers should refrain from social media usage of “digital blackface” (i.e., “a white person’s use of a black face (voice, attitude, or expression), usually a gif (a short, soundless looped video) to add a humorous emphasis to their own reactions”).²⁰ And these are just the most recent posts, from December 2019 to April 2020.

So, what is the state of the APA in 2020? One need not be a right-wing ideologue to find the preceding suspicious on a good day, obnoxious at its absolute best, and a waste of good funding at worst. Some have even suggested that the association be dissolved entirely.²¹ But our point here is simply that, from its origins as an organization intent on providing a national outlet for the scholarly work of academic philosophers, the APA has taken a decidedly political tilt, and a fairly radical one at that. Rather than the impartial pursuit of truth or following the argument wherever it may lead, social justice activism demands the attention of the philosopher. We wonder, then, whether this organization is *truly* representative of its constituency. Though, given the state of the contemporary university, we realize that it very well may be.

THE UNIVERSITY

Universities are self-contained little societies. While each one is culturally unique to some degree or other (for example, in some universities students wear clothing embroidered with the word “Wildcats” while in other universities the word is instead “Bulldogs”), they are all hierarchically ordered with the strictness of a feudal manor. Administrators and bureaucrats rule with the iron hand of aristocratic lords, the faculty are vassals who pretend to fealty and obedience while conspiring in perpetual rebellion against their sovereigns, while the student serfs look to both as squabbling parents ripe for the divide-and-conquer exploitation strategy.²² What about “education”? Oh, that. Well, there used to be a thing called *curriculum*, by which was meant “a fixed series of courses required for graduation.”²³ Now, there are so many subjects (some specialized branches of a general discipline, others not), it seems that “any human occupation, interest, hobby, or predicament could furnish the substance of an academic course” with the result that on “many a campus one might meet a student

who disliked reading and had ‘gone visual,’ or be introduced to an assistant professor of family living.” Whether this state of affairs is good or bad we will not say (though the reader could reasonably guess our verdict), but its origins are rather obvious: “These hundreds of electives were designed to appeal to students who wanted unconditioned choice.” Designed by whom? The sovereign, of course, whose primary aim is always to increase both the size of the feudal domain and the exercise of his own power within it.

On the whole, tenured and tenure-track philosophers have very good jobs. We get paid to do something that we (ostensibly) enjoy, teaching (or researching) philosophy, even if, like most other human beings with employment, we’d prefer our salary to be double what it currently is. And so there are few overall grounds for complaint regarding our collective plight as university faculty. But this is not to say that the university is an entirely *comfortable* place for one lacking the sentiments of the prevailing leftist orthodoxy. While occasionally it is comical, more often it is simply disturbing.

Typically, faculty are evaluated on the basis of three criteria: service, teaching, and research. Depending on the university (or perhaps even the department), the scales for each of the three may vary. For instance, the relative weight accorded to teaching (60 percent) may be double the weight accorded to research (30 percent), with service coming in at a paltry third (10 percent). For most faculty members, “service” is code for “committee work,” or more often “meetings.” In a university, there are *lots* of committees, and *lots and lots* of meetings. Let’s focus for a moment on faculty committees.

It’s commonplace for faculty to deride the very existence of a committee on which they have been appointed to serve. In fact, the very beginning of the first meeting of such a committee may involve the spoken declaration that this *first* committee meeting will be the last for the current term. Everyone laughs. Then everyone agrees. Really, how important is a Faculty Foreign Travel Committee if there are never any funds to send faculty to conferences overseas, to reduce faculty teaching loads for such trips, or what have you? If one’s time is a precious commodity, hours spent on this committee are outright thievery. Imagine, however, scoffing openly at having been appointed to one of the special-interest committees (e.g., the Diversity Committee or the Multicultural Committee or the Gender Studies Committee). Now try to imagine doing so without an angry mob of pitchfork-wielding social justice warriors screeching uncontrollably about “structural inequalities” or some other bit of leftist jargon. Requisite seriousness and due reverence are owed to subjects so sacred, declare the guardians of inclusion, who take their power quite seriously and whose suggestions to administration are often interpreted as demands. “A photo of ‘the university community’ that appeared in the local paper includes only two non-white students? Preposterous! Take it to the committee!”²⁴

All are well aware of the penchant of administrators and faculty alike for leftist policy initiatives and causes. This is nothing new. Neither is the ingenious (if increasingly more nefarious) language created by leftists to ensure political hegemony (a favorite leftist term of art), from “safe spaces” to “privilege” and all of the twaddle in

between. To wit: people who were for centuries understood to be merely hungry are “food insecure.” Signatories of letters or emails must inform recipients of their “preferred pronouns” (because, well, it’s obviously my preference that determines such things). The word “addiction” is forbidden because it is “too stigmatizing.”²⁵ Closer to home, academic philosophical *discussion* of the metaphysics of gender amounts to “hate speech,” the denial of a person’s existence, and is “oppressive, regressive, and harmful.”²⁶ Even the distinguished Kant warrants a “trigger warning” for his insensitivity to the prevailing attitudes of “race, gender, sexuality, ethnicity, and personal relations.”²⁷ Apparently even the term “diversity” is beginning to wear out its welcome in the Newspeak Dictionary, as witness the *Office of Inclusion Initiatives and Cultural Competence* at Vanderbilt University.²⁸ And let’s not forget the fact that in many university departments, it’s controversial to claim that women cannot have a penis.

In the modern university, particularly within most branches of the humanities, such rubbish is typically taken for granted. This poses a special challenge for philosophers with a rebellious bent, those of us who naturally tend toward skepticism of those in positions of authority (as well as those, lacking any hint of humility, who are all too certain of the righteousness of their cause). We are trained to be critical and reflective, to attend pointedly to the use of concepts new or old, and to appreciate the natural evolution of linguistic practice while striving for linguistic precision. Others are trained as ideologues with an arsenal of social justice jargon, whether they fall under the label “English professor” or “Associate Professor of African-American Studies.” Responding civilly to a bombardment of empty or incoherent phrases uttered with near hysterical and sanctimonious conviction takes considerable fortitude. It takes even more fortitude to remain silent in the face of such inanities spoken calmly and with the air of inevitability (if not triviality): “Well, of course we can’t give three individual awards to three individual *white men*, irrespective of their merit and irrespective of *blind*—what a terrible expression! *tut-tut*—review. One of the recipients simply must be a person identifying as female, and were she of non-white ethnicity that would be a bonus.”²⁹ Most of the time we swallow our urge to stand up for basic moral and political principles coupled with common sense, stoically embrace the consequent discomfort, nod noncommittally when appropriate, and then remove ourselves from the self-contained little society in favor of home and sanity.

THE DEPARTMENT

It’s difficult to address the state of philosophy departments with any degree of specificity. Some departments are rather small (some departments are constituted by as little as two philosophers *in toto*), while others are comparatively enormous (the University of Notre Dame, for instance, catalogs over forty full-time philosophers). Some philosophy departments have graduate programs, while others do not, and among the latter, some offer a major or minor while still others provide only introductory-level courses for general education requirements. Over the past several

decades (and for largely economic reasons) it has become popular for universities and colleges to collapse a number of distinctive academic disciplines into one department, and so there may be a “Department of Philosophy and Religion” or a “Department of English, Classics, and Philosophy.”³⁰ Other colleges and universities may not hire philosophers at all.

Whatever their size or status, philosophy departments are much like any other academic department in the humanities: there are left-wing posters and advertisements on office doors and walls,³¹ and petty office politics in the offices and lounge. The latter are usually more interesting. So, who gets the optimum time for class—say, the 1:30–4:20 seminar slot on Wednesdays? Whose course gets the drafty lecture hall instead of the cushy seminar room? When a senior colleague retires or moves on, who gets the larger office? Which philosopher draws the short straw and is tasked with three preps next semester? And since philosophers, like other humans, always prefer more money to less,³² of paramount importance is who among the faculty deserves the merit raise: the one who published a timely article “Gender and Newton’s Second Law of Thermodynamics: A Critical Reappraisal” in the second-tier journal *Think*, the one who received an NEH grant to teach neo-Epicurean techniques in cognitive behavioral therapy to kindergarteners, or the one who coedited a book on the concept of “microhate” in the field of interpretive dance? These difficult decisions would best be resolved by pistols at dawn. Instead, some poor, miserable chair earns yet another stomach ulcer by herding the disputants into the dean’s office for a harrowing round-robin of rock-paper-scissors.

Like most academics, philosophers often grumble about onerous teaching loads and their interference with the ability to do research.³³ Nevertheless, those higher in the chain of command—say, deans or other high-ranking administrators—have research expectations, and most philosophers do their bit by presenting papers at conferences or publishing books, edited anthologies, or journal articles. Of particular concern to the academic philosopher is the latter venue, the journal, purportedly the most efficient place for publishing research.³⁴ Even here, however, there can be largely invisible hurdles of which the non-leftist philosopher should be aware. We’d like to make two points, one general and the other specific.

First, a general point: the best journals appear to have gate-keepers who ensure not only *what kinds of ideas* get published but also *whose* ideas are published there. Getting one’s work published in a journal requires not necessarily the philosophical acumen of a Russell coupled with the prose style of a Nozick, but instead that one knows the right people and argues toward the appropriate conclusions. There is a seemingly endless cycle of the same names arguing for comparable theses with only minor differences of detail. This is most obviously true in journals professing to emphasize political philosophy and value theory. Can anyone seriously imagine an engagement with the political philosophy of, say, Sir Roger Scruton in the pages of the *Philosophical Review* or *The Journal of Political Philosophy*?

Turning now to a more distinctive issue at least tangentially related to the first, consider the recent resignation of Professor Stewart Cohen, long-time editor of the

top-tier journal *Philosophical Studies*.³⁵ A brief account of the events preceding his resignation is noteworthy. In early 2020, Professor Alex Byrne published an article in *Philosophical Studies*, “Are Women Adult Human Females?”³⁶ arguing in the affirmative. Immediately, his paper received an acerbic response in the same journal *Philosophical Studies* by Professor Robin Dembroff,³⁷ a noted defender of all things transgender, not only attacking Byrne’s position (and doing so quite poorly, we might add) but also referring to his paper as “unscholarly,” “ill-informed,” and disingenuously motivated. As *professional* philosophers are aware, personal attacks such as these have no place within academic journals, highly reputable or otherwise. To his credit, Professor Cohen admitted that, though he had no knowledge that Professor Dembroff’s paper had been submitted, much less accepted, he was “embarrassed and dismayed” by its content.³⁸ As a means of partially redressing the victim of the attack, Professor Cohen invited him to reply to Professor Dembroff’s defamatory article; in order to salvage the journal’s damaged reputation, he offered to make a public statement about what had transpired. In his letter, Professor Cohen then explained precisely what led to his resignation: “Unfortunately, one of my fellow editors along with [the publisher of the journal] Springer opposed” his means of redress and consequently “rescinded my invitation to” Professor Byrne; he was also denied the opportunity to make a public statement.³⁹

This extraordinary series of events highlights at least two points worth making. First, any apparent opposition to their social justice commitments, however timid, seems to bring out the worst in leftists. Obviously Professor Dembroff’s language was unprofessional in the extreme, particularly for the pages of a reputable academic journal. But the fact is that her language was inappropriate for just about *any* venue at all in which two professional academics are engaging in a reasoned dispute. However, leftists of this stripe are simply *that* committed to the cause, and more and more philosophers appear to find this kind of language acceptable. Regrettably, such nastiness is altogether common when “socially conscious” leftist philosophers engage one another (and others) on the internet, whether on blogs, in comment boxes, or in other social media venues. Virtue signaling is at its maximum pitch, and it’s always a race to seize the moral high ground, damning challengers as morally obtuse fools (and worse). It’s like the adult version of the children’s game “King of the Mountain.” The second point is more subtle, but it bears considering. If a long-serving editor of twenty-five years is allowed to resign *over his inability to offer a vilified philosopher the chance to respond to ad hominem attacks* by a leftist champion of the transgender cause, what chance is there really that a decidedly non-leftist position (or even a neutral position by a known non-leftist philosopher) is even allowed to be represented within the pages of a journal published by that particular entity? Food for thought, we think.

Now, let’s return to those onerous teaching loads. Most philosophers teach a cross between introductory survey courses (say, Critical Thinking or Introduction to Ethics) and upper-division classes (say, Advanced Political Theory or Philosophy of Science). Time was when the classroom was the last bastion of professorial absolut-

ism in the university. The philosopher controls the content and pace of the course, how long the course meets on a given day, what exams and papers will cover, and even if there will be exams or papers at all. No longer. The syllabus, which must be available electronically (Bureaucratic Rule #1), is now “a contract” between professor and student (Bureaucratic Rule #2) and should not be modified without extreme forethought; it must contain “course objectives, goals, learning outcomes, and skills” (Bureaucratic Rule #3), and while it is “suggested” that there be a mid-term, it is absolutely imperative that there be a final exam (Bureaucratic Rule #4). Finally, the professor is asked to identify every conceivable problem that may arise during the semester while simultaneously easing the anxiety of the fragile student psyche by predetermining an ironclad resolution.

Alas, syllabus-related nonsense does not arise only from the nether regions of the university administration. No, there is in-house poppycock as well, at the department level. True story: A philosopher on the tenure track teaches (primarily) Ancient Philosophy and related courses at Small Private College. During his pre-tenure review (at year three), he was informed that there was “a worry” regarding the content of his syllabi. There simply were not enough “females and/or people of color” represented in his course content, and this “creates a problematic narrative.”⁴⁰ When he explained (as was already thoroughly detailed in each of the syllabi) that he only assigned primary sources and so had no recourse to politically correct niceties, the chair and curriculum committee in the department doubled down and accused him of “bad faith.” The reproach remained in his file and was brought up again when he went up for tenure.

Another issue in the classroom involves the now well-known (though obnoxious) movement among leftist educators that has gained considerable traction over the last decade. We’re not sure of the appropriate label, though “victim culture” sounds about right even if it’s not quite official. Professors are to be wary of broaching issues in the classroom that might be “traumatic” to certain students, and so “trigger warnings” are made prior to the introduction of the topic. Another true story: A friend of ours invited a philosopher to give a talk to his students. The topic? The wrongness of rape. His thesis was that part of what makes rape so evil is the moral significance of the sex act itself, which also implies (he argued) that there is something morally suspect about what has come to be called “hook-up culture.” Two students (absurdly) interpreted his view as tantamount to “victim blaming.” They bravely contacted the professor, who dutifully reported the complaints up the chain of command; the Title IX task force was dispatched in order to quell a possible uprising. Somehow, eventually, order was restored.

Never mind that college students are adults and so probably need to become acclimated to a reality that has little predilection for their feelings. More to the current point, there are some educators suggesting that professors may need “extra training” in order to more carefully “navigate” upsetting or potentially disturbing topics. In any philosophy course dealing with real-world subject matter, it seems to us, chances are high that some person in the course will have had an experience intersecting

with this subject matter. But why think that because of this, professional philosophers would need “specialized training” in order to deal with these situations?⁴¹ We are admittedly of the old-fashioned view that being nice, tactful, and perhaps even compassionate may very well be enough to handle these incredibly delicate circumstances. But we’re also pretty sure that this “specialized training” will somehow make its way into our professional lives before long. After all, like our students, we, too, are adults, and administrators in league with the radicals of leftism aren’t terribly eager to satisfy *our* desires. We, too, must capitulate. And, for all we know, the “Two-Minutes Hate” really is good for the soul.

IN THE WORLD

The *Philosophical Gourmet Report*,⁴² brainchild of Professor Brian Leiter, is a survey-based ranking of philosophy department prestige—both within the United States and internationally. It made its first appearance on the internet in 1996 and remains twenty-five years later a helpful tool for aspiring students seeking higher academic degrees in the field. Of more interest to us is his blog *Leiter Reports: A Philosophy Blog*.⁴³ From its inception, Professor Leiter’s blog has generated a considerable amount of traffic—as of June 1, 2020, his page had been viewed over 14,000 times.⁴⁴ We’d wager that few other philosophy blogs have been quite so popular over the years. So, what makes *Leiter Reports* unique? As clever, professionally accomplished, and entertaining as Professor Leiter may be, he is also quite savvy regarding the “goings-on” in the discipline at large, from news about the academic job market to senior appointments to philosopher obituaries. While some have argued that his site appeals primarily to those with a bent for salacious gossip and character assassination, as well as outlandish and acid-laced political commentary, it would be foolish to deny that *Leiter Reports* has exercised considerable influence on the discipline as a whole, for good or ill.

In 2014, Leiter’s dominance in the philosophical blogosphere was challenged; *Daily Nous*, founded and edited by Professor Justin Weinberg, purports to offer “information and news for and about the philosophy profession”⁴⁵ without (for lack of a better word) the Leiter-esque rhetorical license. While Professor Weinberg has never posted (to our knowledge) the day-to-day traffic on *Daily Nous*, we suspect his numbers may be even higher than *Leiter Reports*. So, what’s the actual difference between the two sites? In our view, not much. Perhaps *Daily Nous* offers a broader range of information, but the net relevance, interest, or overall importance of that “extra” information to the average philosopher is questionable at best, particularly Professor Weinberg’s apparent obsession with identity politics and the culture of victimhood.⁴⁶ Some argue that the packaging, the tastefulness, and indeed the style is so significantly different that the excess content can be reasonably ignored; for example, whatever Professor Weinberg’s faults, he has never threatened another philosopher with a defamation suit for online disparagement.⁴⁷ Maybe that’s a plus; we’re not sure.⁴⁸

Admittedly, neither of us frequents either blog often. (It's nice that the University of Aberdeen just made four new hires in its Philosophy Department, but . . . well, let a thousand flowers bloom, and all that.)⁴⁹ One may wonder though: how does one in "the profession" choose between these two erstwhile sources of *news* about academic philosophy and its personalities? Our suspicion: Buridan's ass. On the one side we have a salty but colorful Nietzschean Marxist with an unabashed distaste for anyone to the right of Upton Sinclair.⁵⁰ On the other, we have a rather smarmy, sanctimonious leftist, fueled at least in part by ambitious self-promotion⁵¹ and possessing a notorious predilection for "inviting" philosophers to defend themselves on his website for their intended voting behavior.⁵² Really, who could reasonably make the choice between these competing bastions of virtue and good sense?

Sadly, not all philosophy blogs are created equal *sub specie aeternitatis*. In years past, we did enjoy three right-leaning blogging ventures whose (seemingly) successful runs ended abruptly. The now-defunct *Conservative Philosopher* blog edited by Professor Keith Burgess-Jackson, and a later but quite similar iteration *Right Reason* edited by Max Goss, featured pieces from an outstanding array of right-leaning professional philosophers—Roger Scruton, Rob Koons, Alex Pruss, as well as a number of essayists in the present volume, among others. The contributors provided philosophically engaging posts—from "What Is a Conservative?" to "Princeton vs. Jian Li"—and the comments sections were generally lively, entertaining, and respectful. As younger philosophers (at the time), our spirits were buoyed by the courage of the contributors to make known their decidedly unpopular political views, and to do so with grace, wit, and humility. The "weblog for conservative philosophers" ended (for us, unexpectedly) in October of 2007.

More recently, another blog, titled *Rightly Considered*, was formed by a group of academic philosophers in league to oppose leftism in the discipline. Contributors to this blog, however, wrote anonymously, noting the truism among non-leftist academics that "[p]ublicly questioning leftist dogma often leads to ostracism and discrimination."⁵³ The shelf-life of this particular blog was brief, but we mention it here for an important reason. As to its subject matter, the blog first garnered considerable attention when it reported on the "outrage" generated by an esteemed Christian philosopher, Richard Swinburne, defending traditional sexual practice at a (we're not kidding) Society of Christian Philosophers (SCP) conference.⁵⁴ Mercifully, as the contributors went on to inform us, further hysteria was avoided when SCP President Michael Rea took to Facebook and reaffirmed his and the SCP's commitment "to the values of diversity and inclusion." There were other posts on the blog, of course, but from what we can tell, the blog lasted for just shy of a year. Why did it fold? It's unclear, and we admit to having no concrete evidence one way or another. That said, we *have* heard from sources we deem reliable that there were credible threats against contributors of the blog, threats that the anonymous members would be doxxed. Again, perhaps this is true, perhaps it is not. Either way, it is hardly surprising.⁵⁵ Nor is it surprising that, following such a threat, anyone with the slightest hope of either gainful employment in the academic world or "moving up" in it would put up shop

and do so rapidly. Whatever the merits of this particular rumor (and again, we do not know), what is clear is that the *fear* of being identified as being opposed to the leftist agenda is very real, as are the consequences of such identification: public crucifixion at the hands of social media mobs is only the beginning.

It's standard fare that being merely labeled a racist or bigot or homophobe or misogynist is enough to threaten one's career (and if it occurs early enough—say, pre-tenure or as a graduate student—it's all but guaranteed to tank it entirely).⁵⁶ But what if the groupthink monster is *unsure*—what if the probabilities are skewed just slightly *enough*? “Well, I feel it in my gut. His face just screams ‘I’m a sexist pig.’ We know he *thinks* like a sexist pig. In his last article he only cited two women to five men. I’d stake my life on it. But we need more intel. . . .” What, then, is such a person, if he's not self-evidently a sexist (racist/homophobic) pig? What happens if the background checks by protest-hungry graduate students don't reveal any overt ideological heresy? It's simple: this person is “controversial.” He's toeing the fine line between “We're going to stage a sit-in demonstration during his talk and chant jingles from deodorant commercials,” on the one hand, and “Add one more to the tally of white men having spoken at our colloquia this year,” on the other. The “controversial” personalities are lodged in the institutional memory. They are rarely invited back, and once word gets around, they're probably not invited anywhere at all.

But let's dispense with the abstract for a moment. Consider a two-part essay on sexual harassment in the philosophy profession, authored by Janice Dowell and David Sobel, posted originally at philosophy blog *PEA Soup* and reproduced at *Daily Nous*.⁵⁷ The essay analyzes the phenomenon, catalogs current strategies for dealing with its occurrences, and offers further policy proposals in order to lessen (if not eliminate entirely) the practice. So popular was this paper that within a few short weeks it boasted nearly 150 supporting signatories from within our discipline, including more than a few “big names.” Now, while we approve in principle and in practice the idea of discouraging disrespectful treatment of women (and men, for that matter), we find at least one of the policy proposals not only wrong-headed but dangerous in the extreme. Regrettably, it was also predictable.

Let's look closely at the “fourth” proposal. It begins innocently by advising the protection of potential victims “from those reasonably suspected of being bad actors.” Okay, so if we're on the dissertation committee of female graduate student X, and we're “reasonably suspicious” of professor Y's interest in X (a) despite no overlap in research interests, and because we know of (b) Y's impolitic advances toward female graduate students in the past, it would be appropriate for us to politely but discreetly warn X. Yes, this sounds reasonable. But this is *not* what is proposed. The authors recommend the following: “Withholding opportunities to give talks, as well as to place papers in invited volumes, can be an effective tool . . .” In principle, we suppose, there is something to be said for professional punitive action in certain cases, such as when a professor publicly confesses to past misdeeds, or perhaps even when criminal or civil action has demonstrated that severe misconduct on his part was highly probable, if not certain. But again, this is *not* precisely what the authors

have in mind. Instead, “Departments might circulate a list of possible speakers . . . [and so] *internally pool its information about individuals*, to determine whether collectively it has evidence sufficient to take a candidate off its list of possible invitees.” This, we think, is noteworthy, if not absolutely striking, for what is *implicitly* being suggested should be made *explicit*: the authors—and, by proxy, the signatories—are advocating for a blacklist of individuals “suspected” of sexual harassment. The authors attempt to spell out what they take to be “sufficient evidence” in such cases, but by our lights, the bar is set dangerously low.

Dowell and Sobel go on to argue that professional invitations to conferences are privileges and not entitlements; so, presumably, since no one *deserves* such a good, its being withheld (even on shaky grounds) is not inappropriate. This may or may not be so, but it seems rather cavalier to make light of so-called “privileges” that largely constitute a person’s career. Still, more interesting is the next point. Second, they declare, while the evidence on offer is strong enough to withhold such invitations, it may not be “sufficient, perhaps, to justify public accusation,” and so departments must attempt to keep this information “confidential.” Admittedly, as philosophers, we’re naturally curious creatures. And so we inquire: How exactly is a department-wide “list”—of professors, graduate students, and even undergraduate students—kept confidential? This does seem rather critical, since—again, we would like to emphasize—it concerns the livelihood and well-being of another human being, albeit one who is *suspected* of misdeeds. Does everyone write names on an individual sheet of paper that’s later incinerated, after having been recorded by the list compiler? Who is this list compiler, and how exactly do we know that she is trustworthy? Is she the one taking loyalty oaths from those who swear to keep these matters strictly confidential? If an individual philosopher discovers that he’s “on the list,” does he have grounds to sue for defamation of character? Perhaps most important, how do we know such a list will remain internal to a department? (And, for that matter, if it’s morally acceptable—nay, morally *mandatory*—to make such lists in order to quell rampant sexual misconduct, then why should we have any moral qualms at all about sharing the list with *all* departments rather than keeping it in-house?)

Sadly, we have seen this before, and it provides an answer to some of these pressing questions. The APA Committee on the Status of Women advertises itself as a watchdog for departments that aim to “improve the climate for women” and other under-represented groups, and in order to facilitate efforts, they offer a Site Visit Program: basically, a team of philosophers visits the department, assesses and analyzes “climate issues,” and makes “recommendations” to the department in a written report either to the administration or to the chair.⁵⁸ In a well-known case, administrators from the University of Colorado Boulder initiated a site visit from the APA for just this purpose. The report—thought by the department to be confidential⁵⁹—was released publicly by the University of Colorado Boulder administration. Even though no names were mentioned, many members of the department were embarrassed both professionally and personally. Which leads us to our primary point: the mere creation or compiling of such information—by “experts” such as the Site Visit team or

others—carries with it an intrinsic risk that such information will get out and be circulated in unexpected ways. Whether anyone thought such a thing would happen is irrelevant; those who took part in the Site Visit certainly failed to foresee it and went ahead with the report. Consequently, it seems wise to conclude that doing things like this—regardless of the “good intentions” involved—is fraught with danger. Nevertheless, with this case and the Dowell/Sobel manifesto in mind, we must ask whether it is then reasonable to suspect—nay, fear—that there are other types of lists circulating among philosophers, say, ones concerning matters of political inclination? It’s not as far-fetched as some may think.

We agree that the issues raised by those concerned with sexual harassment in the discipline are difficult ones to address. No one, we think, will deny *that*. What worries us is that few professional philosophers, to our knowledge, have raised concerns *of any kind* about the Dowell/Sobel proposals. Are we *surprised*? Not at all. The zeitgeist has declared that sexual harassment is to be eliminated, at any cost whatsoever, and the means are largely secondary. Again, we would not be shocked in the slightest to learn that there were other “lists” circulating throughout the discipline. “This guy seems to be a faithful Christian . . . probably a Trump supporter!” Or “Did she put the ‘#BLM’ sticker on her office door? Uh-uh, she didn’t. I see . . .”⁶⁰

As we’ve tried to emphasize, academia can be a frustrating place for those unfortunate souls who don’t share in the group attitude. Just think for a moment how absolutely bonkers the following is: we’ve heard stories from graduate students—and untenured professors!—who are afraid to *not* “like” the radical left Facebook posts of certain professors in their department; the fear is not so much that they will be put on a list as that they will be publicly shamed for their purported failure. After all, in some quarters, silence about social justice issue X just means compliance with the status quo. And it is never good to advertise one’s heresy. The internet is forever, and leftists have long memories.

CONCLUSION

We opened this introduction with Professor J. E. Creighton’s Presidential Address at the inaugural meeting of the American Philosophical Association. While understanding the strong opinions that divided philosophers, he looked to the future of the APA with sincere hope. One passage in particular struck us, though perhaps not in the way that he had intended at that time:

[T]here are many signs, of which the formation of this Association is but one, that there is a growing consciousness on the part of philosophers of the necessity of coming to understand even those from whom they differ, and of recognizing in them allies and helpers in the common cause.⁶¹

If Creighton had in mind the ultimate flourishing of the organization about which he was speaking, then academic philosophers have “come together” in just

the way he predicted, finding allies among their kith and kin in professional philosophy. But even when we consider matters about which Professor Creighton was concerned—such as internal factions within the discipline—we wonder whether his trepidation was entirely sensible. For example, he discussed in brief the battle lines drawn between Empiricists and Idealists in the later parts of the nineteenth century (with Pragmatists angling for middle-ground status). As we now know, this factional division was eventually replaced by the Analytic–Continental divide, which has dominated academic philosophy for nearly a century, and is not likely to disappear anytime soon.⁶² But note that these are almost entirely *philosophical* differences, differences internal to the discipline itself. While such divisions have not been bridged, we're not sure that this is necessarily a bad thing. Having distinct—but unquestionably overlapping—schools or styles or methodologies (whatever we choose to call them) is nothing new,⁶³ nor do we think it's damaging to the overall practice of philosophy. As we've tried to make plain in the foregoing, however, there's another sense in which the professor's dream has been realized, and this we believe is most unfortunate. From the American Philosophical Association down to individual universities and departments, philosophers have also discovered “common cause” in something extrinsic to the discipline: leftism.

Does this situation benefit philosophers or philosophy, either individually or collectively? We doubt it. But just as important, it certainly fails to benefit those—whether academics in other disciplines, students, or the general public—who *should* (at least in theory) profit from the wisdom had by many philosophers, particularly those thoroughly embedded in the rich tradition of Western thought from ancient times. Instead, we're left to lament the curiosity that is today's academy, one dominated not by careful reflection and humility but by unmatched hubris and dogmatic certainty. From the latter sort of philosopher, not much good can be expected. We are reminded of the words of that liberal sage, Isaiah Berlin:

I can only say that those who rest on such comfortable beds of dogma are victims of forms of self-induced myopia, blinkers that may make for contentment, but not for understanding of what it is to be human.⁶⁴

The inspiration for this volume derived from our appreciation for two edited books published in the mid-1990s, Thomas V. Morris's *God & the Philosophers* and Kelly James Clark's *Philosophers Who Believe*.⁶⁵ Each anthology contains essays by prominent philosophers who were also theists, and in the essays they defended (to one degree or another) their belief in God while also offering the reader candid autobiographical details about themselves. All in all, these volumes were both entertaining to the general reader and inspiring to young would-be academic philosophers who (a) were also to some extent religious and yet (b) recognized the (to put it lightly) unfriendliness of many academic philosophers to religion generally or philosophical theism particularly. Our aim, then, is very similar in that we hope these essays encourage non-leftists with an interest in a career in academic philosophy. Of

course, as we hope to have aptly demonstrated in this introduction, we have no desire to sugar-coat the situation these non-leftists will face. While many left-of-center philosophers are nice and reasonable, others are agenda-driven ideologues with no business anywhere near a mind as malleable as the average undergraduate student's.⁶⁶

NOTES

1. Creighton, J. E., "The Purposes of a Philosophical Association," *Proceedings of the American Philosophical Association* 60(2) (November 1986): 279–90. Originally published under the same title in *The Philosophical Review* 11(3) (May 1902); 221–37. Ditto, we say, for political leanings.

2. "Leftist" is an admittedly broad term. Some prefer progressive, others nonclassical liberal. Still others further along the spectrum may eschew the "Western" left altogether in favor of, say, some variety of Marxism. For our part, it doesn't really matter. We think they're all pretty much mistaken. But we do (charitably, we think) recognize different strains, independent of labels. There are, in the United States, sensible Democrats who are less than impressed with what they would think of as the "radical" half of their party and struggle to keep it from dominating the platform. We believe such a struggle is naïve at best, foolish at worst. While some of these sensible types may be found in humanities departments of contemporary colleges and universities, it's difficult to coerce even them out of hiding, lest their "reasonability" be interpreted as embracing turncoat status by the militants. Nevertheless, when we use the term "leftist," we typically have in mind the radical (i.e., loudest) sect.

3. Philosophers are widely known to agree among ourselves on very little. It is for this reason that the essays to follow are in alphabetical order, as no topical grouping that we canvassed (e.g., Catholic conservative, libertarian-anarchist, etc.) seemed to satisfy everyone.

4. We are certain attention will be called to the List of Contributors to the volume. Indeed, with the exception of one coauthor, all *seem* to be men. However, two important points should be made: (a) We contacted a number of female philosophers who (we were led to believe) would likely be sympathetic to our project, and yet each declined for various reasons. (b) We never actually asked, and so, as far as we know, some of these gentlemen may "self-identify" as "women." But again, we did not ask. Perhaps we should have.

5. Admittedly, neither of us counts ourselves as members of this exclusive club, nor have we since being fortunate enough to acquire gainful employment. More on this below.

6. For what one might reasonably interpret as his timely mea culpa, see Sider, Theodore, "Substantivity in Feminist Metaphysics," *Philosophical Studies* 174(10) (2017): 2467–78.

7. Though, to be fair, we admit to ignoring any and all warnings about our supposed "implicit biases," just as we ignore most pronouncements from psychology departments, sociology departments, and schools of education.

8. Oakeshott, Michael, "On Being Conservative," in *Rationalism in Politics & Other Essays* (London: Methuen, 1962), 169.

9. Creighton, "The Purposes of a Philosophical Association," 286. So emphatic was Creighton that the central aim of the APA should be to promote research and scholarship that he declared any discussion within the APA sessions of teaching methods "rather a stupid way of wasting time" (286).

10. See “Nondiscrimination Policy,” *PhilJobs*, accessed April 23, 2020, <https://www.philjobs.org/job/nondiscrimination>. The quotation to follow comes from this website, and the emphasis is our own.

11. *Ibid.*

12. “Code of Conduct,” *American Philosophical Association*, accessed April 23, 2020, <https://www.apaonline.org/general/custom.asp?page=codeofconduct> (our emphasis).

13. For a report on the code and its attendant controversy, see Flaherty, Colleen, “Rules for a Discipline,” *Inside Higher Ed*, July 14, 2014, <https://www.insidehighered.com/news/2014/07/15/philosophy-association-considers-whether-it-needs-code-conduct#sthash.SLzmtbAr.dpbs>.

14. Policies aside, there are also an inordinate number of “Statements,” where the APA makes official its (grandstanding) position on matters of import to the profession. So, there are statements on bullying, on hotel room interviews, on program diversity, and on unaffiliated philosophers, among others. We couldn’t bear to read them all. But they certainly sound crucial to the flourishing of our discipline.

15. See “Diversity,” Support the Work of the APA, *American Philosophical Association*, accessed April 23, 2021, https://www.apaonline.org/page/donate?utm_source=Informz&utm_medium=Blast&utm_campaign=wwwBlast&_zs=GRdqX&_zl=nuqQ1#Diversity. We are, however, beginning to see a turn to “diversity and equity.” We don’t know what happened to inclusiveness. But it’s apparently out.

16. Leiter, “APA Awards Grants to Ten Projects in 2015,” *Leiter Reports: A Philosophy Blog*, December 1, 2016, accessed April 23, 2020, <https://leiterreports.typepad.com/blog/2016/01/apas-small-grants-fund-awards-grants-to-ten-projects.html>. In fairness, we should note that for 2019–2020, only three of ten grants appear to be directed toward diversity initiatives.

17. Leiter, Brian, “Most Pressing Issues Confronting the Academic Profession of Philosophy in the US Currently,” *Leiter Reports: A Philosophy Blog*, July 27, 2018, accessed April 23, 2020, <https://leiterreports.typepad.com/blog/2018/07/most-pressing-issues-confronting-the-academic-profession-of-philosophy-in-the-us-currently.html>.

18. Ades, Rachel, “An End to ‘Blind Review,’” *Blog of the APA*, February 20, 2020, accessed April 24, 2020, <https://blog.apaonline.org/2020/02/20/an-end-to-blind-review/>.

19. Vitale, Sarah, “Dating Online Masculinities,” *Blog of the APA*, February 12, 2020, accessed April 24, 2020, <https://blog.apaonline.org/2020/02/12/dating-online-masculinities/>.

20. Pearlman, Savannah, “White Philosophers: It’s Time to Stop Using Digital Blackface,” *Blog of the APA*, December 2, 2019, <https://blog.apaonline.org/2019/12/02/white-philosophers-its-time-to-stop-using-digital-blackface/>.

21. Basu, Kaustuv, “To Be or Not to Be?” *Inside Higher Ed*, February 6, 2012, <https://www.insidehighered.com/news/2012/02/06/making-case-dissolving-american-philosophical-association>.

22. As Benjamin Ginsberg notes, the growth—and ever-increasing power—of university administrations is seemingly boundless. “At some schools, the faculty has already surrendered and is hoping that the Geneva Convention will protect it from water boarding.” Ginsberg, Benjamin, *The Fall of the Faculty: The Rise of the All-Administrative University and Why It Matters* (Oxford University Press, 2011), 2.

23. Barzun, Jacques, *From Dawn to Decadence* (Harper Perennial: 2001), 785. The following quotations derive from here.

24. There really is little one can do except surrender to re-education camp. Consider *Seinfeld's* “ribbon bullies” from the AIDS parade: to Cosmo Kramer they ask threateningly, “Are you going to wear the [AIDS] ribbon?” In terror he responds, “This is America! I don’t have to wear anything I don’t wanna wear!” “I guess we will just have to teach him to wear the ribbon!” *Seinfeld*, season 7, episode 9, “The Sponge,” aired December 7, 1995, on NBC.

25. A good friend of ours, also an academic philosopher, shared this one. We thought his analysis was spot-on as well: he felt it was an “attempt to cover up and assuage unpleasant realities that ought not be covered up or assuaged. In short, it’s just dishonest.”

26. The author is identified only as “T Philosopher.” “I Am Leaving Academic Philosophy Because of Its Transphobia Problem,” *Medium*, May 30, 2019, accessed May 12, 2020, <https://medium.com/@transphilosopher33/i-am-leaving-academic-philosophy-because-of-its-transphobia-problem-bc618aa55712>.

27. The warning appears in Wilder Publications’ singular edition of Kant’s three critiques, entitled *Kant’s Critiques* (2008). For commentary, see “Publisher Places a Politically Correct Warning Label on Kant’s *Critiques*,” *Open Culture*, March 20, 2014, <http://www.openculture.com/2014/03/publisher-places-a-politically-correct-warning-label-on-kants-critiques.html>.

28. See note 15 above. Perhaps inclusiveness is in and diversity is out. It’s all so very confusing.

29. We have both heard a number of stories detailing how blind review of paper submissions—both to conferences and to publishing venues—occasionally gets abandoned in the interest of maintaining “appropriate” appearances. Here is a real example with identifying details removed: Imagine blindly reviewing hundreds of conference submissions within a committee, settling on, say, a dozen or so, and then being informed by one of the conference organizers that the names “sound like a bunch of white guys,” that this is “troubling,” and that (of course) “more diversity is required.” And so back to the committee, in search of names that don’t *sound* white or male.

30. Though perhaps there are at least some limits to the powers of administration when it comes to combining departments under one roof. At one university, there was discussion about combining the philosophy department, the history department, and the political science department, primarily to save the philosophy department from outright extinction. When rumors began to persist that there *might be* several “Trump voters” in those other departments, philosophers put the kibosh on the proposed move. Points scored for self-righteous indignation over economic stability and survival.

31. Amazing how similar are the office doors of all these nonconformist leftists. One adds a “This is a safe space,” and suddenly they’re on every door and bulletin board in the office. How to explain such precipitous reproduction? Maybe the fear is that *not* having one signals that one’s office is somehow different, that it is instead an *unsafe* space? Intolerable. On the flip side, a Trump bumper sticker in the parking lot would likely constitute a hate crime.

32. Many philosophers need this money in order to donate it to reputable causes. The only thing a leftist philosopher likes more than donating money to Oxfam is for everyone to know that he is donating money to Oxfam. Oh, and that *you* should also donate money to Oxfam.

33. Again, hardly a new phenomenon. In his Presidential Address, Creighton observes that “[t]he conditions in American academic life which are unfavorable to original scholarship have often been made the subject of comment. The majority of members of this Association are teachers, who can undoubtedly plead as an excuse for their unproductiveness the demands” associated with their teaching load. Creighton, “The Purposes of a Philosophical Association,” 286.

34. Whether they are, in fact, “efficient” is open to question. (a) Journals take far too long to review and make decisions on submitted manuscripts. Generally, if it takes an editor and his referee minions longer to do their job than it did for the author to research and write the original paper, the editorial staff should probably be canned with severe prejudice. (b) Most referee reports are preposterously bad to the point of professional embarrassment. Notorious are the reviews beginning, “The author sets out to prove X . . .” when the author is in fact attempting to prove $\neg X$ and says so outright in both the introduction and the abstract. (How can you miss *that*?) Then there are the playful (but still not-very-helpful) reviewers who salute the author for refuting the ideas espoused in *this other paper* but then lament that *this other paper* was ever published in the first place. (Why is that *my* problem?) Particularly vexing are the “revise and resubmit” decisions whose justifying referee reports are so vague, ambiguous, and downright obscure as to require translation. (How do I answer an incoherent criticism? Maybe that should be my *next* paper topic.) Perhaps the APA could actually do a service to the entire discipline. Yes, maybe it could solicit members for a committee with the expressed intention of addressing the problems of the peer review system. Surely this wouldn’t be terribly difficult to do. Of course, it may cut into the social-activism time of both the APA and those philosophers serving on the committee. But we think it’s a trade-off well worth making.

35. For details, along with a link to the letter of resignation itself, see Leiter, Brian, “Stewart Cohen (Arizona) Resigns as Editor of ‘Philosophical Studies’ after 25 Years (UPDATED),” *Leiter Reports: A Philosophy Blog*, June 5, 2020, accessed June 8, 2020, <https://leiterreports.typepad.com/blog/2020/06/stewart-cohen-arizona-resigns-as-editor-of-philosophical-studies-after-25-years.html>.

36. Byrne, Alex, “Are Women Adult Human Females?” *Philosophical Studies* 177(12) (2020): 3783–803.

37. Dembroff, Robin, “Escaping the Natural Attitude About Gender,” *Philosophical Studies* 178(3) (2021): 983–1003. It is interesting to note that we have a friend who has had an article under review at *Philosophical Studies* for over a year now and has received no response to multiple status inquiries. And yet the editors (excepting Stewart Cohen, apparently) seem far more concerned to rush Professor Dembroff’s rather unprofessional and agenda-driven article into print than quality philosophical work.

38. See the resignation letter here: <https://leiterreports.typepad.com/files/stewart-cohen-resignation.pdf> (accessed June 8, 2020). The following quotation comes from this letter as well.

39. Professor Byrne’s unpublished response, “Gender Muddle: A Reply to Dembroff,” can be found here: <https://philpapers.org/rec/BYRGM>.

40. When an academic uses the word “problematic” or “problematize” (notice we use “word” loosely), you know you’re in serious social-justice trouble. “Worry,” “bad faith,” and “narrative” seem to signal leftist alarm as well.

41. One such program with which we’re familiar is *The Sustained Dialogue Institute*. It promises “to transform conflictual relationships and design change processes” for those involved. Will those “conflictual” relationships be changed *for the better*? Or maybe any change counts. What is a “change process”? We’re not sure. But if you doubt the success of the institute, just look at their counter on the official webpage. As of May 6, 2020, there have been 239,450 “transformed relationships around the world.” And to think we never realized that “transformed relationships” were quantifiable items in the first place. See <https://sustaineddialogue.org>.

42. Brogaard Berit, and Christopher A. Pines, eds., “The Philosophical Gourmet Report 2017–2018,” *Wiley Blackwell*, www.philosophicalgourmet.com.

43. See <https://leiterreports.typepad.com>. It is unclear to us precisely when Professor Leiter began blogging, though the copyright on the blog itself lists the year 2003.

44. "Leiter Reports Summary Stats," *Statcounter*, accessed June 2, 2020, https://statcounter.com/p10212778/summary/?account_id=5155918&login_id=4&code=98af1bc35aa72477a421f175b1f2a7bc&guest_login=1.

45. See the "About" page on the *Daily Nous* website, <https://dailynous.com/about/>. This page is all the more interesting for its pedantic-to-the-point-of-embarrassing explanation of the name of the blog.

46. Professor Leiter has noted this apparent obsession as well. See Leiter, Brian, "Is the Tide Finally Turning on the New Infantilists and 'Thought Police' in Academic Philosophy?" *Leiter Reports: A Philosophy Blog*, accessed June 3, 2020, <https://leiterreports.typepad.com/blog/2019/01/is-the-tide-finally-turning-on-the-new-infantilists-and-thought-police-in-academic-philosophy.html>. For an example of the genre in an invited guest post on *Daily Nous*, see Weinberg, Justin, "Recognizing Gender Critical Feminism as Anti-Trans Activism (Guest Post)," *Daily Nous*, August 6, 2019, accessed June 3, 2020, <http://dailynous.com/2019/08/06/recognizing-gender-critical-feminism-anti-trans-activism-guest-post/>.

47. Weinberg, Justin, "Leiter Threatens Jenkins & Ichikawa with Legal Action (Updated)," *Daily Nous*, December 24, 2014, accessed June 3, 2020, <http://dailynous.com/2014/12/24/leiter-threatens-jenkins-ichikawa-with-legal-action/>. We suspect that incidents such as this on Leiter's part spurred (a) the launch of *Daily Nous* in the first place, along with (b) the so-called "September Statement" calling for Leiter's resignation as editor of the *Philosophical Gourmet Report*. For the latter, see <https://sites.google.com/site/septemberstatement/> (Accessed June 3, 2020).

48. A friend had the following to say on this score: "[Professor] Leiter fell out of favor when he didn't take the requisite extreme Leftist positions on certain topics. He has the occasional sane observation, which is too frequent for the majority of the profession. So an even further-Left website was needed, which is all the more insidious because its ostensible purpose was to be politically neutral."

49. Weinberg, Justin, "Four New Hires at Aberdeen," *Daily Nous*, May 15, 2020, accessed June 3, 2020, <http://dailynous.com/2020/05/15/four-new-hires-aberdeen/>.

50. See the "Texas Taliban" category as well as the "Fucking Moron Watch," the latter guaranteed to include a "right-wing nut job": https://leiterreports.typepad.com/blog/texas_taliban_alerts_intelligent_design_religion_in_the_schools_etc/ (accessed June 3, 2020).

51. Weinberg, Justin, "Daily Nous Turns Five," *Daily Nous*, March 7, 2019, accessed June 3, 2020, <http://dailynous.com/2019/03/07/daily-nous-turns-five/>. It has also been reported to us by more than one philosopher that any "comment" on the blog that fails to toe the party line is likely to go unapproved and so never appear. Predictably, Professor Weinberg also self-righteously weighs in on the Cohen-Dembroff-*Philosophical Studies* affair, defending Dembroff against something he calls "the crowd." Weinberg, Justin, "A Resignation at Philosophical Studies and a Reply from the Editors (Updated w/ Comments from Cohen, Dembroff, Byrne)," *Daily Nous*, June 12, 2020, <http://dailynous.com/2020/06/12/resignation-philosophical-studies-reply-editors/>.

52. Weinberg, Justin, "Why Are These Philosophers Voting for Trump?" *Daily Nous*, September 29, 2016, accessed June 3, 2020, <http://dailynous.com/2016/09/29/philosophers-voting-trump/>. This was truly one of the more despicable internet displays by a professional philosopher. "What has led these scholars to endorse this horror show of a human being? What about his compulsive lying? What about his ignorance? What about his routinely

contradicting himself? What about how easily he is provoked?” Professor Weinberg then names three philosophers—one of whom appears in this volume—and then “hereby invite[s] [them] to write in and make their case” on his website. How benevolent of him to extend an invitation to these philosophers to defend themselves on his very important website. (At least Professor Leiter is occasionally funny.)

53. Federal Philosopher, “About Rightly Considered,” *Rightly Considered: Philosophers Who Are Right*, August 26, 2016, <https://web.archive.org/web/20170712053445/http://rightlyconsidered.org/2016/08/26/about-rightly-considered/>. The authors do not explicitly assert that they are all “academic philosophers,” but instead “graduate students, professors, and independent scholars, mostly in, or closely associated with, the profession of philosophy.” Furthermore, to our knowledge, no contributor to the blog ever posted the traffic data for the site, and so how “successful” it really was (or was not) is likely to remain a mystery.

54. Conservatrarian, “Did Swinburne Get Swindled?” *Rightly Considered: Philosophers Who Are Right*, September 26, 2016, <https://web.archive.org/web/20170522203511/http://rightlyconsidered.org:80/2016/09/26/did-swinburne-get-swindled/>. The following quote derives from this page as well. For further discussion of the affair, see Feser, Edward, “Christina van Dyke Owes Richard Swinburne Her Resignation,” *Edward Feser Blog*, October 1, 2016, <http://edwardfeser.blogspot.com/2016/10/christina-van-dyke-owes-richard.html>.

55. If entering freshmen are credibly threatened with being identified as—the horror!—conservatives by “antifa activist groups,” then it’s hardly shocking that such groups would target individuals with more standing within the university, individuals with a career and livelihood to lose. Sinclair Broadcast Group, “Incoming University of Texas Conservative Students Threatened with Getting Doxxed,” *ABC News 33 40*, June 28, 2019, accessed June 8, 2020, <https://abc3340.com/news/nation-world/conservative-texas-students-face-threats-of-getting-doxxed>.

56. Notice we said “labeled” a racist, sexist, and so on. There is, we think, a world—a universe!—of difference between being labeled an X in the current climate and actually being an X. Unfortunately, “being labeled an X” today is very much like “having tattooed to my forehead that I am an X.”

57. The first part can be found here: Dowell, Jan, and David Sobel, “First of a Two-Part Series on Sexual Harassment in Philosophy,” *PEA Soup*, August 29, 2019, <http://peasoup.us/2019/08/first-of-a-two-part-series-on-sexual-harassment-in-philosophy/>. The second part can be found here: Dowell, Jan, and David Sobel, “Second of a Two-Part Series on Sexual Harassment in Philosophy,” *PEA Soup*, September 5, 2019, <http://peasoup.us/2019/09/second-of-a-two-part-series-on-sexual-harassment-in-philosophy/>. All quotations in the following two paragraphs derive from the second part, and any emphases are our own.

58. The cautious reader will note that the site lists as recipients of the report the department chair and other administrators (depending upon who requested the site visit). Prior to this University of Colorado Boulder debacle, however, it was very clear: the department chair alone would receive the report. See the original website and wording here: APA Committee on the Status of Women, “Site Visit Program,” <https://web.archive.org/web/20131014194018/http://www.apaonlinecs.org/home/site-visit-program>.

59. Kuta, Sarah, “CU-Boulder Philosophy Faculty Shocked by Decision to Release Report,” *Daily Camera*, January 31, 2014, accessed June 8, 2020, <https://www.dailycamera.com/2014/01/31/cu-boulder-philosophy-faculty-shocked-by-decision-to-release-report/>. We are admittedly unsure which party to this incident was the more foolish: the administration who invited this group of independent assessors in the first place, or the self-described experts

on “climate issues,” the Site Program Visitors, for believing themselves competent to perform the duties they advertise as confidential. For further information, see Professor Michael Tooley’s useful website devoted to the visit and the report: <https://spot.colorado.edu/~tooley/SiteVisitReport.html>.

60. This is further evidence in favor of the view that those academics who insist upon proclaiming their allegiance to Social Policy X by way of advertisements (on office doors, bumper stickers, T-shirts, and the like) really are taking part, intentionally, in tactics of intimidation toward students or other colleagues or both. Either you’re with us or you’re against us.

61. Creighton, “The Purposes of a Philosophical Association,” 282–3.

62. Philosophers Jeffrey A. Bell, Andrew Cutrofello, and Paul M. Livingston argue that the divide “still largely shapes and constrains philosophical work in the English-speaking world.” See their “Introduction: Contemporary Philosophy as Synthetic Philosophy” in *Beyond the Analytic–Continental Divide: Pluralist Philosophy in the Twenty-First Century* (New York: Routledge, 2016), 1.

63. St. Augustine’s *Confessions* went into some detail on the numerous factions of philosophical thought in the later stages of the Roman Empire, from Stoics to Epicureans to Skeptics to Platonists to Peripatetics.

64. *The Crooked Timber of Humanity*, ed. Henry Hardy (London: John Murray, 1990), 14.

65. *Philosophers Who Believe* (Downers Grove: IVP Academic, 1997); *God & the Philosophers* (Oxford: Oxford University Press, 1994).

66. We would like to thank Chad McIntosh, Jannai Shields, Robert Westmoreland, and several other philosophers (all of whom wish to remain anonymous) for their insightful comments and suggestions on various versions of this introduction. All mistakes are, of course, our own. Furthermore, the views expressed here are entirely our own. No one should presume that the authors of the essays contained within this volume agree with the account espoused here of the state of philosophy as it is currently practiced.

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2

Up from Political Liberalism (but Not Entirely)

Francis Joseph Beckwith (Baylor University)

Given that the origins of Western philosophy are traced to Socrates (470–399 BC), who was sentenced to death by a jury for corrupting the youth of Athens, you would think that the term “dissident philosopher” is redundant. But not so. The political, social, and religious beliefs of the profession’s membership are overwhelmingly progressive and secular. Of course, I am not suggesting that everyone thinks alike. A few philosophers identify as libertarian secularists while others identify as liberal secular progressives, neo-Marxist secular progressives, neoliberal secular progressives, anti-neoliberal secular progressives, or postmodern, postcolonial, secular progressives. You get the picture.

So, you would think that to be a *real* dissident philosopher in today’s academy one would have to identify as a political conservative and/or a serious religious believer. But that is not true. A *real* dissident philosopher—a rock-ribbed dissident philosopher, if you will—is one who presents papers and publishes professional articles and books in which she defends positions on moral and social questions (or defends attendant epistemological and metaphysical positions that implicitly support the moral and social ones) that the most vocal and aggressive progressive activists consider to be beyond the pale. (I say “most vocal and aggressive,” since there are many fine progressive professors and administrators who support authentic debate and discussion.) So, for example, it is perfectly permissible to be a serious religious believer, but you better not publicly challenge or refuse to affirm any of the dogmas of the sexual revolution, most especially the doctrine that gender pronoun use is always under the complete authority of the hearer (and what the hearer thinks is true about “xemself”) rather than what the speaker thinks is undeniably real about our species.¹ You can practice being a political conservative (or a classical liberal) in

the privacy of one's home, but whatever you do, don't publicly raise questions that implicitly challenge university policies that require obeisance to the pieties of "wokeness,"² most especially at institutions that claim they support both academic freedom and "diversity and inclusion."³ What usually happens is this: because the institution's original mission as a place in which the pursuit of truth is paramount has over time been slowly supplanted by the primacy of the cause of social justice, the idea of academic freedom as a necessary condition for the pursuit of truth is seen by most faculty and administrators as an inexplicable hindrance to allowing them to help the institution's students become "change agents" who can "make a difference." Moreover, under the social justice model of the university,⁴ any appeals to what are called the transcendentals—The Good, The True, and The Beautiful—used to justify the existence of the academic life and its mission, are dismissed as a mere pretense to rationalize oppression. In this way, the social justice university is able to claim the moral high ground without believing that it has an intellectual and moral obligation to defend it by rational and persuasive reasoning. Entertaining such an obligation would imply that its critics, though perhaps mistaken, may have a point and thus should be invited as conversation partners in developing and advancing the institution's mission, curricula, and so forth. But in that case, the pursuit of goodness, truth, and beauty would be foundational to the academic enterprise after all. For this reason, the dissident philosopher, much like her ancient predecessor, Socrates, is often singled out by some at her institution as a kind of heretic to be anathematized rather than a peer to be engaged.

Under this account of "dissident philosopher," I clearly qualify. Nevertheless, my experience in the academy has been largely positive (but not entirely),⁵ though that may have much to do with the year in which I first became a full-time faculty member (1989) and where I hold my current academic appointment, Baylor University, a Baptist school that is intentionally Christian in its mission. I am blessed to be at an institution and in a department where my conservative and religious views, though certainly not embraced by some of my colleagues throughout the university, are nevertheless treated with respect (as far as I can tell). But I have not always considered myself a conservative. In what follows I tell my story.

2.1. MY LIBERAL DEMOCRATIC FAMILY

The day after my twentieth birthday on November 4, 1980, I cast my first ballot in a US presidential election. I voted for the incumbent, Jimmy Carter. I did so not because I had carefully studied Carter's policies and positions and those of his opponent, Ronald W. Reagan, who would defeat Carter in an electoral landslide. Rather, I voted for Carter because I was a registered Democrat in a family of Democrats. My parents, who had grown up in New York City, were life-long members of the party. Among my boyhood political heroes were Hubert H. Humphrey, John F. Kennedy,

Robert F. Kennedy, and Franklin Delano Roosevelt. (When I was about eight years old my father had me listen to a phonograph record of JFK's inaugural address, several times!) My parents were strong supporters of Martin Luther King Jr. and the civil rights movement.

My mother's family had come from Naples and Sicily, and like most immigrants who arrived on our shores in the early twentieth century, they gravitated to the Democratic Party. My grandmother—my mother's mother, Frances Guido (née Dimino)—had been a seamstress and a strong union member. Her husband, my grandfather, Aniello Guido, died eight years before I was born. He was an ice cream deliveryman but, as I learned only a few short years ago, also worked "part time" collecting debts for certain "organizations" in New York City. My other grandmother—my father's mother, Bernadette Beckwith (née Dubé)—had immigrated to the United States from her native Québec. Her husband, my grandfather, Francis W. Beckwith, was thoroughly blue collar, working for the bulk of his life in a variety of jobs, though mostly as a short-order cook. Bernadette and Francis were, like my mother's parents, reflexively Democrats.

My parents met when they were both students at St. John's University in New York City. My father, a veteran of the Korean War, began college in his late twenties, while my mother, an alumna of the prestigious Bishop McDonnell Memorial High School in Brooklyn, entered St. John's at the age of seventeen, directly after graduation. My father eventually earned a bachelor's degree in business administration, while my mother left college when they married in January 1960. Five years after my brother James was born in 1962, we moved to Las Vegas, Nevada, where my father worked for over three decades as an accountant and internal auditor at several different hotels and casinos. Along with my mother, he also owned and operated several businesses, including a candy store (Sweets of Las Vegas) and a tax consulting practice. Our home was a hub of seemingly unending discussion and activity. We often talked about politics, sports, religion, and family, with my mother's Italian dishes drawing in friends and relatives from far and wide. (For well over a decade some cousin, aunt, or nephew, or some combination of these, lived under my parents' roof with us. Their generosity seemed limitless.) Our discussions were often peppered with good-natured argument and the occasional ribbing, but they never arose from anything less than the love we had for one another. With the additions of a second brother, Patrick (1967), and a sister, Elizabeth Ann (1974), this activity increased exponentially. My siblings and I were all baptized, confirmed, and raised Catholic, attending Catholic schools from the first through twelfth grades, with two of my siblings earning bachelor's degrees at Catholic colleges and me earning my doctorate at Fordham University, a Jesuit institution. As I entered my teens, I would drift away from the Church and become an Evangelical Protestant. In April 2007, at the age of forty-six, I would return to Catholicism while I was serving as the fifty-eighth president of the Evangelical Theological Society,⁶ a position from which I would resign a week after my reversion.⁷

2.2. FROM DEMOCRAT TO REPUBLICAN

It was in this setting—a family of Catholic Democrats in Las Vegas—that my political and social views were formed and developed. I held what were at the time (roughly from the late 1960s through the early 1980s) fairly conventional liberal views on a variety of issues. I was, for example, a strong proponent of the modern welfare state, a near absolutist on freedom of speech, an opponent of racial discrimination and segregation, and an advocate of religious liberty as well as the separation of church and state. In my mind—and in line with what I had been taught—the Democratic Party was the advocate of “the little guy”—the oppressed, the marginalized, and the poor—and a supporter of his moral right to challenge those with cultural, political, and economic power. However, because my parents had taught us to read widely, think critically, and be respectful of those with whom we might disagree, my reflexive allegiance to the Democratic Party was not cocooned in invincible ignorance.

It was sometime in 1983 that I began to rethink my partisan adherence. Although I was still a registered Democrat in 1984, and considered myself a kind of liberal, I nevertheless voted for President Reagan’s reelection. What initially swayed me in favor of Reagan was the issue of abortion. Because, as I have already noted, I had been taught that a just government and its laws should support “the little guy” against the “the powerful,” it seemed to me that what the US Supreme Court had held in *Roe v. Wade*,⁸ that the Constitution requires a near absolute right to abortion,⁹ did just the opposite: it put the government in favor of the powerful and against the little guy. But this little guy was the littlest guy of all, the unborn human being, the most vulnerable, defenseless, and dependent member of the human community. Reagan had published a small book in 1984 during his first term—*Abortion and the Conscience of a Nation*—in which he offered an eloquent defense of the pro-life view of nascent human life.¹⁰ Originally released in 1983 as an article in the *Human Life Review*,¹¹ the book included afterwords by Surgeon General C. Everett Koop and English journalist Malcom Muggeridge. (I was honored to be invited in 2004 to publish an article in the *Human Life Review* to commemorate the twentieth anniversary of the book’s publication.)¹² Although in the 1970s it was not unusual to find liberal Democrats who opposed abortion¹³—including the Rev. Jesse Jackson¹⁴ and Senator Edward Kennedy¹⁵—many of them eventually abandoned their pro-life beliefs as the party became more dominated by a progressivism that embraced the pieties of the sexual revolution, including the necessity of the right to abortion in order to secure the revolution’s success. So, by 1984, the Republican Party, under President Reagan’s leadership, effectively became America’s pro-life party.

What also helped sway me to Reagan were my changing views on the efficacy of the welfare state. Although I thought, and continue to think, that government should play a role in helping those who are less fortunate, I came to the conclusion that it must do so in a fashion that does not provide perverse incentives for citizens to become dependent on the state and thus sap them of the natural inclination to work and provide for their loved ones. (There are, of course, exceptions, such as those

citizens who, because of illness, age, accident, or disability, and lack of family support, require that the community intervene.) It wasn't so much Reagan's arguments that persuaded me—since they were rhetorically pitched in a way that seemed a bit too simple—but rather the arguments of certain writers known for their affirmative defenses of the free market economy as well as their explications of the detrimental effects of the modern welfare state. These writers included Congressman Newt Gingrich,¹⁶ George Gilder,¹⁷ Congressman Jack Kemp,¹⁸ Michael Novak,¹⁹ Ronald H. Nash,²⁰ Henry Hazlitt,²¹ and Frederick Hayek.²² I was particularly drawn to Novak and Kemp, largely because their arguments were congenial to my liberal Democratic convictions about the importance of eradicating poverty as well as the inability of market reasoning to account for our deepest moral obligations. Novak, for instance, argued that free markets in and of themselves could not be the basis for a civilization. He notes the following:

Not only do the logic of democracy and the logic of the market economy strengthen one another. Both also require a special moral-cultural base. Without certain moral and cultural presuppositions about the nature of individuals and their communities, about liberty and sin, about the changeability of history, about work and savings, about self-restraint and mutual cooperation, neither democracy nor capitalism can be made to work. Under some moral-cultural conditions, they are simply unachievable.²³

In this sense, Novak differed from many libertarian free market advocates, who seem to reduce all social relations to matters of consent and individual choice. To be sure, libertarians appeal to the “spontaneous order” to account for the existence of Novak's moral-cultural base, but given its individualism, and its belief that legal “rules should protect the freedom of individuals to pursue happiness in their own ways, [and] not aim at any particular result or outcome,”²⁴ it's not clear under libertarianism what place the moral-cultural base should have in the formation of law and public policy. Suppose, for example, a state wants to prohibit the buying, selling, and possession of obscene materials; it does so on the grounds that it has a deleterious effect on the moral-cultural base because it corrupts citizens who need to wisely exercise their freedom in the market economy in order to fulfill their natural obligations (e.g., they wind up buying porn rather than milk for their children). But in the libertarian's mind, it is the individual's right to consume pornography that always and in every case will prevail, while the moral duties to the institutions and social arrangements that arise from the spontaneous order can never trump that individual right.²⁵ What Novak saw was that the rule of the market—though necessary for the creation of wealth—is inapt as a measure by which to assess the institutions, relations, and human actions that are necessary for sustaining a society's moral-cultural base. Without such a qualification, one may begin to entertain such pernicious proposals as Richard Posner's suggestion that adoptions would be more efficient if the government allowed for the buying and selling of infants.²⁶ To analogize from the cases that sparked the #MeToo Movement, it becomes difficult, under a libertarian account of individual choice, to see why a consensual “casting couch” transaction

between actress and movie mogul is repugnant and ought to be prohibited while a consensual economic transaction between plumber and homeowner is permissible and ought not to be prohibited.

What I found attractive about Kemp's approach was his way of defending free markets as a means by which the poor can be lifted from their plight. He was able to assuage my liberal Democratic concern that free markets meant unbridled capitalism with no concern for the poor. For Kemp, like Novak, free markets are good, not because they are intrinsically good, but because they are instrumentally good at allowing citizens to create wealth, which in turn permits them to care for their families and communities. Calling himself a "bleeding heart conservative,"²⁷ one of the ideas that Kemp championed was something he called "urban enterprise zones." What Kemp envisioned was the government using the tax laws to incentivize the investment of capital in poor urban communities. So, for example, the federal government would provide grants to a city or county so that it would significantly reduce its taxes, licensing fees, and so on in order to attract enterprise investments in areas that investors would otherwise avoid. This, according to Kemp, would help restore decaying and depressed neighborhoods in America's inner cities as well as provide opportunities for the resident poor not only to secure steady work but also to purchase homes, provide for their families, save money for the future, and develop the habits and acquire the skills that would make their return to poverty less likely. Although in 1993 Congress passed legislation that claimed the name of Kemp's idea, it was not even close to the real thing.²⁸ For this reason, Dennis Teti writes, "The late Jack Kemp's antipoverty proposal for urban enterprise zones was found politically difficult and never tried."²⁹

There was another reason for my change to Reagan in 1984. Although I had always been a supporter of civil rights—and a great admirer of Dr. King—I began to notice that King's successors in the movement were advocating for affirmative action policies that seemed to me inconsistent with the legal and cultural elimination of racial bias and unjust discrimination, both of which have hindered the fulfillment of the promise of America's Declaration of Independence. As King famously said, "I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident, that all men are created equal.'"³⁰ Whether King himself advocated principles consistent with early twenty-first-century understandings of affirmative action and diversity is a contested question. However, he did support something called "Operation Breadbasket,"³¹ which current proponents of affirmative action often cite, along with other evidence, as proof that he would not today be the proponent of "color-blind" policies that some conservatives attribute to him.³² Regardless of what King actually believed, the idea that an individual's belonging to a particular racial group—even one whose members have historically suffered oppression—should give that person an advantage over another individual who is not a member of that group—in employment, government contracts, college admissions, and so on—seemed to me to be dependent on the same odious assumptions about race that the civil rights movement had fought against. The Democratic Party had, unfortunately, hitched its wagon to the affirmative action star. In the worlds of

business and education it would over the subsequent decades metastasize from the work of a few low-level human resource clerks in a small cubicle into massive offices of diversity and inclusion with scores of employees led by empowered middle managers charged by their chief executive to oversee and “reeducate” employees in every nook and cranny of the institution. It went from the modest (and defensible) policy of casting a wider net to attract minorities and women to becoming a project to root out “unconscious bias” by cultivating conscious bias against white males.³³ What began as a cause to rid our culture and law of the belief that race should carry any moral weight whatsoever in assessing an individual’s character, abilities, and talents, has evolved into a set of policies that, ironically, implies just the opposite.

It seemed absurd and unjust to me that someone from my background—born into a second-generation immigrant family whose poor Sicilian and southern Italian grandparents and great-grandparents suffered discrimination³⁴—could, simply because of his genome, lose out on a job or graduate school admission to the child of middle-class African American or Hispanic parents with Ivy League pedigrees. Although I know that many supporters of these diversity policies have their hearts in the right place, the whole project seems inconsistent with what many of us thought were the noble goals of the civil rights movement. And practically, it just doesn’t make sense. Who, for example, in her right mind would want to fly on an airline that has the motto “We Put Diversity First”?

2.3. UP FROM POLITICAL LIBERALISM

I was initially drawn to philosophy because of my interest in better understanding my own Christian faith and its intellectual credentials. This is why I chose to write my doctoral dissertation on David Hume’s argument against miracles and contemporary attempts to rehabilitate it,³⁵ which involved dealing with questions in epistemology, the assessment of historical evidence, and the nature of scientific laws. Although I still retain a keen interest in questions of faith and reason and still publish and teach on them, soon after graduate school I was drawn to questions in political, legal, and moral philosophy. A few months after defending my dissertation in November 1988, I was offered a full-time faculty position in my hometown at the University of Nevada, Las Vegas, where I would remain until 1996. When I began my appointment in Fall 1989, the department chair encouraged me to teach courses in political philosophy, legal philosophy, and applied ethics. After agreeing to do so, I delved into the literature, which inspired me to publish in these areas.³⁶ I would eventually earn in 2001 a master of juridical studies (MJS) degree at the Washington University School of Law in St. Louis. The dissertation I wrote for that degree was on the question of whether it would violate the Establishment Clause of the First Amendment for a public school science course to include lessons on intelligent design (ID) theory.³⁷ The reason why I chose this topic was because it dovetailed very nicely with several of my interests: the philosophy of science, political philosophy, the philoso-

phy of religion, and constitutional law. Although at the time I was sympathetic to ID as a view (though I never embraced it), my primary concern was the legal arguments. What motivated my project was the question of whether ID, a theory that seemed to lend support to a religious worldview, violated the public reason requirement of most versions of political liberalism. Often associated with thinkers such as John Rawls,³⁸ Ronald Dworkin,³⁹ and Thomas Nagel,⁴⁰ political liberalism affirms that the state should maintain neutrality between competing worldviews. For this reason, all laws or policies, such as approved curricula in compulsory public education, must be supported by public reasons (or justification)—that is, reasons that do not depend on a particular worldview that dissenting citizens are not unreasonable in rejecting.⁴¹ So, for example, from a political liberalism perspective, it would be wrong for a public school to teach in its social studies classes that Jesus is Lord or that the pope is the Vicar of Christ on earth, since these beliefs arise from a religious worldview, a “comprehensive doctrine” (as Rawls would put it), that is not unreasonable to reject (even if it is not unreasonable to accept, as Catholics no doubt do). But, according to Rawls (and most other like-minded philosophers), political liberalism does not single out only religious perspectives for scrutiny under the public reason requirement. Other worldviews, including nonreligious ones such as Marxism, utilitarianism, and so forth, are subject to it as well. Because ID arguments appeal to what are undoubtedly public reasons (e.g., the irreducible complexity) that do not depend on reasons or evidence only accessible to believers (e.g., Scripture, religious experience, the magisterium), it would seem that under political liberalism there is no politically liberal or constitutional reason to prohibit it from being taught in public schools.⁴² Of course, there could be good scientific and/or pedagogical reasons not to teach it, which is the view I presently hold but only began to embrace over the subsequent years following the publication of my 2003 monograph on the subject.⁴³ During those years I would begin to doubt the efficacy of ID as a defeater of philosophical naturalism. This was almost entirely the result of my reading of Thomistic critiques of ID.⁴⁴ Because I had, since graduate school, considered myself a Thomist of sorts, I was surprised while reading these critiques how little I had really understood about Aquinas’s metaphysics of divine action.⁴⁵

Much of my work since the early 2000s would continue to focus on philosophical issues at the intersection of law, religion, politics, and ethics, with particular emphasis on the challenge of political liberalism.⁴⁶ However, what has fascinated me in recent years—roughly since the ascendancy of same-sex marriage—is how political liberalism has morphed into a kind of hegemonic liberalism that poses a significant threat to religious liberty. It is a development that would have seemed unimaginable just two decades ago. For this reason, as I note below, I have acquired a better understanding of, and greater sympathy for, the insights of political liberalism that I had neglected to appreciate when I was younger.

According to political liberals like Rawls, Dworkin, and Nagel, on matters of fundamental rights (e.g., speech, religion [broadly understood to mean visions of

the good], and privacy) it is unjust for the state to coerce citizens to violate their considered convictions. So, for example, it would be wrong for the state to forbid activities that social conservatives believe are immoral, such as abortion,⁴⁷ consensual nonmarital sex, physician-assisted suicide, or the consumption of obscenity, even if the social conservative has good reasons to believe her positions on these matters are correct. Unless the social conservative can offer a public reason (or justification) that the coerced would be unreasonable in rejecting, such socially conservative coercive laws are unjust. For the political liberal, citizens should have the right to live their lives consistent with their own visions of the good life as long as their conduct does not impede others exercising the same right. Thus, if someone thinks that abortion, consensual nonmarital sex, physician-assisted suicide, or the consumption of obscenity is immoral, as social conservatives believe, it would be unjust for the law to coerce that person to engage in such activities. Conversely, the law ought not to coerce the citizen who disagrees with social conservatism to *not* engage in these practices.

Behind this view is a kind of epistemic modesty. As Rawls notes, if one lives in a free society, then one should expect that deep disagreement will arise between equally conscientious citizens on matters concerning ultimate meaning and the good life. For this reason, he writes, “pluralism is not seen as a disaster but rather as the natural outcome of the activities of human reason under enduring free institutions.”⁴⁸ Thus, according to Rawls, the purpose of political liberalism is to provide an answer to this question: “How is it possible that there may exist over time a stable and just society of free and equal citizens profoundly divided by reasonable religious, philosophical, and moral doctrines?”⁴⁹

But in recent years this seemingly tepid call by political liberals for government restraint and neutrality on matters of the good life has been slowly abandoned and replaced by a kind of hegemonic liberalism that calls for social justice scrupulosity, strictly enforced by government administrative agencies, academic institutions, and woke capitalists. Seemingly overnight, the call for what virtually all political liberals had once considered essential for a flourishing liberal democracy (tolerance and reciprocity) has mutated into demands for what virtually all political liberals had once considered essential for a flourishing and intolerant confessional state (affirmation of the blessed and cancellation of the wicked).⁵⁰

We see this mutation most poignantly in cases like that of Jack Phillips, owner and operator of Masterpiece Cakeshop in Denver, Colorado. In 2012 Phillips refused to create a custom-made wedding cake for a same-sex couple, Charlie Craig and David Mullins, who wanted to conscript his services. The couple filed a complaint with the Colorado Civil Rights Commission, which subsequently held that Phillips had violated the state’s prohibition of sexual orientation discrimination in public accommodations. Phillips argued that he is not opposed to serving customers who identify as gay; rather, what he objected to, as a matter of conscience, was using his gifts and talents to create a symbol that celebrated a ceremony that his religious faith classifies as a sin. The Colorado court that heard his appeal summarily rejected his argument:

[T]he Supreme Court [has] recognized that, in some cases, conduct cannot be divorced from status. This is so when the conduct is so closely correlated with the status that it is engaged in exclusively or predominantly by persons who have that particular status. We conclude that the act of same-sex marriage constitutes such conduct because it is “engaged in exclusively or predominantly” by gays, lesbians, and bisexuals. Masterpiece’s distinction, therefore, is one without a difference. But for their sexual orientation, Craig and Mullins would not have sought to enter into a same-sex marriage, and but for their intent to do so, Masterpiece would not have denied them its services.⁵¹

Phillips would eventually win in the US Supreme Court,⁵² but the reasoning that established his victory on free exercise grounds—that the Colorado Civil Rights Commission exhibited animus and hostility toward his religious convictions—did not include an assessment of the Colorado appellate court’s rejection of Phillips’s distinction between customer and ceremony. Yet it seems to me to be a defensible position under political liberalism. To see why, imagine the fictional case of David Goldstein, owner and operator of Goldstein’s Photography (GP). An Orthodox Jew, Goldstein does not discriminate against any customers based on any of the law’s protected classes, including religion or sexual orientation. Now suppose that a local Christian pastor, Saul Pauley, pays a visit to GP so that he can secure Goldstein’s services for his church’s upcoming baptismal ceremony. Pauley tells Goldstein that the church plans to post the pictures on its website. “By the way,” Goldstein inquires, “I didn’t get the name of your church.” Pauley replies, “The Messianic Jewish Synagogue of Denver.” Seeing the perplexed look on Goldstein’s face, Pauley goes on to say, “We are a congregation made up almost exclusively of Jewish converts to Christianity, including one or two former members of your synagogue.” At this point, Goldstein realizes that he cannot work for Pauley. He says, “Look, I am a firm believer in freedom of religion and the right for you to practice your religion as you see fit. However, what you are asking me to do—according to my faith—is to cooperate with the celebration of what are public acts of apostasy from Judaism. As a matter of conscience, I cannot do that.” Pauley, visibly perturbed by the news, replies angrily, “Are you some kind of Christianophobic bigot, or something?”⁵³ Before Goldstein can even respond, Pauley heads for the door, leaving in a huff. Weeks later Pauley files a complaint against GP with the Colorado Civil Rights Commission, charging GP with violating the state’s prohibition of religious discrimination in public accommodations. Eventually the case winds its way up to a Colorado appellate court. In that venue Goldstein tells the court that he has no problem serving Christians, and in fact a majority of his clients are indeed members of that faith. He goes on to explain to the court that he would be more than happy to photograph members of Pauley’s church in or near any body of water engaged in practically any activity, including the pastor playfully dunking his congregants. “But,” Goldstein says, “these baptisms under the court’s consideration, from the perspective of Judaism, are qualitatively different. They are liturgical events imbued with religious meaning, for both Christians and Jews. For this reason, for the state to require that I cooperate with the celebration of such an event is not only a violation of my conscience but also, as John

Locke may have put it, ‘not within the verge of the magistrate’s authority,’ since it is akin to compelling me to ‘embrace a strange religion’ and ‘join in the worship and ceremonies of another Church.’”⁵⁴ Now suppose that the hypothetical court rejects Goldstein’s argument on the following grounds:

[T]he Supreme Court [has] recognized that, in some cases, conduct cannot be divorced from status. This is so when the conduct is so closely correlated with the status that it is engaged in exclusively or predominantly by persons who have that particular status. We conclude that the act of baptism constitutes such conduct because it is “engaged in exclusively or predominantly” by Christians. Goldstein’s distinction, therefore, is one without a difference. But for their religious beliefs, Pauley’s congregants would not have sought to enter the waters of baptism, and but for their intent to do so, Goldstein’s Photography would not have denied them its services.

Setting aside the question of whether this fictional judicial argument or the one issued by the real appellate court in the *Masterpiece* case is a reasonable construction of Colorado’s anti-discrimination law, neither seems defensible under political liberalism. If, as Rawls states, the point of political liberalism is to figure out how it is “possible that there may exist over time a stable and just society of free and equal citizens profoundly divided by reasonable religious, philosophical, and moral doctrines,”⁵⁵ and if, as Dworkin asserts, “[a] tolerant secular society . . . could have no reason for embracing freedom of orthodox worship without also embracing freedom of choice in all ethical matters and therefore freedom of choice with respect to the ethical values that are plainly implicated in decisions about sexual conduct, marriage, and procreation,”⁵⁶ then surely the state cannot compel one to cooperate with the celebration of weddings (in the real *Masterpiece* case) or baptisms (in the hypothetical Goldstein case) that violate a conscience informed by reasonable religious doctrine and orthodox worship.

Of course, it may be that political liberalism was a pipe dream (or a ruse) to begin with, that the sort of neutrality and epistemic modesty suggested by thinkers like Rawls and Dworkin is either unachievable or unsustainable. (That is a point for which I’ve argued in a few places.⁵⁷) Or it may be that politics, like nature, abhors a vacuum, and that a vibrant and flourishing society with “freestanding” political principles, for which Rawls argues,⁵⁸ is as impossible as having a genome without ancestors. The latter view is undoubtedly one of the reasons for recent critiques of liberalism by scholars like Patrick Deneen.⁵⁹ In any event, my point is that there is something deeply attractive about political liberalism for conservatives who feel under siege by a progressive culture that has flipped the script: after decades of the left accusing the right of being illiberal by trying to advance through government a great religious awakening intended to punish moral dissenters, it seems that the right can now credibly accuse the left of being illiberal by trying to advance through government (as well as education and the media) a great secular awakening intended to punish social justice heretics. The problem for people like me—religious conservatives who harbor sympathy for political liberalism—is that the number of

citizens on both sides of the political aisle who would be embarrassed to be labeled “illiberal” is dwindling. For this reason, perhaps it may be wise for us to prepare for a dangerous future, “for it is quite possible,” as George Orwell once put it, “that we are descending into an age in which two and two will make five when the Leader says so.”⁶⁰ However, because I have lived through the Cold War and the collapse of communism in Russia and most other countries in the world, I know that what may at first appear to be the inevitable trajectory of history may come to nothing more than bluff and bluster, and people of goodwill, regardless of their partisan allegiances, will join together in opposing tyrannies, both petty and profound. Let us pray that our fate will be closer to the latter.

NOTES

1. See the cases of Jordan Peterson and Nicholas Meriwether: Murphy, Jessica, “Toronto Professor Jordan Peterson Takes on Gender-Neutral Pronouns,” *BBC News*, November 4, 2016, <https://www.bbc.com/news/world-us-canada-37875695>; Berson, Scott, “Professor Sues after He Says He Was Punished for Calling Transgender Student ‘Sir,’” *Kansas City Star*, November 13, 2018, <https://www.kansascity.com/news/nation-world/national/article221585420.html#storylink=cpy>.

2. See the cases of Amy Wax, Scott Yenor, and Samuel Abrams: Zimmerman, Jonathan, “What’s Wrong with the Attack on Amy Wax,” *Inside Higher Ed*, September 14, 2017, <https://www.insidehighered.com/views/2017/09/14/academics-may-not-agree-what-amy-wax-says-should-defend-her-right-say-it-essay>; Flaherty, Colleen, “When Students Want to Review a Tenured Professor,” *Inside Higher Ed*, March 13, 2019, <https://www.insidehighered.com/news/2019/03/13/students-sarah-lawrence-want-review-tenure-conservative-professor-who-criticized>; Milikh, Arthur, “Don’t Even Think about It,” *The Heritage Foundation*, October 30, 2017, <https://www.heritage.org/gender/commentary/dont-even-think-about-it>.

3. See Sloan, Karen, “Amy Wax Controversy Drags Penn Law into Free-Speech Dilemma,” *Law.com*, July 25, 2019, <https://www.law.com/2019/07/25/amy-wax-controversy-drag-penn-law-into-free-speech-dilemma/?slreturn=20200019141200>.

4. It is Jonathan Haidt who first came up with the distinction between “Truth University” and “Social Justice University.” See Haidt, Jonathan, “Why Universities Must Choose One Telos: Truth or Social Justice,” *Heterodox Academy*, October 21, 2016, <https://heterodoxacademy.org/one-telos-truth-or-social-justice-2/>. See also Corey, Elizabeth, “A More Moderate Diversity,” *National Affairs*, spring 2017, <https://www.nationalaffairs.com/publications/detail/a-more-moderate-diversity>.

5. My early work on intelligent design (ID) theory and public education—based on my 2001 Master of Juridical Studies (MJS) at the Washington University School of Law, St. Louis—made me a target of those at Baylor who tried to get the institution to deny me tenure (they failed!) and those in the wider philosophical community who tried to brand me as some kind of creationist (which I wasn’t and never have been). See, for example, Beckwith, Francis J., *Law, Darwinism, and Public Education: The Establishment Clause and the Challenge of Intelligent Design* (Lanham, MD: Rowman & Littlefield, 2003). Although that work focused almost exclusively on the legal question rather than the question of whether ID is a good view, at the time (roughly between 2000 and 2005) I was sympathetic to the

ID project. However, around 2005 or so I began to harbor doubts about ID as a result of reading the works of Thomists who reject the view. I have since published several articles and two book chapters critical of ID as a view. The two most recent articles appear in my two books: Beckwith, Francis J., *Taking Rites Seriously: Law, Politics, and the Reasonableness of Faith* (New York: Cambridge University Press, 2015), 139–171; and Beckwith, Francis J., *Never Doubt Thomas: The Catholic Aquinas as Evangelical and Protestant* (Waco, TX: Baylor University Press, 2019), 59–86. For a response to the ridiculous claim that I am a creationist, see Beckwith, Francis J., “Or We Can Be Philosophers: A Response to Barbara Forrest,” *Synthese* 192(Supplement 1) (December 2015): 3–25.

6. Beckwith, Francis J., *Return to Rome: Confessions of an Evangelical Catholic* (Grand Rapids, MI: Brazos, 2009).

7. Cooperman, Alan, “Evangelical Leader Returns to Catholicism,” *Washington Post*, May 12, 2007, [https://www.washingtonpost.com/wp-dyn/content/article/2007/05/11/AR2007051101929.html?hpid=moreheadlines](https://www.washingtonpost.com/wp-dyn/content/article/2007/05/11/AR2007051101929.html?hpid=moreheadlineshttp://www.washingtonpost.com/wp-dyn/content/article/2007/05/11/AR2007051101929.html?hpid=moreheadlines)<http://www.washingtonpost.com/wp-dyn/content/article/2007/05/11/AR2007051101929.html?hpid=moreheadlines>.

8. *Roe v. Wade*, 410 U.S. 113 (1973).

9. For a legal analysis of *Roe v. Wade* and its successors, see Beckwith, Francis J., *Defending Life: A Moral and Legal Case Against Abortion Choice* (New York: Cambridge University Press, 2007), 18–41.

10. Reagan, Ronald W., *Abortion and the Conscience of the Nation* (Nashville: Thomas Nelson, 1984).

11. Reagan, Ronald W., “Abortion and the Conscience of the Nation,” *Human Life Review* 9(2) (Spring 1983): 7–16.

12. Beckwith, Francis J., “What Would Reagan Do?” *Human Life Review* 30(3), Summer 2004, 74–77. (Originally published under the same title in *National Review Online*, July 27, 2004, <https://www.nationalreview.com/2004/07/what-would-reagan-do-francis-j-beckwith/>.)

13. See Williams, Daniel K., “The Partisan Trajectory of the American Pro-Life Movement: How a Liberal Catholic Campaign Became a Conservative Evangelical Cause,” *Religions* 6 (2015): 451–75.

14. “Another area that concerns me greatly, namely because I know how it has been used with regard to race, is the psycholinguistics involved in this whole issue of abortion. If something can be dehumanized through the rhetoric used to describe it, then the major battle has been won. So when American soldiers can drop bombs on Vietnam and melt the faces and hands of children into a hunk of rolling protoplasm and in their minds say they have not maimed or killed a fellow human being something terribly wrong and sick has gone on in that mind. That is why the Constitution called us three-fifths human. . . . It was part of the dehumanizing process. The first step was to distort the image of us as human beings in order to justify that which they wanted to do and not even feel like they had done anything wrong. Those advocates of taking life prior to birth do not call it killing or murder; they call it abortion. They further never talk about aborting a baby because that would imply something human. Rather they talk about aborting the fetus. Fetus sounds less than human and therefore can be justified.” Rev. Jesse Jackson, “How We Respect Life Is the Over-Riding Moral Issue,” *Right to Life News*, January 1977, <http://groups.csail.mit.edu/mac/users/rauch/nvp/consistent/jackson.html>.

15. “When history looks back to this era it should recognize this generation as one which cared about human beings enough to halt the practice of war, to provide a decent living for every family, and to fulfill its responsibility to its children from the very moment of conception.”

Senator Edward Kennedy, in an August 3, 1971, letter to a constituent, as quoted in Hendershott, Anne, "How Support for Abortion Became Kennedy Dogma," *Wall Street Journal*, January 2, 2009, <https://www.wsj.com/articles/SB123086375678148323>.

16. Gingrich, Newt (with David Drake and Marianne Gingrich), *Window of Opportunity: A Blueprint for the Future* (New York: Tom Doherty Publishers, 1984).

17. Gilder, George, *Wealth and Poverty* (New York: Basic Books, 1981).

18. Kemp, Jack, *An American Renaissance: Strategy for the 1980s* (New York: Harper & Row, 1979).

19. Novak, Michael, *The Spirit of Democratic Capitalism* (New York: Simon & Schuster, 1982).

20. Nash, Ronald H., *Social Justice and the Christian Church* (East Huron, MI: Mott Media, 1983); Nash, Ronald H., *Freedom, Justice, and the State* (Lanham, MD: University Press of America, 1980).

21. Hazlitt, Henry, *Economics in One Lesson*, new ed. (New York: Crown Publishers, 1979).

22. Hayek, Frederick, *The Road to Serfdom* (Chicago: University of Chicago Press, 1944).

23. Novak, *The Spirit of Democratic Capitalism*, 16.

24. Boaz, David, "Key Concepts of Libertarianism," *Cato Institute*, April 12, 2019, <https://www.cato.org/publications/commentary/key-concepts-libertarianism>.

25. "At the national level, it is meaningless to speak of any 'common' good beyond an institutional umbrella that allows for individual rights and cooperation. This is, in fact, mostly what the US constitution provides: justice, domestic tranquility, common defense, *general* welfare, and securing the blessings of liberty. But the prohibition of pornography, the banning of drugs, privileging heterosexual marriage over other types of associations, and all activities that violate the rights of some can hardly be considered a 'common' good." Wenzel, Nikolai G., "Libertarianism: Not So Wrong, After All! A Reply to Nathan Schlueter," *Public Discourse*, April 12, 2012, <https://www.thepublicdiscourse.com/2012/04/5174/> (italics in original).

26. Landes, Elisabeth M., and Richard Posner, "The Economics of the Baby Shortage," *Journal of Legal Studies* 7(2), June 1978, 323–48.

27. Rosenbaum, David E., "A Passion for Ideas: Jack French Kemp," *Los Angeles Times*, April 11, 1996, section 1, page 1.

28. Teti, Dennis, "An Idea Whose Time Never Came," *Weekly Standard*, *Washington Examiner*, January 15, 2016, <https://www.washingtonexaminer.com/weekly-standard/an-idea-whose-time-never-came>.

29. *Ibid.*

30. King, Martin Luther, Jr., "I Have a Dream," address delivered at the March on Washington for Jobs and Freedom (August 28, 1963), website of *The Martin Luther King, Jr. Research and Education Institute*, Stanford University, <https://kinginstitute.stanford.edu/king-papers/documents/i-have-dream-address-delivered-march-washington-jobs-and-freedom>.

31. "[F]rom 1962–68 Dr. King orchestrated and implemented 'Operation Breadbasket,' a civil rights boycott campaign that demanded employment quotas for Black American workers based on their numbers in a workforce, neighborhood or city." Openheimer, David B., "Dr. King's Dream of Affirmative Action," *Harvard Latinx Law Review* 21 (2018): 59.

32. Openheimer, "Dr. King's Dream of Affirmative Action," 55–86.

33. In early 2020, a faculty committee at my institution, Baylor University, proposed that the form given to students to evaluate their professors begin with these comments in the introduction:

Student course evaluations play an important role in the review of courses as well as instructors. Your opinions influence the review of instructors that takes place each year. Baylor University recognizes that student course evaluations are often influenced by students' unconscious and unintentional biases about the race and gender of the instructor. National studies indicate that women and instructors of color are commonly rated lower in their course evaluations compared to white men, even when there are no actual differences in the instruction that has occurred or in what students have learned in the course. As you fill out course evaluations this semester, please keep these factors in mind while also making an effort to resist biases regarding your instructors. Focus your views on the content of the course (e.g., the assignments, readings, lectures, class discussions) and not unrelated factors (e.g., the instructor's appearance). (Spring 2020 Course Evaluation Instrument, Baylor University. On file with author.)

34. Staples, Brent, "When Italians Became 'White'" *New York Times*, October 12, 2019, <https://www.nytimes.com/interactive/2019/10/12/opinion/columbus-day-italian-american-racism.html>.

35. Beckwith, Francis J., *David Hume's Argument against Miracles: Contemporary Attempts to Rehabilitate It and a Response*, PhD dissertation in philosophy, Fordham University, November 1988.

36. Here are a few of the works I published between 1990 and 2000: Beckwith, Francis J., and John Peppin, "Physician-Value Neutrality: A Critique," *Journal of Law, Medicine, and Ethics* 28(1) (Spring 2000): 67–77; Beckwith, Francis J., "The 'Nobody Deserves His or Her Talents Argument for Affirmative Action': A Critical Analysis," *Social Theory and Practice* 25(1) (Spring 1999): 53–60; Pojman, Louis P., and Francis J. Beckwith, eds., *The Abortion Controversy 25 Years after Roe v. Wade: A Reader* (2nd ed.) (Belmont, CA: Wadsworth, 1998); Beckwith, Francis J., and Gregory P. Koukl, *Relativism: Feet Firmly Planted in Mid-Air* (Grand Rapids, MI: Baker Book House, 1998); Beckwith, Francis J., and Todd E. Jones, eds., *Affirmative Action: Social Justice or Reverse Discrimination?* (Amherst, NY: Prometheus Books, 1997); Beckwith, Francis J., "The Ethics of Referral Kickbacks and Self-Referral and the HMO Physician as Gatekeeper: An Ethical Analysis," *Journal of Social Philosophy* 28(3) (Winter 1996): 41–48; Beckwith, Francis J., "Pluralism, Tolerance, and Abortion Rights," in *Taking Sides: Clashing Views on Controversial Political Issues* (9th ed.), eds. George McKenna and Stanley Feingold (New York: McGraw-Hill, 1995), 272–77; Beckwith, Francis J., "The Epistemology of Political Correctness," *Public Affairs Quarterly* 8(4) (October 1994): 331–40; Beckwith, Francis J., "Personal Bodily Rights, Abortion, and Unplugging the Violinist: A Critical Analysis," *International Philosophical Quarterly* 32 (March 1992): 105–18.

37. Beckwith, Francis J., *Rethinking Edwards v. Aguillard? The Establishment Clause of the First Amendment and the Challenge of Intelligent Design*, MJS dissertation, Washington University School of Law, St. Louis, May 2001.

38. See, for example, Rawls, John, *Political Liberalism* (New York: Columbia University Press, 1993).

39. See, for example, Dworkin, Ronald, *Is Democracy Possible Here? Principles for a New Political Debate* (Princeton, NJ: Princeton University Press, 2006).

40. See, for example, Nagel, Thomas, "Moral Conflict and Political Legitimacy," *Philosophy and Public Affairs* 16 (1987): 215–40.

41. This, of course, is just a helpful generalization to give the reader the gist of political liberalism. The fact is that there is wide disagreement in the literature, and among self-identified political liberals, on what precisely constitutes public reason. For a nice summary

of the differing views on public reason and neutrality, see Eberle, Christopher, *Religious Conviction in Liberal Politics* (New York: Cambridge University Press, 2002).

42. I include “constitutional reason,” since the US Supreme Court roughly tracks political liberalism when it comes to assessing a law or policy that happens to be consistent with a religious viewpoint but can be established by independent nonreligious reasons: “[A] decision respecting the subject matter to be taught in public schools does not violate the Establishment Clause simply because the material to be taught ‘happens to coincide or harmonize with the tenets of some or all religions.’” *Edwards v. Aguillard*, 482 U.S. 578, 605 (1987) (Powell, J., concurring), quoting *Harris v. McRae*, 448 U.S. 297, 319 (1980), quoting *McGowan v. Maryland*, 366 U.S. 420, 442 (1961). Ironically, Nagel takes this approach to argue that it is permissible, under political liberalism, to teach ID in public schools. See Nagel, Thomas, “Public Education and Intelligent Design,” *Philosophy & Public Affairs* 36(2) (Spring 2008): 187–205.

43. Beckwith, *Law, Darwinism, and Public Education*.

44. See, for example, my personal account in Beckwith, *Never Doubt Thomas*, 59–86.

45. Among the works I read were the following: Gilson, Etienne, *From Aristotle to Darwin and Back Again: A Journey in Final Causality, Species, and Evolution*, trans. John Lyon (Notre Dame, IN: University of Notre Dame Press, 1994); Carroll, William E., “Creation, Evolution, and Thomas Aquinas,” *Revue des Questions Scientifiques* 171 (2000): 319–47; Carroll, William E., “At the Mercy of Chance? Evolution and the Catholic Tradition,” *Revue des Questions Scientifiques* 177 (2006): 179–204; Barr, Stephen, “Correspondence about Avery Cardinal Dulles’s ‘God and Evolution,’” *First Things* 179 (January 2008): 3–4; Feser, Edward, *The Last Superstition* (South Bend, IN: St. Augustine’s Press, 2008), 110–19; Feser, Edward, *Aquinas: A Beginning’s Guide* (Oxford: OneWorld Publications, 2009), 110–20; Savino FSE, Damien Marie, Sr., “Atheistic Science: The Only Option?” *Logos: A Journal of Catholic Thought and Culture* 12(4) (Fall 2009): 56–73; Machuga, Ric, *In Defense of the Soul: What It Means to Be Human* (Grand Rapids, MI: Baker Book House, 2002), especially 161–66; Gregory, Brad S., “Science v. Religion? The Insights and Oversights of the ‘New Atheists,’” *Logos: A Journal of Catholic Thought and Culture* 12(4) (Fall 2009): 17–55; Tkacz, Thomas W., “Thomas Aquinas vs. the Intelligent Designers: What Is God’s Finger Doing in My Pre-Biotic Soup?” in *Intelligent Design: Real Science or Religion in Disguise?*, eds. Robert Baird and Stuart Rosenbaum (Amherst, NY: Prometheus Books, 2007), 275–82.

46. Here are a few of the works I published between 2001 and 2020: Beckwith, Francis J., and Allison Thornton, “Moral Status and the Architects of Principilism,” *Journal of Medicine & Philosophy* 45 (2020): 504–20; Beckwith, Francis J., “Gotta Serve Somebody? Religious Liberty, Freedom of Conscience, and Religion as Comprehensive Doctrine,” *Studies in Christian Ethics* 33(2) (2020): 168–78; Beckwith, Francis J., “Now, I’m Liberal, but to a Degree: An Essay on *Debating Religious Liberty and Discrimination*,” *Cleveland State Law Review* 67(2) (2019): 141–72; Beckwith, Francis J., “Is Religion Special? More Likely Than Not!” in *Handbook of Philosophy & Public Policy*, ed. David Boonin (New York: Palgrave/Macmillan, 2018), 277–89; Beckwith, Francis J., *Taking Rites Seriously: Law, Politics and the Reasonableness of Faith* (New York: Cambridge University Press, 2015); Beckwith, Francis J., “Does Judith Jarvis Thomson Really Grant the Prolife View of Fetal Personhood in Her Defense of Abortion? A Rawlsian Assessment,” *International Philosophical Quarterly* 54(4) (December 2014): 443–51; Beckwith, Francis J., “Justificatory Liberalism and Same-Sex Marriage,” *Ratio Juris: An International Journal of Jurisprudence and Philosophy of Law* 26(4) (December 2013): 487–509; Beckwith, Francis J., “Potentials and Burdens: A Reply to Giubilini and Minerva,” *Journal of Medical Ethics* 39(5) (May 2013): 341–44; Beckwith, Francis J., “The Human Being, a

Person of Substance: A Response to Dean Stretton,” in *Persons, Moral Worth, and Embryos: A Critical Analysis of Pro-Choice Arguments from Philosophy, Law, and Science*, ed. Stephen Napier (Dordrecht, The Netherlands: Springer, 2011), 67–83; Beckwith, Francis J., *Politics for Christians: Statecraft as Soulcraft* (Downers Grove, IL: InterVarsity Press, 2010); Beckwith, Francis J., “How to Be an Anti-Intelligent Design Advocate,” *St. Thomas Journal of Law and Public Policy* 4(1) (2009–2010): 35–65; Beckwith, Francis J., “Must Theology Always Sit in the Back of the Secular Bus? The Federal Courts’ View of Religion and Its Status as Knowledge,” *Journal of Law and Religion* 24(2) (2008–2009): 547–68; Beckwith, Francis J., *Defending Life: A Moral and Legal Case against Abortion Choice* (New York: Cambridge University Press, 2007); Beckwith, Francis J., “Defending Abortion Philosophically: A Review-Essay of David Boonin’s *A Defense of Abortion*,” *Journal of Medicine & Philosophy* 31 (April 2006): 177–203; Beckwith, Francis J., “Rawls’ Dangerous Idea: Political Liberalism, Naturalistic Evolution, and the Requirements of Legal Neutrality in Shaping Public School Curricula,” *Journal of Law & Religion* 20(2) (Fall 2005): 423–58; Beckwith, Francis J., “Thomson’s ‘Equal Reasonableness’ Argument for Abortion Rights: A Critique,” *American Journal of Jurisprudence* 49 (2004): 118–34; Beckwith, Francis J., “Science and Religion 20 Years after *McLean v. Arkansas*: Evolution, Public Education, and the Challenge of Intelligent Design,” *Harvard Journal of Law & Public Policy* 26(2) (Spring 2003): 456–99; Beckwith, Francis J., “Cloning and Reproductive Liberty,” *Nevada Law Journal* 3(1) (Fall 2002): 61–87; Beckwith, Francis J., “Law, Religion, and the Metaphysics of Abortion: A Reply to Simmons,” *Journal of Church and State* 43(1) (Winter 2001): 19–33.

47. On the matter of abortion, Rawls seemed to allow the possibility that if opponents of abortion could convince a majority of citizens to pass a law prohibiting abortion based on public reason, such a law would not necessarily be unjust. Writes Rawls, “[D]isputed questions, such as that of abortion, may lead to a stand-off between different political conceptions, and citizens must simply vote on the question.” Rawls, John, *Political Liberalism* (paperback ed.) (New York: Columbia University Press, 1996), lv. The first edition of *Political Liberalism* was published in 1993. Many read his comments on abortion in the first edition to imply that the pro-life view—that the law ought to protect innocent human life from conception until natural death—is outside the purview of public reason. However, in the paperback edition he argues that he was misunderstood and that the pro-life view can be supported by public reasons.

48. Rawls, *Political Liberalism* (paperback ed.), xxvi.

49. Rawls, *Political Liberalism* (paperback ed.), xxvii.

50. Rawls states, “It is more natural to believe, as the centuries-old practice of intolerance appeared to confirm, that social unity and concord requires agreement on a general and comprehensive religious, philosophical, or moral doctrine. Intolerance was accepted as a condition of social order and stability.” Rawls, *Political Liberalism* (paperback ed.), xxvii.

51. *Craig v. Masterpiece Cakeshop*, Court of Appeals of Colorado, No. 2015COA115 (2015), 34.

52. *Masterpiece Cakeshop v. Colorado*, 584 U. S. ____ (2018) (slip opinion).

53. “Christianophobia,” as far as I know, is a term coined by my Baylor colleague, the esteemed sociologist George Yancey. See Yancey, George, and David A. Williamson, *So Many Christians, so Few Lions: Is There Christianophobia in the United States?* (Lanham, MD: Rowman & Littlefield, 2015).

54. Locke, John, *A Letter Concerning Toleration*, 1689, trans. William Popple, edited and with introduction by James H. Tully (Indianapolis: Hackett, 1983), 48.

55. Rawls, *Political Liberalism* (paperback ed.), xxvii.
56. Dworkin, *Is Democracy Possible Here?*, 62.
57. See, for example, Beckwith, Francis J., "When You Come to a Fork in the Road, Take It? Abortion, Personhood, and the Jurisprudence of Neutrality," *Journal of Church & State* 44(3) (Summer 2003): 485–97.
58. "Political liberalism, then, aims for a political conception of justice as a freestanding view. It offers no specific metaphysical or epistemological doctrine beyond what is implied by the political conception itself." Rawls, *Political Liberalism* (paperback ed.), 10.
59. Deneen, Patrick, *Why Liberalism Failed* (New Haven, CT: Yale University Press, 2018).
60. Orwell, George, review of Bertrand Russell's *Power: A Social Analysis*, in *The Adelphi*, January 1939, republished at <https://www.lehman.edu/faculty/rcarey/BRSQ/06may.orwell.htm>.

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3

Don't Throw Out the Tinfoil Hats Just Yet

A Libertarian Defense of “Unwarranted” Conspiracy Theories

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Contemporary American society is awash in conspiracy theories. This situation worried a pair of high-profile Harvard law professors. Cass Sunstein (who served as administrator of the Office of Information and Regulatory Affairs in the Obama administration from 2009 to 2012) and Adrian Vermeule argue that acceptance of popular conspiracy theories reflects a “crippled epistemology,” and they openly advocate for governmental “cognitive infiltration” of groups hatching or perpetuating them.¹

We disagree. We will first argue that acceptance of a kind of conspiratorial thinking develops a good trait in politically free citizens—namely, a reflexive distrust of official lines issued by agents of the Corporate State. This is an especially important trait to encourage in the current and foreseeable stages of advanced corporate-bureaucratic statism dominant in the United States.² To illustrate the kind of conspiratorial thinking we have in mind, we will introduce an example. Our example is intended to show that garden-variety conspiracies can develop and mature in ways that do not require a vast horde of co-conspirators all hiding the deep dark secret from public awareness. That’s the stuff of Hollywood-esque fantasy, but unfortunately it has mistakenly come to represent conspiracy theories in both academia and the popular press. Instead, we will show that conspiracies can be perpetrated by agents who simply play their individual roles in vast bureaucratic institutions. Describing an example of such a conspiracy on offer and encouraging citizens to expect them from agents of the state is one realistic path toward cultivating more libertarians, and hopefully thwarting statist’s authoritarian goals.

CONSPIRACY THEORIES AND POLITICAL LIBERTARIANISM: OUR JOURNEYS TO DISSENT

Advocating a kind of conspiratorial thinking as a route to political libertarianism places us well beyond the current political pale. How did we arrive at such a “dissenting” philosophical position? Both of us trace our extreme libertarian political philosophy to a shared personality trait: a visceral revulsion at being told by others what to do, how to think, and how to act. We are both repulsed, for example, by growing calls for restrictions on speech now being voiced across the American political spectrum. This personal stubbornness cost one of us (Bernstein) an earned doctorate in biology. It led both of us to advocate openly for Ron Paul’s 2008 and 2012 presidential campaigns in decidedly non-libertarian locales. One of us (Bickle) was faculty advisor to the 2012 Ron Paul for President student advocacy group at Mississippi State University, a public land-grant research university in a state dominated by social and mostly Christian conservatives. (Mississippi is decidedly *not* a bastion for political libertarians!) However, the iconoclastic status of our political views in our locale only made us advocate them more openly and enthusiastically.

Bernstein traces awareness of her libertarian leanings back to an instance in her teenage years, which offered her a first understanding of what it means for a society to be free. It was early July in 1976. As a high school graduation gift, her parents treated her to a trip abroad, accompanied by her mom. Much of her mother’s family still lived in Germany, so the itinerary included stays with relatives, including one with her mother’s cousin who had a middle-school-aged daughter. One evening during the visit the daughter and her mother were visibly upset. Bernstein’s mother translated that the little girl’s test results had been received and that she did not qualify to attend *Gymnasium* but would instead be placed in a vocational school. What the little girl wanted to be when she grew up required that she attend *Gymnasium*. But she had no choice. The *Bundesrepublik* had spoken. This offended Bernstein’s liberal sensibilities. So, while her own country was celebrating the bicentennial of its independence, Bernstein was abroad, beginning to understand what freedom is.

KEELEY’S ESSAY AS A BASIS FOR RESPONSIBLE DISCUSSIONS OF CONSPIRACY THEORIES

We start with some terminology and ideas from Brian Keeley’s essay, “Of Conspiracy Theories,” which has for two decades served as a touchstone for academic philosophical discussions of this topic.³ Mostly we will borrow terminology from Keeley’s essay, but we will also have some critical things to say about some conclusions he draws about the epistemology of “unwarranted conspiracy theories” (UCTs, Keeley’s term). We will also separate the kind of conspiracy theories we advocate to promote political libertarianism from the kinds most prevalent in contemporary discussions;

we will refer to the latter as “Hollywood-esque.” Even Keeley’s detailed example in his important essay is unfortunately Hollywood-esque.

For Keeley, “mature” UCTs are ones that have been a matter of public attention for some time, and although direct evidence has actively been sought in support of them, no such evidence has been found. Keeley’s detailed example is one concerning the April 1995 Oklahoma City Murrah Federal Building bombing. This conspiracy holds that Federal Bureau of Alcohol, Tobacco, and Firearms (ATF) agents were conspiring to orchestrate, and then publicly thwart, a bombing by encouraging a loosely organized right-wing domestic terrorist group, which included Timothy McVeigh, Terry Nichols, and Michael Fortier as peripheral participants. The ATF agents’ plan was to swoop in just before the bombing was to occur and arrest the perpetrators. To what end? The ATF brass were brainstorming ways to reestablish public trust in the agency after the 1993 Waco, Texas, Branch Davidian debacle two years prior. In Waco, the ATF had been a central participant and instigator of the fifty-one-day siege and invasion of the Branch Davidian compound, which left close to eighty people dead. The Oklahoma City bombing conspiracy theory holds, however, that hapless ATF agents lost contact with the terrorist group—or in some versions of the conspiracy, were outwitted by them—and the bomb in the Murrah Federal Building went off. ATF agents then conspired further to pin the bombing on the perfect patsies McVeigh and Nichols and to keep the agency’s initial involvement and screwup a deep dark secret.

Keeley uses this example to argue for the “almost nihilistic skepticism” (his term) about a society’s truth-discovering and truth-promulgating institutions that advocates of a matured UCT must adopt. In the case of the ATF participation in orchestrating the Murrah Federal Building bombing, the list of necessary co-conspirators quickly grows to include the professional news media, members of various government agencies tasked to investigate and expose governmental abuses of power, and even independent investigators, some of whom must surely have stumbled upon evidence of ATF involvement had it actually taken place. Keeley suggests that there is no recourse other than this epistemologically problematic skepticism for advocates of mature UCTs. He writes, “As a conspiracy theory matures, attempt after attempt to falsify a conspiracy theory appears to succeed, and this apparent success *must be explained* as the nefarious work of the conspirators. As a result . . . an initial claim that a small group of people is conspiring gives way to chains of larger and larger conspiracies.”⁴ Our emphasis of Keeley’s wording in the quote implies that advocates of mature UCTs have no other recourse.

To complete his argument against mature UCTs, Keeley ends his essay by claiming that advocates of matured UCTs retain an outdated nineteenth-century worldview, of an ordered universe controlled extensively by human agency. This view is out of step with the one emanating from contemporary natural and social sciences. He writes:

The world as we understand it today is made up of an extremely large number of interacting agents, each with its own imperfect view of the world and its own set of goals. Such a system cannot be controlled because there are simply too many agents to be handled by any small controlling group. . . . This is true of the economy, of the political electorate, and of the very social, fact-gathering institutions upon which conspiracy theorists cast doubt. . . . To propose that an explosive secret could be closeted for any length of time simply reveals a lack of understanding of the nature of modern bureaucracies. Like the world itself, they are made up of too many people with too many different agendas to be easily controlled.⁵

Reluctantly, Keeley admits that absurdism lurks in the contemporary worldview. At the end of his essay Keeley holds out hope that philosophy might find a third way to adjudicate the clash between conspiracy theorists' outdated ontology and the meaningless random swirl of events the contemporary picture paints.

We do not deny that some popular conspiracy theories develop in this way and are epistemologically flawed for Keeley's reason. However, we also think that these kinds of conspiracy theories are best relegated to the genre of Hollywood-esque fantasy. We won't attempt to define "Hollywood-esque," but it should be intuitively understood as the kinds of sagas one can readily imagine being pitched by hack screenwriters to equally hack movie producers. More recent examples abound. "Pizzagate" theorizes a pedophile sex ring discovered in emails of the wife of a disgraced ex-US House member turned convicted sex offender and tied to a neighborhood Washington, DC, pizza parlor. "QAnon" theorizes a cabal of pedophile (are we sensing a theme here?), Satan-worshipping, liberal Hollywood actors and high-ranking Democratic Party officials and government bureaucrats, opposed single-handedly by a New York real-estate mogul turned US president, with those in the know kept informed through an occasional dribble of cryptic posts from a rogue emissary with Q-level national security clearance to an anonymous imageboard website. Keeley's example and these more recent conspiracies are explicitly *not* the kind of conspiratorial thinking we advocate as a path to political libertarianism. Hollywood-esque conspiracies like these recent ones lead instead to a rabble of pretend revolutionaries breeching the US Capitol Building to take selfies and souvenirs in a rumpus that libertarian journalist Thomas Knapp dubbed "the beer belly putsch."⁶ And they generate in turn the predictable responses of a tyrannical authoritarian Corporate State: twelve-foot fences erected around "The People's House," armed troops patrolling the capital city's streets, national security agencies redirected toward stopping so-called "domestic terrorists," serious calls to establish a governmental Truth and Reconciliation Commission, urgings by major press outlets and academic institutions for increased governmental regulation of speech, and so on. The cause of political libertarianism is not well served.

So, we do not advocate Keeley's kind of conspiracy theories for promoting libertarian political goals. But we will help ourselves to his terminology and the philosophical interest in conspiratorial thinking his essay provides, and with these we offer our own garden-variety, admittedly boring (by Hollywood standards), mature UCT.

Ours has been publicly advocated, is of fairly recent vintage, and supports an abiding skepticism, specifically about public institutions and the persons who occupy them. It involves the largest egg production corporations, working with well-known members of Congress and leaders of the Humane Society, aiming surreptitiously to drive small- and medium-size American egg producers out of business. Of course, that was not the official line in support of the proposed legislation. We consider the skepticism of official lines reflected in this example a *good* quality to encourage among citizens who value individual liberty, especially in these days of the ever-growing corporate-bureaucratic state Leviathan. And even if the broader conspiracy theorized to be at work in this case isn't true, this example also nicely illustrates how major players in the corporate-bureaucratic state now routinely conduct business.

THE EGG PRODUCTS INSPECTION ACT AMENDMENTS OF 2012

Consider proposed US Senate legislation, S.3239, the Egg Products Inspection Act Amendments of 2012, introduced as a "bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes." Senator Diane Feinstein (D-CA) introduced the bill in May 2012. It had six original Senate cosponsors.⁷ (H.R.3739 was the accompanying legislation in the US House of Representatives.)

Many Americans assume that legislators introduce, sponsor, and cosponsor bills because of their relevance to legislators' constituents, and so many would assume that S.3239 was sponsored by senators representing states in which the egg-laying industry is of economic importance. For example, many would expect the initial sponsors were from states producing the most eggs. This would be incorrect. Only Feinstein was from a top-ten egg-producing state.⁸ Only one of the later cosponsors came from a top-ten egg-producing state. But there may have been other reasons to sponsor this legislation. Citizens in the initial sponsors' states may have other economic interests in establishing uniform standards for the treatment and housing of laying hens. Those states may have powerful animal rights activists. But suspicions arise that something more might be going on than just states' economic and animal welfare interests.

Turn to the bill's content. As its title indicates, it is a set of amendments to the Egg Products Inspection Act (US Code Title 21, Food and Drugs; Chapter 15, Egg Products Inspection; §1031-1056; enacted 1970).⁹ Much of the content defines terms and redesignates section headings. At the heart of the bill, however, are changes to the size limits of cages for laying hens and environmental enrichment requirements for the same; also included is a schedule for phasing in these changes. Nationwide, layers' cages were to become larger and more enriched over time.

We became aware of S.3239 via a report by Peter Kasperowicz at *The Hill*.¹⁰ According to the article, the proposed legislation would facilitate interstate commerce

by ensuring that egg producers aren't blocked from selling across state lines due to differing state standards. The legislation also codifies an agreement between the United Egg Producers and the Humane Society, striking a balance on how egg-laying hens should be treated and how eggs should be labeled. Kasperowicz's report quotes Feinstein as saying that the egg-production industry itself brought the legislation to Congress to implement regulations "needed to survive and grow," with the egg industry and the Humane Society "lock-step in their support" for the bill, joined in their endorsement by the American Veterinary Medical Association and the Consumer Federation of America.

As reported in *The Hill*, and worth noting, is the timeline for implementing the proposed amendments. S.3239 Section 7A(a) states that beginning in 2018, all egg-layer cages in California were to have enrichments, three years before enrichments were required in new cages, and nine years before they were required in existing cages, in the other forty-nine states. Likewise, section 7A(b), which phased in national cage-size standards, ensured that national standards would lag well behind California's (by a dozen years). Furthermore, section 4(f) provided that the US Secretary of Health and Human Services charge the California Department of Food and Agriculture with authority to enforce the California-specific portions of the bill. So, beginning in 2015, eggs produced in at least two states that topped California's 2012 egg production would not be able to ship eggs to California because those states would not meet California's standards. Under S.3239 these restrictions could extend for twelve more years! If we don't yet have indications of a conspiracy to drive small- and medium-size egg producers out of business, we do have evidence of a Corporate State protection racket for California egg producers that a mobster would envy.

To deepen the case for a conspiracy, meet the two other key players. First, United Egg Producers (UEP). According to the group's website,¹¹ it represents the ownership of approximately 95 percent of all the nation's egg-laying hens. It bills itself as "Leadership by Egg Farmers—For Egg Farmers." From its 2012 Egg Industry Fact Sheet we learn that its members included 16 egg-producing companies, each with over five million laying hens; 61 companies, each with over a million layers (these 77 companies combined to account for 87 percent of total domestic egg production); and 179 egg-producing companies with flocks of between 75,000 to 1 million hens.¹² These companies are highly vertically integrated: a given company owns not only the laying hens and production facilities (farms) but also the facilities that inspect, grade, package, transport, and distribute eggs. UEP thus represents "Big Egg," from top to bottom.

The fact sheet provides some interesting recent history of the egg industry. In 1987, there were around 2,500 operations. By 2002, the total number of egg-producing companies had declined to 700.¹³ By 2012, 95 percent of commercial egg production in America was handled by just over 250 companies, all of them with at least 75,000 laying hens. The biggest of Big Egg was dominating the industry in the early twenty-first century.

However, as this domination was occurring, UEP and several of its largest producers became involved in a number of legal battles at the state and national levels. There were allegations of price-fixing.^{14,15} Litigation ensued. Then came the egg recall of 2010. Due to several outbreaks of Salmonella, half a billion eggs were removed from the supply chain. The recall eventually forced the third-largest domestic egg-producing company at the time, Decoster, out of business. The subsequent acquisition history of Decoster and other farms is a tangled mess,¹⁶ but one upshot was the complete acquisition of Decoster's egg-producing facilities by other top-five egg-producing companies, principally Moark. A second upshot was that some states, egged on by their state animal rights organizations, consumer advocacy groups, and threats of lawsuits,¹⁷ took up the business of revising and aggressively enforcing state standards for virtually all aspects of egg production. Big Egg as represented by UEP did not fare well with legislation and lawsuits in multiple states.

Enter the Humane Society. In July 2011, Gene Gregory, president of UEP, initiated a meeting with Wayne Pacelle, president of the Humane Society of the United States. This meeting was held in secret, between what Pacelle himself characterized as two bitter adversaries.¹⁸ According to reports in the popular press, including National Public Radio (NPR), both sides had tired of spending millions of their respective organization's dollars fighting one another state-by-state. After particularly harsh losses in California courts, Gregory wondered whether the two sides could sit down together and figure out a pathway good for industry and better for laying hens. The secret meeting hatched the Egg Products Inspection Act Amendments of 2012.

When Gregory's secret meeting with Pacelle became publicly known, many small (3,000–50,000 layers) to medium (50,000–75,000 layers) egg producers were angered. Amon Baer, a North Dakota family farmer, egg producer, and UEP board member,¹⁹ opposed federal standards and regulations for egg producers. He contended that UEP did not represent the interests of small- to middle-size producers and claimed that these producers would be financially devastated by the proposed legislation.²⁰ He further contended that federal standards for the egg industry would open the door to federal standards in agriculture across the board, with equally devastating results for small- and medium-size farms. In 2012, Baer and others representing a variety of agricultural interests established their own lobbying group, Egg Farmers of America, to oppose The Egg Products Inspection Act Amendments of 2012. In the NPR article cited above, a spokesman for UEP claimed (contradictorily!) to have never heard of Egg Farmers of America and described the organization as “a handful of farmers somewhere who don't represent the interests of most of the industry.” Recall that Baer was one of the thirty-four UEP board members before leaving to form the new group to oppose Gregory's deal with Pacelle.

Baer's remarks reveal the suspected conspiracy at work. The surreptitious motivation for S.3239 (and the accompanying House version) were the financial goals of the biggest of Big Egg: to continue to drive small- and medium-size egg producers out of business, to snap up their farms and facilities even more efficiently than had

been the trend in the industry for the past quarter-century, and to further consolidate American egg production in the hands of a few giant agricultural corporations. They sought to accomplish this next step with the help of the federal government. S.3239 was more than just using prominent federal officials to forge a corporate-bureaucratic-statist deal for some egg producers based on their geographical locations. It was more than just a way to facilitate interstate commerce or to ensure better-quality lives for laying hens. Those last two outcomes may well have resulted with this legislation's passage, but they were in the bill to provide the official line for the legislation's real, nefarious purpose. And one advantage of this kind of conspiracy is that most of the participants don't even need to know the nefarious motive. The few conspirators in the know instead can count on their fellow participants within the corporate-bureaucratic-statist Leviathan simply to play their individual parts in the broader drama to bring about the nefarious outcome. We'll develop this point in detail in the next section.

THIS KIND OF CONSPIRATORIAL THINKING AS A GOOD LIBERTARIAN TRAIT TO ENCOURAGE IN CITIZENS

Direct evidence for this hypothesized conspiracy, to use the power of the US Congress and the Humane Society to help put small- and medium-size egg producers out of business in order to benefit the biggest of Big Egg, has never been offered. No media coverage of the bills suggested this connection, beyond Amon Baer's mention of the bill's potential effects in a trade journal. Using Keeley's useful terminology, this hypothesis is a UCT, and the institutions it accuses are exactly the ones Keeley emphasizes as involved in UCTs: members of Congress, major press outlets covering Congress (*The Hill*, NPR), and the highest officers in major national interest groups. Is ours the kind of conspiratorial thinking that so many criticize or fret about? Is governmental "cognitive infiltration" of its advocates, as Sunstein and Vermeule recommended, or finger-wagging op-eds in America's major media outlets, called for in response to it?

To the contrary, we insist that seeking out and advocating conspiracy theories like this one is a healthy attitude to encourage in citizens of a free society. Regardless of whether the specific conspiracy promulgated here is true, the extent of corporate-bureaucratic-statist cooperation over a routine piece of congressional legislation should gall individuals who think of themselves as free citizens rather than as subjects of the state. We contend that in this time of virtually ubiquitous corporate-state collusion, any practice that encourages citizens to routinely question what real motives lie behind the official lines on all proposed legislation and policy initiatives is useful. If conspiratorial thinking of the sort we've documented helps develop citizens' skepticism about issuances and justifications emanating from the corporate-bureaucratic state Leviathan, then more power to this kind of UCT.

Our garden-variety example also nicely illustrates one way in which real corporate-statist conspiracies develop. The hackneyed myth of some expanding collection of conspirators actively hiding some bombshell secret is, again, mostly Hollywood-esque fantasy. In real corporate-statist conspiracies the number of conspirators actively pursuing the nefarious outcome can be quite small. Do the congressional sponsors and cosponsors of the bill need to know about the legislation's nefarious goal? No. Legislators can be sold on economic and other outcomes introduced in the bill, such as in our example above; the protection the proposed bill offers to the economic interests of their egg-producing constituents (as the California representatives no doubt were); or the positive impact the bill will have, at least in the long term, on the quality of life for domestic laying hens (as perhaps the cosponsors from strongly blue states may have been). What about the president of the Humane Society and his lieutenants? Must they have been active conspirators in a hidden move to drive small- and medium-size egg farms out of business? No. The Humane Society got its desired quality-of-life enhancements written into proposed federal legislation in one fell swoop, potentially relieving the society of fighting expensive state-by-state battles. Why should its officers ask further bothersome questions about the potential impact of this bill on smaller egg producers or be brought into some network of conspirators seeking to accomplish this outcome surreptitiously? The conspirators could count on the society's full and ongoing cooperation simply because of the bill's animal-friendly content. What about the press? Would it need to be made complicit in the bill's dark hidden purpose? Despite federal ag bills' actual societal importance to food availability and costs, these bills don't capture much public attention, and thus don't generate much active press investigation into possibly hidden motives that might not match those bills' official lines. So, there is no need to bring the press into an active conspiracy. General public disinterest in such legislation will generally keep the press from digging into these bills' official lines. What is more, the handful of active conspirators know this, and can rely on this inattention. Our example thus calls into question Keeley's insistence about the almost nihilistic skepticism required by adherents of a mature UCT. Skepticism is required, but only toward official lines. The limited roles played by individual participants in a joint corporate-bureaucratic-statist enterprise effectively cordon off most participants from needing to know about the nefarious hidden goal of a few.

So, we are left needing to suspect the active involvement of only the leadership of Big Egg, through the political work of its representative organization, the UEP. And even these people need not be pursuing the nefarious motive self-consciously, but rather by simply continuing to work on the economic behalf of the group they represent, the biggest agricultural corporations of Big Egg. Everybody else working on the passage of S.3239 can be left in the dark about the legislation's nefarious motive and can be counted on by the handful of conspirators to play their respective roles within the corporate-bureaucratic state. All the other players will support passage of this legislation and can reasonably be counted on to show no curiosity

about any nefarious purpose lurking behind it. After all, fellow legislators routinely pay back debts with bill cosponsorships. It's not a major task for experienced lobbyists and legislative assistants to write bills with expected but not explicitly stated consequences, especially on topics that don't attract a lot of public attention or press coverage. Skilled players in the corporate-bureaucratic state can easily hide nefarious intentions, even from those they bring in to play various roles in a single action. Their respective roles interlock, each corporate-bureaucratic-statist player needs only a limited vision of the endeavor, and each can reasonably be expected to stick to their own tasks and constituents. Interestingly, our worldview here begins to resemble the one Keeley advocates in the final section of his essay.

A citizenry that is constantly skeptical of official lines issued by the Corporate State, and who reflexively hypothesize nefarious conspiracies, is one effective way to reveal any such hidden goals that some players pursue but cannot publicly acknowledge. Massive Hollywood-esque conspiracies are not needed. Such was the genius inherent in the evolution of the machinations of the contemporary corporate-bureaucratic state. But encouraging the kind of conspiratorial thinking elaborated in this chapter among people who self-conceive as free citizens rather than subjects is at least one, albeit small, step toward opposing the state's authoritarian telos.

ADDENDUM: WHAT BECAME OF S.3239 AND THE BROADER CONSPIRACY BEHIND IT?

Neither S.3239 nor the House version made it out of committee in 2012. Amon Baer's "handful of farmers somewhere," along with state-level animal rights activists, mounted what Mikkel Pates, an award-winning journalist at *AgWeek*, described to one of us (Bernstein, private correspondence) as "a strong, unified lobby in the Senate." Attempts to incorporate major provisions of the Egg Products Inspection Act Amendments of 2012 into the 2012 Farm Bill were thwarted by broader politics. By 2013, Pates insisted, these legislative proposals were dead.

Despite this particular failure, the broader conspiracy we reported above has been remarkably successful. The American small- and medium-size egg farm is no more. In 2012, sixteen companies had operations of greater than five million hens. As of the end of 2018, that number had grown to nineteen, with eight of those having more than ten million hens. An additional forty companies have flocks of over one million layers. Over this same period, companies with greater than 75,000 but fewer than one million layers disappeared. In 2012, there were 179 such medium-size operations. In 2018 there were three. UEP has removed this information from its "Stats and Facts" site, but we estimate that those fifty-nine companies, each with more than one million layers, produced nearly 85 percent of eggs sold in the United States in 2018. (In 2012, seventy-six companies produced 87 percent.) We also estimate that in 2018 the eight largest companies produced approximately 43 percent of eggs sold in the United States. To add insult to injury, most of these companies describe themselves as "family farms."

What about the poor laying hens? As of the end of 2018, the US Department of Agriculture estimated that only 17 percent reside uncaged. Fewer than 1 percent live in enriched cages. Suffice it to say, the winner in these developments has been Big Egg. Such are the many tools of the contemporary corporate-bureaucratic state. So, we urge our fellow libertarians to theorize more nefarious conspiracies behind corporate-bureaucratic-statist official lines and shout them out! The corporate-bureaucratic state Leviathan has more than just the federal legislative process in its quiver. All its arrows are aimed at the heart of individual liberties.²¹

NOTES

1. Sunstein, Cass R., and Adrian Vermeule, "Conspiracy Theories," Harvard Public Law Working Paper No. 08-03; University of Chicago, Public Law Working Paper No. 199; University of Chicago Law and Economics, Olin Working Paper No. 387. Available at <http://ssrn.com/abstract=1084585> or <http://dx.doi.org/10.2139/ssrn.1084585>. They are not alone, although their academic profiles are among the highest of recent anti-conspiratorialists. A Google search of "dangerous conspiracy theories" will quickly show how widespread this animosity has become, especially over the last few years.

2. And, we suspect, across the Western world, although we will limit our discussion to the corporate-bureaucratic state we know firsthand.

3. Keeley's paper was published in the highly influential *Journal of Philosophy* and at last count has been cited close to 400 times (jstor.org, queried March 22, 2020). See Keeley, Brian L., "Of Conspiracy Theories," *The Journal of Philosophy* 96(3) (March 1999): 109–26.

4. Keeley, "Of Conspiracy Theories," 122; our emphasis.

5. Keeley, "Of Conspiracy Theories," 124.

6. Knapp, Thomas L., "The Beer Belly Putsch: A Sign of Things to Come," *Counterpunch*, January 7, 2021, <https://www.counterpunch.org/2021/01/08/the-beer-belly-putsch-a-sign-of-things-to-come/>.

7. The full text of S.3239, including a list of cosponsors, is available at <https://www.govtrack.us/congress/bills/112/s3239>.

8. According to a leading egg-laying advocacy group, United Egg Producers (the statistics were last updated in June 2012): <https://web.archive.org/web/20121225092221/http://www.unitedegg.org/GeneralStats/default.cfm>.

9. See the text of the original Egg Inspection Act (2012) here: <https://law.justia.com/codes/us/2012/title-21/chapter-15/>.

10. Kasperowicz, Peter, "Feinstein, Other Senators Propose Federal Standards for Egg-Laying Hens," *The Hill*, May 25, 2012, <https://web.archive.org/web/20120527094208/http://thehill.com/blogs/floor-action/house/229533-senators-propose-federal-standards-for-egg-laying-hens>. All subsequent quotations are from this article.

11. See <http://www.unitedegg.org/>.

12. United Egg Producers, "Egg Industry Fact Sheet," revised June 2012, <https://web.archive.org/web/20121225092221/http://www.unitedegg.org/GeneralStats/default.cfm>.

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4

Under the Copybook Headings

Rudyard Kipling's Ethics of Civilization

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I was not always a dissident philosopher. I had imbibed the left-wing political views of the *Kultursmog* in college. Even there, however, I began to have doubts. As a senior I attended a debate between Robert Heilbroner and Milton Friedman; afterward, the college president hosted a handful of economics majors to continue the discussion in his living room. An economics major friend managed to sneak me in. Heilbroner seemed to me at the time to have gotten the better of the debate; his position seemed more sophisticated, and, fresh from reading *The Worldly Philosophers*, I appreciated its nuances. Hearing Friedman's direct, plainspoken common sense in an informal setting, however, made me suspect that Heilbroner's intellectual intricacy concealed a deeper conceptual inadequacy. It is easy, after all, to state the plain truth; denying it requires more intellectual gymnastics.

The mid- to late 1970s, moreover, were unfriendly to the views I had adopted in college. The economic and foreign policy failures of Carter's presidency revealed the deeper failures of the ideas motivating those policies. Stagflation undermined Keynesian economics as surely as the Soviet invasion of Afghanistan and the seizure of the American Embassy in Tehran undermined appeasement. Meanwhile, developments in Vietnam and Cambodia refuted antiwar arguments I had heard throughout my adolescence. Reeducation camps, boat people, the Khmer Rouge, the killing fields, yellow rain, the absence of even one member of the Vietcong in the Politburo of a united Vietnam—all seemed to show that the Vietnam War was not “a criminal war, criminally conducted,”¹ but a just war, foolishly conducted and cynically undermined by a Democratic Congress for crass political reasons.

The dramatic economic and foreign policy successes of the Reagan administration seemed to confirm the superiority of conservative ideas. When Tip O'Neill

railed against Reagan's proposed tax cuts, claiming that the benefits would go mostly to the rich—"those making over \$40,000 a year"—I accepted that I was now a conservative. My wife and I were fresh out of school. Combined, we made less than \$40,000 a year—but not *that* much less. We were broke; we had spent our last \$2,000 moving to Texas. We were startled to find ourselves classified as almost rich. That day, I learned an important lesson: when Democrats talk about "the rich," they mean anyone who has a job.

My views were shaped just as much by what I read as what I saw. Alexandr Solzhenitsyn, Václav Havel, and Bernard Henri-Lévy convinced me that socialism was inherently hostile to human rights, human dignity, and the truth.² Edmund Burke, Friedrich Hayek, Robert Nozick, and, later, Iris Murdoch gave me a positive vision of an alternative.³ Vermont Royster, Robert L. Bartley, Jack Kemp, and others writing in the *Wall Street Journal* linked theoretical concerns to everyday questions of economics and politics. By 1984 I was volunteering for the Reagan campaign.

In the years since, I have found myself consistently out of step with prevailing opinion in the academy. The more familiar I became with that worldview, however, the more I wondered whether it had any basis in reality at all. Few colleagues had deeply considered, comprehensive political theories. They seemed to absorb the *Zeitgeist* and repeated the opinions that informed, intelligent, educated people were supposed to hold. In practice, that meant they thought whatever the editorial pages of the *New York Times* told them to think. When I began team-teaching "Contemporary Moral Problems" with my friend Nicholas Asher, one of the most brilliant and thoughtful people I have ever known, he was astounded to realize that there was no real philosophical foundation for his views. I could appeal to Aristotle, Locke, Burke, Mill, Hayek, and Nozick; he found himself making do with Rousseau, Marx, and Rawls, even though none reflected his own political philosophy.

In that course, I found myself using arguments from the thinkers I've mentioned, together with some that felt natural and intuitive but seemed absent from their analyses. The arguments varied, but all of them were *dynamic*: they rested on the idea that the choices we make now shape the options available to us and to other people in the future. The arguments were, in effect, generalizations of Mill's argument against voluntary slavery, an exercise of current freedom at the cost of future freedom. I began to worry that my stance, too, lacked a thoroughgoing philosophical foundation. And then I began to read Rudyard Kipling. I saw Kipling using similar arguments. Thanks to his poetry, I saw the outline of a philosophical basis for them.

4.1. AN ETHICS OF CIVILIZATION

Many critics sense a philosophical view in Kipling—and they hate it. George Orwell: "It is no use pretending that Kipling's view of life, as a whole, can be accepted or even forgiven by any civilized person. . . . Kipling is a jingo imperialist, he is

morally insensitive and aesthetically disgusting.”⁴ Edmund Wilson: “The whole work of Kipling’s life is to be shot through with hatred”; it is “anti-democratic” and “venomous, morbid, distorted.”⁵ Lionel Trilling: “His imperialism is reprehensible not because it is imperialism but because it is a puny and mindless imperialism. In short, Kipling is unloved and unlovable. . . . Kipling was one of liberalism’s major intellectual misfortunes. . . . No man ever did more harm to the national virtues than Kipling did.”⁶ Martin Seymour-Smith finds Kipling’s political views “particularly grotesque, perhaps lunatic.”⁷ “Kipling’s polemic,” he contends, is “too one-sided,” “incorporates personal sadistic elements which have no business to be contained within it,” “impracticable, obscurantist and unrealistic, and inhumane,” “refuses to take account of individual good will,” and “ignores under the thoughtless rubric of wickedness all that it too mindlessly dislikes.”⁸ W. L. Renwick sees Kipling’s philosophy as “philistinism” and “somewhat degenerate Stoicism”—“his whole constitution, training and habit incapacitated him for philosophy.”⁹

I think all this is radically mistaken. Kipling advances an important and now neglected view of ethics, one that would have been natural to ancient Hebrews, the American founders, and Britons raised on Greek and Roman history and literature and Gibbon’s *Decline and Fall* but has become almost inconceivable today. Kipling’s ethics is an *ethics of civilization*. Sympathetic commentators have sometimes grasped this fact. Lord Birkenhead sees that “His Law is the Law of Civilization and of progress.”¹⁰ Roger Kimball agrees: “Kipling was above all the laureate not of Empire, but of civilization, especially civilization under siege.”¹¹ The primary unit of ethical reflection, for Kipling, is at the level of civilization—as opposed to character, intention, action, rules, principles, or even institutions. Kipling, I contend, is a civilizational consequentialist.

4.2. SUSTAINABILITY

Here I want to focus especially on one poem: “The Gods of the Copybook Headings.” The copybook headings are “his paean to old-fashioned commonsense,”¹² but they are also more. Joyce M. S. Tompkins calls them “unescapable conditions inherent in human nature, witnessed by history, ignored at our peril.”¹³ That thought—that the copybook headings are “witnessed by history, ignored at our peril”—gets to the heart of the matter. Kipling’s stage is history, not an individual action or interaction. And ignoring the copybook headings courts long-term danger: “The Gods of the Copybook Headings/With terror and slaughter return.”¹⁴

Kipling’s orientation diverges sharply from that of much contemporary ethics and political philosophy. John Rawls, for example, begins *A Theory of Justice* by pronouncing, “Justice is the first virtue of social institutions. . . . [L]aws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust.”¹⁵ Kipling could hardly disagree more. He is not arguing about

justice or advancing any theory of justice. He certainly does not think that justice is the first virtue of anything. If there is a first virtue of a civilization, Kipling believes, it is *survival*. What good is a just society if it cannot last? “Laws and institutions,” Kipling might answer, “no matter how just, must be reformed or abolished if they are *unsustainable*.”

Kipling’s critique of feminism, for example, is precisely that the social vision it advocates is unsustainable:

On the first Feminian Sandstones we were promised the Fuller Life
 (Which started by loving our neighbour and ended by loving his wife)
 Till our women had no more children and the men lost reason and faith,
 And the Gods of the Copybook Headings said: “The Wages of Sin is Death.”

Kipling focuses on consequences, not on justice, equality, or rights. He worries that feminism leads to sexual decadence, declining birth rates, and loss of a sense of purpose. In short, he contends that a society based on sexual equality cannot last. For a civilization to survive over the long run, it must replicate itself by producing children and raising them to believe in its values. It must therefore have values and adults committed enough to them to have children to teach them to. A civilization that cannot do that cannot survive.

Kipling’s critique of socialism is similar:

In the Carboniferous Epoch we were promised abundance for all,
 By robbing selected Peter to pay for collective Paul;
 But, though we had plenty of money, there was nothing our money could buy,
 And the Gods of the Copybook Headings said: “If you don’t work you die.”

Once again, Kipling focuses on long-term consequences rather than on justice or equality. He worries that socialism leads to inflation, shortages, and collapse. Even worse, it can lead to mass murder:

And that after this is accomplished, and the brave new world begins
 When all men are paid for existing and no man must pay for his sins,
 As surely as Water will wet us, as surely as Fire will burn,
 The Gods of the Copybook Headings with terror and slaughter return!

In a slogan: Social justice dooms the just. A socialist or egalitarian society is unsustainable.

Kipling’s emphasis on consequences and his disdain for abstract normative conceptions mark him as a consequentialist. Yet he is, I am arguing, a special sort of consequentialist, one who views the proper unit of analysis as a civilization—not an action, type of action, rule, motive, or character trait. His is a large-scale consequentialism, which views actions, rules, policies, and even institutions in the context of the civilization they inhabit and asks about their effects on its sustainability.

4.3. CONSEQUENTIALISMS

Consequentialism itself is a familiar view, holding that moral value derives entirely from consequences. Roughly speaking, consequentialists hold that x is morally better than y if x tends to lead to better consequences than y does.¹⁶

But what is the appropriate domain for x and y in that formula? *Act consequentialism* takes it to consist of actions. Jeremy Bentham evaluates an action “according to the tendency it appears to have to augment or diminish the happiness of the party whose interest is in question.”¹⁷ John Stuart Mill theorizes that “actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness.”¹⁸

But that is not the only plausible way to specify a domain. Bishop Berkeley takes rules as fundamental, thus framing the theory now known as *rule consequentialism*: “our practice must be always shaped immediately by the rule.”¹⁹ We may still talk about the moral value of actions, but no longer in terms of *their* effects but instead in terms of the effects of the *rules* they follow. One act is morally better than another if a rule directing it would tend to lead to better consequences than a rule directing the alternative would.

There are other possibilities. Robert Adams defends *motive consequentialism*, the view that “one pattern of motivation is morally better than another to the extent that the former has more utility than the latter.”²⁰ R. M. Hare has defended *character consequentialism*, taking the proper domain of evaluation to consist of character traits.²¹ Jeremy Evans has argued for *institutional consequentialism*, holding that the proper domain consists of institutions: one institution is morally better than another if it tends to have better consequences.²² For Kipling, the proper domain is civilizations. One civilization is morally better than another if it tends to have better consequences, in the sense that its people tend to lead better lives. What that involves remains to be specified. Our job is *to do our jobs*: to fulfill our roles in ways that preserve and strengthen our civilization.

4.4. INSTITUTIONAL CONSEQUENTIALISM

Evans’s institutional consequentialism marks a significant innovation in the history of consequentialist theories. Actions, motives, and character traits are all individually oriented; individual people do things from motives, manifesting various character traits. Theories based on actions, motives, and character traits, whether token or type, thus retain an individualist orientation. Evans’s institutional framework, in contrast, is communally oriented. His theory entails an ethics of social roles, implying that people should play appropriate roles in preserving and strengthening good institutions.

Consider, for example, the ethics of driving. The behavior of individual drivers, the rules of the road, the design of vehicles, and the design of traffic systems all

interact. In understanding that complex combination of systems, we should not begin with the actions, motivations, and character traits of drivers, or even with a system of traffic laws. We start with large-scale questions about transportation systems: about the design of highway systems, the engineering of vehicles and roadways, and the overall goals of a transportation network. In short, we start with institution-level questions. We then proceed to develop a system of traffic laws appropriate to that system. Finally, we attend to the behavior, motives, and traits of drivers. There is a point to normative theories at each level; we can ask what individual drivers should do in various situations; what traits to encourage in drivers, what traffic laws and informal rules of the road we ought to adopt, how best to design cars; how to design and construct public transit; and so on. But the lower levels are contextual; they depend on the resolution of questions at higher levels. What should individual drivers do? The simplest and most accurate answer is that they should play the roles that a successful transportation system assigns to them. Of course, a successful system takes into account the capacities and tendencies of drivers and promotes the ends those drivers tend to have. But those are descriptive matters. The norms we apply to individual drivers stem from the norms we apply to transportation systems as a whole.

Evans generalizes from this example. He sees institutional consequentialism as the foundation of an ethics of social roles like that of relationship regulation theory. According to that theory, there are four basic relationship types, each of which is governed by a normative framework:

- *Communal sharing*—close relationships in which there is little to no concern about who has what, and each has an obligation to share with others
- *Authority ranking*—relationships within a hierarchy, in which the superior deserves respect and obedience from inferiors and has obligations to nurture and care for them
- *Equality matching*—peer relationships in which people are properly concerned with reciprocity and equality
- *Market pricing*—relationships presupposing no special relation, in which proportionality to quality, merit, contribution, or some other dimension is primary²³

There is, in this view, no single answer to individual-level questions about moral obligation or preferability. One person's obligation to another depends on the relationship, if any, that exists between them. But that relativity at the individual level should not blind us to the theory's fundamental unity at the communal level. People's primary responsibility in a situation is to fulfill their social roles in that situation, satisfying the normative demands of the relationships involved in a way that promotes the sustainability of the institutions within which those roles and relationships exist.

I have said that Evans's institutional consequentialism is communally oriented, while act, rule, motive, and character consequentialisms are individually oriented.

The theory's communal orientation, however, does not mean that the good of an institution is somehow independent of the goods of individual people. What consequentialism takes as its basic unit of analysis—how it specifies the domain of x and y in the general formula—is independent of how it defines the *measure* (that is, what it is for one consequence to be better than another).

Rule consequentialists, for example, typically take rules as basic units of analysis but retain individual measures of value. Institutional consequentialism, analogously, takes institutions as basic units and specifies normative relations of actions, motives, character traits, and so on by relating them ultimately to institutions. But it can retain an individual measure of value. To return to the traffic system example, we may start by designing a transportation system and derive from that a good system of traffic laws, good methods for driver training, and so on. But we may still measure the success of our transportation system in terms of its safety and efficiency for the individual people using it.

4.5. CIVILIZATIONAL CONSEQUENTIALISM

Kipling's is a *civilizational consequentialism*, which takes the basic unit of analysis as an entire civilization. Note the poem's attention to civilizations:

That a tribe had been wiped off its icefield, or the lights had gone out in Rome.

Civilizational consequentialism holds that one civilization is morally better than another if it tends to lead to better consequences; one act is morally better than another if a civilization including it would tend to be better than one excluding it. We might summarize a direct version of the view this way: one act is morally better than another if it preserves and strengthens civilization. But we might also adopt an indirect version friendly to Evans's approach. We should act to preserve and strengthen the institutions that themselves preserve and strengthen a good civilization. We should work to develop the character traits that better enable us to fulfill our roles within such institutions.

Civilizational consequentialism, like institutional consequentialism, is communally oriented. Kipling's version nonetheless adopts an individual measure of value. Better civilizations, in his view, are better not by virtue of possessing certain abstract, communally defined properties (harmony, order, equality, and the like) but by virtue of being better for the people within them. Good civilizations are good for their people. Civilizational consequentialists may vary in what they value; some might stress happiness, while others desire satisfaction, and still others, including Kipling, an array of features such as prosperity, security, strength, health, life expectancy, civility, trust, vitality, cooperation, achievement, knowledge, friendship, love, beauty, and countless other things.

4.6. ARGUMENTS FOR AN ETHICS OF CIVILIZATION

I do not have space here to develop arguments in favor of civilizational consequentialism in detail. Roughly speaking, there are at least three, which parallel arguments that favor rule over act consequentialism:

1. *Interdependence.* We cannot evaluate the expected consequences of actions considered in isolation, or even in a given context; consequences can depend on what other people do. Simultaneous games such as prisoners' dilemmas offer examples. Games without dominant strategies or Nash equilibria are even clearer cases. Similarly, we cannot evaluate the expected consequences of rules, policies, motives, character traits, or even institutions considered in isolation or in a given context apart from the civilization they inhabit.
2. *Sensitivity.* There are moral phenomena that arise only at the level of civilizations. Just as two acts might appear equal in isolation but apply rules the consequences of which are unequal—in R. F. Harrod's example, securing pleasure for oneself and securing an equal amount of pleasure for someone else²⁴—two rules, policies, motives, traits, and so on might appear equal in isolation but unequal in the context of a certain civilization, for they might interact to have effects they would not have in isolation. They might promote or undermine traits crucial to that civilization's long-term survival.
3. *Vulnerability.* Act consequentialism is vulnerable to error. Calculations are complicated; effects are hard to foresee. We tend to distort calculations to our own advantage and reason poorly about low-probability results. Those considerations apply just as well to rules, policies, motives, traits, and institutions. Civilizational consequentialism is less vulnerable for evolutionary reasons. Civilizations embody millennia of experience. They are further from considerations of our own advantage. And history provides case studies of successful and unsuccessful civilizations.

Can one mount similar arguments concerning civilizations themselves, to push for a cosmopolitan consequentialism taking entire worlds as its basic units? Perhaps we cannot evaluate the expected consequences of civilizations considered in isolation; the consequences depend on what other civilizations exist and what they do. Perhaps two civilizations can appear equal in isolation but unequal in a global context. Perhaps assessing whether something weakens or strengthens a civilization is just as vulnerable to error as any other calculation.

Kipling, however, discounts these concerns. Civilizations face similar problems and threats over the long run. A civilization, ideally persisting for millennia, must adapt to many global contexts. The Gods of the Copybook Headings are universal, independent of any particular global setting.

Moving to a cosmopolitan perspective, moreover, would increase vulnerability to error, detaching us from the lessons of history, encouraging us to "dream things that

never were” and replace “Why” with “Why not?”²⁵ Kipling derides cosmopolitans as know-nothings, pursuing a narcissistic vision of utopia. He despises Woodrow Wilson, for example, whom he sees as paradigmatically cosmopolitan in his approach to world affairs. Wilson is “an immensely ignorant intellectual. . . . a man unconnected by knowledge or experience with the facts of the world in which we live.”²⁶ “Au fond W. is strictly neutral to everyone except himself.”²⁷ “One sometimes wonders how much blood that man might have saved while he was so busy saving everybody’s soul.”²⁸ Cosmopolitanism draws us toward “Uplift, Vision and Breadth of Mind,” so that our “bandaged finger goes wabbling back to the Fire.”

4.7. ANTIFRAGILITY

According to Kipling’s ethics of civilization, there is one ultimate moral aim: that civilization be as good as possible. We should act to promote the good of civilization—to preserve and strengthen it. Preservation is primary: “[Kipling] realized that for every single thought for the embellishment of Life, there must be ten for its actual preservation.”²⁹

Any civilization must from time to time confront external threats from other civilizations or from nature itself. “For [Kipling] civilization (and consciousness) is a little citadel of light surrounded by a great darkness full of malignant forces and only maintained through the centuries by everlasting vigilance, will power and self-sacrifice.”³⁰ This explains Kipling’s fascination with the borders of civilization and with the Law of the Jungle, where the clash between social organizations and natural threats is most evident.

Every civilization also faces internal threats arising from complacency, selfishness, narcissism, and moral myopia as well as from cosmopolitan idealism. Most moral theorizing takes civilization for granted. That, Kipling would argue, is a fundamental mistake. It explains why the recommendations of moral philosophers so often diverge from common sense and from the practice of ordinary people. Civilization is fragile.³¹ Those who pursue normative ideals without attending to civilization’s health endanger it. As Evelyn Waugh put it, “Kipling believed civilization to be something laboriously achieved which was only precariously defended. He wanted to see the defenses fully manned and he hated the liberals because he thought them gullible and feeble, believing in the easy perfectibility of man and ready to abandon the work of centuries for sentimental qualms.”³²

If there is a first virtue of civilizations, as I have said, it is survival. Self-preservation—not of each individual, social group, or nation, but of a civilization—is the prime directive. That requires defense, but it is not only a matter of defense. Preserving a civilization over the long run requires strengthening it, helping it to withstand internal as well as external threats.

Nicholas Nassim Taleb offers a theory compatible with civilizational consequentialism: “What is rational is what allows the collective—entities meant to live for a long time—to survive.”³³ He defines fragility as sensitivity to disorder and distinguishes

robustness—insensitivity to disorder—from *antifragility*, the tendency to thrive from disorder. A fragile civilization is vulnerable to shocks, to volatility, to internal and external threats; a robust civilization is, over a fairly wide range, relatively invulnerable to them. An antifragile civilization, again over a fairly wide range, grows stronger when exposed to shocks, volatility, and threats. It is good to survive shocks; it is better to grow stronger in response to them.

Our goal, as individuals and as a civilization, should be antifragility. We want not merely to resist threats and survive shocks but to grow from them, to become more resistant and resilient as a result.

4.8. WAGON-TRAIN MORALITY

The ethics that accords with civilizational consequentialism, when viewed from an individual perspective, differs from that of most moral theories. In Thomas Nagel's terms, it places a greater emphasis on the view from *here* and less (if any) emphasis on the view from nowhere, than most moral theories.³⁴ "East is East and West is West"—though clashes between civilizations show that we must sometimes consider not only the view from *here* but also the view from *elsewhere*. It places a greater emphasis on social roles—on "my station and its duties"—than most theories allow.³⁵ It is suspicious of theorizing in general, for theories tend to take us away from the facts of history; from the real tendencies of people, societies, and civilizations; and from our own cognitive limitations. It insists on caution and on taking responsibility.

Civilizational consequentialism in itself does not decide the priority of virtues, motives, rules, and actions. We might evaluate each in terms of civilizational antifragility, as I think Kipling does—conflicts that arise as a result motivate many of his works—or we might take one as primary and evaluate others in terms of it.

If we follow Kipling, an ethics of civilization, from an individual point of view, looks like what Joan Didion calls "wagon-train morality": "a code that has as its point only survival, not the attainment of the ideal good."³⁶ Any ethics with a vision of the good that goes beyond the preservation and strengthening of civilization is "intrinsically insidious," as she puts it, for it seeks to impose on us a conception of the good we have no reason to share.³⁷ What is good is what promotes civilization's antifragility—full stop.

Kipling outlines the conception of virtue stemming from his ethics of civilization in many works, but especially in "If." The virtues are those required for antifragility, for doing one's duty as one's roles and the needs of one's civilization demand. Strength, robustness, resilience, courage, humility, endurance, epistemic modesty, a practical orientation, a willingness to accept responsibility, and commitments to common sense and the truth rank high. Virtuous people have self-respect in Didion's sense; they "have the courage of their mistakes."³⁸ They accept the risks they take and face the consequences. They do not try to transfer risk to others. In Kipling's words, annotated with the virtues mentioned above:

If you can keep your head when all about you
 Are losing theirs and blaming it on you, [*robustness*]
 If you can trust yourself when all men doubt you, [*self-respect*]
 But make allowance for their doubting too; [*epistemic modesty*]
 If you can wait and not be tired by waiting, [*endurance*]
 Or being lied about, don't deal in lies, [*truth*]
 Or being hated, don't give way to hating, [*robustness*]
 And yet don't look too good, nor talk too wise: [*humility*]
 If you can dream—and not make dreams your master; [*practical orientation*]
 If you can think—and not make thoughts your aim; [*practical orientation*]
 If you can meet with Triumph and Disaster
 And treat those two impostors just the same; [*robustness*]
 If you can bear to hear the truth you've spoken. [*truth*]
 Twisted by knaves to make a trap for fools, [*robustness*]
 Or watch the things you gave your life to, broken,
 And stoop and build 'em up with worn-out tools: [*endurance, robustness*]
 If you can make one heap of all your winnings
 And risk it on one turn of pitch-and-toss, [*accept risks*]
 And lose, and start again at your beginnings
 And never breathe a word about your loss; [*robustness; responsibility*]
 If you can force your heart and nerve and sinew
 To serve your turn long after they are gone, [*endurance, strength*]
 And so hold on when there is nothing in you
 Except the Will which says to them: "Hold on!" [*endurance*]
 If you can talk with crowds and keep your virtue,
 Or walk with Kings—nor lose the common touch, [*common sense*]
 If neither foes nor loving friends can hurt you, [*robustness*]
 If all men count with you, but none too much; [*robustness*]
 If you can fill the unforgiving minute
 With sixty seconds' worth of distance run, [*strength, endurance*]
 Yours is the Earth and everything that's in it,
 And—which is more—you'll be a Man, my son!³⁹

4.9. THE BINDING FOUNDATIONS

I will close by outlining forms of argument central to civilizational consequentialism. The forms are not new; indeed, they are ancient, underlying the moral prescriptions of the Torah as well as much of commonsense morality.⁴⁰ Moral intuitions encode civilizational considerations in ways not easily analyzed in standard deontological or consequentialist terms.

Some argument forms reflect what Jonathan Haidt and his collaborators call the *binding foundations*: loyalty, respect for authority, and purity or sanctity.⁴¹ If one's concern is the preservation and strengthening of a civilization, then the importance of loyalty to that civilization is obvious. Civilization, like freedom, "is never more than one generation away from extinction."⁴² People must be committed enough to

a civilization to transmit it to the next generation. They must share its values and remain loyal to them; they must work to transmit them by having children, teaching them, and exemplifying civilization's values in what they do.

That is not to say that everyone must have children, be a teacher, or exemplify those values. But enough must that the civilization continues to thrive. Nor is it to say that people should accept the current values of a civilization uncritically. Strengthening a civilization may require changing it in various ways, repairing its weaknesses and allowing it to adapt to new realities. But the goal is strengthening the civilization already in place, not weakening it, undermining it, or replacing it with some imagined alternative. Loyalty does not mean uncritical acceptance, but it does entail skepticism about utopian visions. Civilizational consequentialism is thus profoundly conservative. It requires a love of one's own and an incrementalist attitude toward seeking improvements in society.⁴³

It also requires respect for authority, not necessarily for those in positions in the current power structure, who after all may be weakening our civilization, but for the authority of the civilization itself—for its values, achievements, and history. The norms of a civilization develop over long periods, shaped by the experiences and wisdom of generations. Their choices may have been suboptimal or even dead wrong. Changing circumstances may require reversing decisions that were wise in their time. But we should presume that norms and intuitive responses are there for reasons. They should not be changed unless those reasons are well understood and a powerful case has been made that they have been undercut, overridden, or made obsolete.⁴⁴

Civilizational consequentialism grounds appeals to purity, sanctity, and dignity as well as objections to defilement or degradation. Such appeals and objections form a crucial part of morality in many civilizations, including our own. They are not, in general, mere prejudices or superstitions. Nor do they rest on specific religious commitments. They are about the preservation and strengthening of a civilization.

Sometimes, they promote a civilization's sustainability directly. The Torah's restrictions on sexual behavior, for example, aim to keep sexuality and procreation closely intertwined. From a civilizational point of view, the reason seems clear: sexual impulses, so linked, incline people to have children and perpetuate their civilization. Sexuality divorced from procreation leads to declining birthrates and a concomitantly declining commitment to the future.

Sometimes, however, appeals and objections relating to purity concern a civilization's identity, preserving it by distinguishing it from civilizations with different values. To take a trivial example, black and yellow are not intrinsically better colors than brown and orange. But for a Pittsburgh Steelers fan to wear brown and orange to a game against the Cleveland Browns would be a betrayal, reasonably provoking moral disapproval. More significantly, the US flag is not intrinsically better than the flags of Canada, Mexico, the United Kingdom, France, Italy, and so on. But Americans owe it respect that they do not owe the flags of other countries.

The central forms of argument concern the future, invoking long-term consequences for the civilization as a whole. These are the arguments I found myself making that I could not place within standard ethical or political theories.

1. *Incentives.* One cannot isolate the effects of decisions or actions from the incentives that they create. Actions that appear beneficial in their immediate context can generate incentives that cause net harm over the long run.
2. *Dynamics.* More generally, one cannot look at actions or policies in a static way, thinking about their effects while holding everything else constant. Actions change the contexts in which they are performed, not only by creating or eliminating incentives but also by altering the framework of choices that people make in the future and the conditions under which they make them. This is obvious in economics, where changes in tax policy, for example, can affect the behavior of taxpayers. But it is just as true in other areas.
3. *Interactions and feedback loops.* Societies are not single systems; they consist of many systems, interacting and evolving in many ways and in many dimensions. Social problems are generally, to use Austin Bay's term, *wicked*—complex, dynamic, dangerous, and unpredictable, with many interdependent variables and unknowns—in a VUCA (volatile, uncertain, complex, and ambiguous) environment.⁴⁵ Changes to one system can affect other systems; feedback loops can intensify or diminish effects of actions and policies in unexpected ways. As the law of unintended consequences reminds us, the unintended effects of an action are usually more important than the intended effects—if those occur at all.
4. *Moral hazard and responsibility.* Actions that appear beneficial and compassionate, when viewed statically, often shield people from the negative consequences of their own actions. That weakens incentives not to act in those ways. The shielding may also place burdens on those who act in positive ways, giving them less incentive to do that. The result is more negative actions and fewer positive ones. Shielding people from their own mistakes and allowing them to shift the risks they take to others creates incentives for them to ignore those risks, leading them to engage in riskier behaviors and allowing them to make decisions on the basis of criteria unrelated to consequences. Civilizational consequentialism requires attention to risks, especially those accumulating over the long term that tend to be ignored by actors who do not personally have to face the effects of their actions.

Because long-term effects (and especially long-term risks) are difficult to judge, and because our social environment is volatile, uncertain, complex, and ambiguous, civilizational consequentialism recommends epistemic modesty. We should approach social problems with great caution, aware that even seemingly uncontroversial actions can have devastating and unexpected effects.

Finally, civilizational consequentialism entails suspicion toward a common form of moral argument based on consent and lack of immediate harm, which infuses political discussions as well as various Supreme Court decisions. “These people are freely choosing to do this; how does it affect anyone else?” We have to ask what happens over the long run—over generations, over centuries—to a civilization that allows such behavior. The question is not how it affects you; the question is how it affects your great-grandchildren.

That question is difficult, and answers to it are uncertain. That does not entitle us to ignore it. We have our history, our traditions, and our moral intuitions, honed over millennia, as our guides.⁴⁶

NOTES

1. Nagel, Thomas, *Mortal Questions* (London: Canto, 1979).
2. Solzhentisyn, Alexandr, *The Gulag Archipelago* (New York: Harper & Row, 1973) and “A World Split Apart” (Commencement Address Delivered at Harvard University, June 8, 1978); Havel, Václav, “The Power of the Powerless,” in John Keane (ed.), *The Power of the Powerless: Citizens against the State in Central-Eastern Europe* (Armonk: M. E. Sharpe, 1985), originally published in Czech in 1978 as “Moc bezmocných”; Henri-Lévy, Bernard, *Barbarism with a Human Face* (New York: Harper & Row, 1977).
3. Hayek, Friedrich, *The Road to Serfdom* (Chicago: University of Chicago Press, 1944); Nozick, Robert, *Anarchy, State, and Utopia* (New York: Basic Books, 1974); Iris Murdoch, *Metaphysics as a Guide to Morals* (New York: Penguin, 1994).
4. Orwell, George, “Rudyard Kipling,” in Andrew Rutherford (ed.), *Kipling’s Mind and Art* (Stanford: Stanford University Press, 1964), 70 (originally published 1942).
5. Wilson, Edmund, “The Kipling That Nobody Read,” *Atlantic Monthly* CLXVII (1941), 201–214; reprinted in Rutherford, *Kipling’s Mind and Art*, 21, 43.
6. Trilling, Lionel, “Kipling,” in Rutherford, *Kipling’s Mind and Art*, 91, 93 (originally published 1943).
7. Seymour-Smith, Martin, *Rudyard Kipling* (New York: St. Martin’s, 1989), xv.
8. Seymour-Smith, *Rudyard Kipling*, 122.
9. Renwick, W. L., “Re-Reading Kipling,” *Durham University Journal* XXXII (1939–1940); reprinted in Rutherford, *Kipling’s Mind and Art*, 3, 14.
10. Lord Birkenhead, *Rudyard Kipling* (New York: Random House, 1978), 227.
11. Kimball, Roger, “Rudyard Kipling Unburdened,” *New Criterion* 26(8) (April 2008): 26.
12. Lycett, Andrew, *Rudyard Kipling* (London: Weidenfeld and Nicolson, 1999), 473.
13. Tompkins, Joyce M. S., *The Art of Rudyard Kipling* (London: Methuen & Co., 1959), 197.
14. Kipling, Rudyard, “The Gods of the Copybook Headings,” *Sunday Pictorial* (London), October 26, 1919; reprinted in Rudyard Kipling’s *Verse* (Garden City, NY: Doubleday, 1940), 801–3. Other quotations from Kipling will be to this poem unless otherwise noted.
15. Rawls, John, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 1.
16. Consequentialism is essentially a scalar theory, a theory of *better than*, not of obligation, as John Stuart Mill saw clearly by defining his view in terms of proportionality. Whether

we can understand obligation in terms of maximizing, satisficing, or something else is a distinct issue I shall not discuss here.

17. Bentham, Jeremy, *Principles of Morals and Legislation* (London: Printed for T. Payne and Son at the Mews Gate, 1789), Chapter 1.

18. Mill, John Stuart, *Utilitarianism* (London: Parker, Son and Bourn, 1863), Chapter 2. That Mill intends his theory as act consequentialist seems clear from a letter to John Venn, in which he says, “the right way of testing actions by their consequences, is to test them by the natural consequences of the particular action, and not by those which would follow if every one did the same” (“Letter to John Venn, April 14, 1872,” in Mill, John Stuart, *The Collected Works of John Stuart Mill, Volume XVII—The Later Letters of John Stuart Mill 1849–1873 Part IV* (Toronto: University of Toronto Press; London: Routledge & Kegan Paul, 1972).

19. Berkeley, George, *Passive Obedience, or the Christian Doctrine of Not Resisting the Supreme Power, Proved and Vindicated upon the Principles of the Law of Nature* (London: Printed for H. Clements at the Half-Moon in St. Paul’s Church-Yard, 1712), 26; reprinted in *A Guide to the British Moralists*, ed. D. H. Monro (London: Fontana, 1972), 217–27.

20. Adams, Robert, “Motive Utilitarianism,” *Journal of Philosophy* 73(14) (1976): 470.

21. Hare, R. M., *Moral Thinking* (Oxford: Oxford University Press, 1982).

22. Evans, Jeremy, *Role Ethics and the Moral Institutions of a Flourishing Collective* (PhD dissertation, University of Texas at Austin, 2014).

23. Fiske, Alan Page, “The Four Elementary Forms of Sociality: Framework for a Unified Theory of Social Relations,” *Psychological Review* 99(4) (1992): 689; Rai, Tage Shakti, and Alan Page Fiske, “Moral Psychology Is Relationship Regulation: Moral Motives for Unity, Hierarchy, Equality, and Proportionality,” *Psychological Review* 118 (2011): 57–75.

24. Harrod, R. F., “Utilitarianism Revised,” *Mind* 45(178) (1936): 155. The three arguments discussed here are Harrod’s central arguments for rule utilitarianism.

25. From the words of the serpent to Eve in Shaw, George Bernard, *Back to Methuselah* (London: Constable, and New York: Brentano’s, 1921).

26. Kipling, Letter to Theodore Roosevelt, 21 April 1918, in *The Letters of Rudyard Kipling, Volume 4: 1911–1919*, ed. Thomas Pinney (Iowa City: University of Iowa Press, 1999), 488–89.

27. Kipling, Letter to Milner, 24 December 1918, in *Letters of Rudyard Kipling*, ed. Pinney, *Letters of Rudyard Kipling*, 488.

28. Kipling, Letter to Theodore Roosevelt, 21 April 1918, in *Letters of Rudyard Kipling*, ed. Pinney, 488.

29. Birkenhead, *Rudyard Kipling*, 228.

30. Birkenhead, *Rudyard Kipling*, 227–28.

31. See Lycett, *Rudyard Kipling*, 3: “He came to regard civilization as a fragile edifice; temporal powers could easily be overthrown; those that survived enjoyed order and cohesiveness, often as a result of some shared belief or religion.”

32. Waugh, Evelyn, *The Essays, Articles and Reviews of Evelyn Waugh* (London: Methuen, 1983), 625.

33. Taleb, Naseem Nicholas, *Skin in the Game* (New York: Random House, 2018), 26. See also his *Antifragile* (New York: Random House, 2014).

34. Nagel, Thomas, *The View from Nowhere* (New York: Oxford University Press, 1986).

35. Bradley, F. H., *Ethical Studies* (London: Oxford University Press, 1876).

36. Didion, Joan, “The Insidious Ethic of Conscience,” *The American Scholar* 34(4) (Autumn 1965): 626, 627.

37. Didion, “The Insidious Ethic of Conscience,” 627.
38. Didion, Joan, “Self-Respect: Its Source, Its Power,” *Vogue* 138(2) (August 1, 1961): 63.
39. Kipling, Rudyard, “If,” *American Magazine* LXX(6) (October 1910): 715–16, reprinted in *Rewards and Fairies* (London: Macmillan, 1910) and *If* (Garden City, NY: Doubleday Page and Company, 1910).
40. Note Rabbi Nathan’s summary in *The Babylonian Talmud*, trans. Michael L. Rodkinson (Boston: Talmud Society, 1918), Vol. I (IX), Ethics of the Fathers, 1:1: “Do not be hasty in judgment; bring up disciples; and build ramparts around the Law”—in short, epistemic caution plus civilizational preservation and strengthening.
41. Haidt, Jonathan, “The Emotional Dog and Its Rational Tail: A Social Intuitionist Approach to Moral Judgment,” *Psychological Review* 108 (2001): 814–34; Graham, Jesse, Jonathan Haidt, and Brian A. Nosek, “Liberals and Conservatives Rely on Different Sets of Moral Foundations,” *Journal of Personality and Social Psychology* 96 (2009): 1029–46; Haidt, Jonathan, *The Righteous Mind: Why Good People Are Divided by Politics and Religion* (New York: Pantheon, 2012).
42. Reagan, Ronald, “Encroaching Control,” Address to the Annual Meeting of the Phoenix Chamber of Commerce, March 30, 1961.
43. See Scruton, Roger, *The Meaning of Conservatism* (London: St. Augustine’s Press, 1980); *A Political Philosophy: Arguments for Conservatism* (London: Continuum, 2006); *How to Be a Conservative* (London: Bloomsbury, 2014); *Conservatism: An Invitation to the Great Tradition* (London: All Points Books, 2017); *Conservatism: Ideas in Profile* (London: 2017).
44. Compare this argument to G. K. Chesterton’s example of the fence in *The Thing: Why I Am a Catholic* (London: Sheed & Ward, 1929).
45. Bay, Austin, *Cocktails from Hell: Five Complex Wars Shaping the 21st Century* (Brentwood: Bombardier Books, 2018); Bennis, Warren, and Burt Nanus, *Leaders: Strategies for Taking Charge* (New York: Harper & Row, 1985).
46. I presented an earlier version of this paper at Texas Tech University. I am grateful to my audience for their questions, and in particular to Steve Balch and Justin Tosi for helpful conversations. I am especially indebted to Jeremy Evans, whose ideas have shaped my thinking about normative matters in more ways than I can recount, even if, in the end, we reach rather different conclusions.

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5

Academia

Hooligans at Play

Jason Brennan (Georgetown University)

My journey with political philosophy began with my ninth-grade honors world civilization teacher, who claimed that ideas moved history. She taught us not only world history but also how background political philosophies were used to justify various revolutions and institutions. That year, I won a bookstore gift certificate as a prize for publishing in a national student magazine. I decided that—if Ms. S were right—I should read these books, which apparently moved history. So, I purchased Locke’s *Second Treatise*, Engels and Marx’s *Communist Manifesto*, and a collection of writings by Montesquieu. It seemed to me these three books best explained the ideology of the modern world. (I entered ninth grade in 1993, a few years after the Soviet Union collapsed.)

At the time, I found Locke and Marx roughly equally persuasive. I remember thinking there was something odd about Marx, though. He made a strong moral case for his ideas, it seemed to my immature teenage self, but there was something puzzling about how every attempt to implement his ideas failed so wildly.

My biggest intellectual change came around eleventh grade. My economics teacher, Mr. Lee, suggested I read Henry Hazlitt’s *Economics in One Lesson*. That book transformed me.

5.1. WHENCE DISSIDENCE

Hazlitt taught that when evaluating policies or institutions, you must see past people’s good (or bad) intentions and look at results. He taught me to view politics without romance. What matters is not what people want the rules to accomplish, but what the rules actually accomplish.

Hazlitt's one lesson is simple: When assessing a policy, he says, do not just examine its immediate effects on the intended beneficiaries. Instead, he advises us, examine both its short-term and its long-term consequences on all affected groups.

Hazlitt introduced me to a number of ways of thinking that have stayed with me since. Beyond teaching me that well-intentioned policies can fail or even backfire, making things worse, he also taught me—even if this was not quite in the book—that people will often use moral language to disguise their pursuit of self-interest, or to disguise their other ends. Finally, he taught me that people in general do not assess their political ideas carefully. They believe themselves to be good, so it does not even occur to them to carefully examine whether their best-laid plans will actually work.

I later discovered that this applies to philosophers as much as laypeople. Political philosophers often do not know the basics of political science or economics, or, worse, they subscribe to silly and falsified ideas. Because the field is isolated from the social sciences, they never read or encounter challenges to their basic models.

As an illustration, back in 2014 I presented *Why Not Capitalism?* at the American Philosophical Association. This book is a direct response to, and parody of, G. A. Cohen's *Why Not Socialism?* During the talk, I said that, to G. A. Cohen's credit, he understands and accepts the calculation/knowledge problem of socialism, a key finding in economics that states that central planning cannot work on a large scale because, in the absence of market prices, planners do not have access to sufficient information to solve economic problems.

During Q and A, a graduate student raised his hand and said, "If that's so, then how can large firms engage in planning? They lack internal markets and so have problems of inefficient planning inside the firm." The student mentioned that he was writing a dissertation on employment and why it exists. Now, his question is a good one, but my worry here is that he should have already known the answer, given what he was writing about. I asked him whether he had read Coase's "The Nature of the Firm," a 1937 paper that asks and answers this question, and indeed the most seminal and important paper in economics about why people work inside companies rather than everyone simply being a private provider of individual services. He said no. I then asked the seventy-five or so people in the room whether any of them were familiar with the paper. No one said they were.

Here I was, surrounded by seventy-five or so political philosophers, including some of great prominence. Most of them probably have strong opinions about the nature of market capitalism and the justice of employment inside firms. Yet apparently none of them knew the basic theory about why an accountant might work for Target's corporate headquarters rather than simply selling each of his accounting services individually on the private market. To be frank—and I don't think this is an exaggeration—unless you understand the ideas from Coase's 1937 paper, you should be pretty close to agnostic about employment relations within firms. More broadly, it does not matter how much philosophy training you have. If you do not understand, through the social sciences, what function institutions serve or why

these institutions behave the way they do, then you are in no position to assess the justice of those institutions.

I am apparently a dissident and radical in political philosophy. Nevertheless, I feel my work should be seen as boring. I'm doing three things:

1. I assume that the state and its agents should be held to commonsense moral principles—the same principles that bind you and me—unless we can find some compelling reason to think otherwise.
2. Before I ask about whether an institution or policy is just, I examine how it works and what function it serves.
3. I don't defend my preferred institutions or policies by imagining them working perfectly, and then comparing them to the realistically flawed versions of others' preferred institutions. I also don't let others get away with this mistake.¹

These three methodological principles are not radical or extreme, but boring and mundane. Nevertheless, because most people—including nearly all political philosophers—do not follow this method, if you apply these methods consistently, you end up with what seem like radical and extreme conclusions.

Consider some applications:

1. My book *When All Else Fails* notes that people tend to assume that state agents have a special status—when they act unjustly, we citizens are not permitted to defend ourselves or others the way we could against private actors doing the same thing. I go looking for some justification for imbuing state actors with this “special immunity” against self-defense, but no such justification can be found. Conclusion: you have the same right of self-defense against a cop, judge, or president acting wrongly—even when their actions are authorized by law—that you do against me.
2. My book *Against Democracy* notes that most philosophical defenses of democracy presume models of democracy and political behavior that economists, political scientists, and political psychologists have shown to be false. Democracy doesn't work the way most political philosophers think, so their defenses of democracy are at best irrelevant and at worst rationalizations of injustice.
3. When I defend open borders in *In Defense of Openness*, I carefully examine empirical worries about the possible downsides of immigration, rather than asking how immigration would work if everyone were a libertarian saint.

5.2. IDEOLOGY AND THE BUSINESS ETHICS OF HIGHER ED

One of my main research areas is the business ethics and political economy of higher education. In *Cracks in the Ivory Tower*, coauthor Phil Magness and I wanted to avoid

left versus right debates. We wanted to analyze problems that all sides—or people of no political side—could appreciate.

Nevertheless, one of the central questions of the business ethics of higher ed is this: Is it permissible for academics to discriminate on the basis of ideology in hiring or refereeing? Before we answer that question, we need to know whether they actually discriminate. What is our evidence?

Academia has a left-wing political bias. The issue is not merely that there are a disproportionate number of faculty and administrators on the left. Rather, the worry is that because faculty and staff are so left-leaning, students, applicants, faculty, and staff not on the left will be mistreated. Faculty discriminate against right-leaning professors in hiring. Left-leaning professors and administrators try to maintain intellectual orthodoxy by suppressing the expression and publication of ideas they dislike.

This chapter offers some reasons to believe these accusations are true. Given what we know about political psychology, it would be unusual if they were not. I will end this chapter by noting a funny paradox of academia: while academia is filled with left-wing people, it is not a left-wing institution. On the contrary, academia largely undermines rather than serves left-wing causes.

Note that I will not cover all forms of left-wing bias in academia. Since this book is about the faculty experience, I will not discuss here how left-wing bias affects students, such as whether students are expected to parrot their professors' politics in papers, whether admissions officers "expect [applicants] to be versed in issues of social justice," as Yale apparently does,² or how first-year orientation and resident life programming overwhelmingly push left-wing political causes.

5.3. A CRASH COURSE IN POLITICAL PSYCHOLOGY

A dozen of my papers, three of my published books,³ and at least two more of my forthcoming books are about democratic theory. Democratic theory examines what, if anything, justifies democratic political regimes. It asks what form of democracy would be best. It asks who should be allowed to vote, which groups count as the "people," and what makes certain features of democracy good or bad.

Just as theists tend to self-select into philosophy of religion, people with a quasi-religious reverence for democracy tend to self-select into democratic theory. Many philosophers come into the field convinced democracy is the best system and then spend their careers trying to rationalize why. Just as theists have to explain away evil, democratic theorists have to explain away all the pathologies of democracy. In general, they say that all the problems of democracy can be fixed with more democracy. (My friend Bryan Caplan calls them "democratic fundamentalists."⁴) They also tend to cherry-pick studies that support their point of view. For instance, if most studies say democratic deliberation fails to deliver good results, but one study says it works, they will latch onto that one study and then accuse critics of being selective for referring to, well, the other fifty.

I see myself as a gadfly in the field, pushing democracy's version of the problem of evil. Much of my work makes roughly the following argument: existing philosophical defenses of democracy rely on falsified models of political psychology or behavior. Pro-democracy philosophers generally assume citizens vote on the basis of their interests, that most citizens have sincere and persistent political opinions and preferences, that deliberation improves the quality of discourse, that citizens do not suffer from systematic errors, and that citizens choose political parties on the basis of shared ideology. However, these empirical claims are false; they hold at best for only a small percentage of the population. Thus, many philosophical arguments for democracy are *irrelevant*, because they at best show that democracy would be justified—if only people acted much better than they are ever likely to do.

Pace the democratic theorists, there is extensive empirical work on voter behavior and political psychology. The results are depressing. I regard acknowledging these results—and working with them—to be a minimal condition of doing serious academic work on democracy.⁵

Voters Are Extremely Ignorant

The modal, mean, and median voter is ignorant of most basic political information. In the United States, citizens generally know little more than who the president is; they cannot identify which party controls Congress, do not know who their senators and representatives are, do not know about major recent policy changes, do not know what is in the federal budget, cannot estimate major economic or social indicators (such as unemployment or crime rates) with any degree of precision, and have little idea what different parties or candidates have done or propose to do.⁶

Voters Are Frequently Misinformed

Voters make systematic mistakes about a wide range of issues.⁷ For instance, during the Brexit vote, UK citizens vastly overestimated the number of EU immigrants in the UK, overestimated Chinese foreign investment, dramatically underestimated EU investment in the UK, and vastly overestimated how much the UK sends to the EU in terms of various welfare payments.⁸

Voters Are Not Very Opinionated or Ideological

Most citizens do not have many political opinions. What opinions they claim to have when surveyed are generally very unstable—if you survey those same citizens shortly afterward, they will offer a different opinion and will not know they “changed their mind.” In reality, most of these apparent opinions are illusory. Survey respondents do not like to say they are agnostic about issues, and so when pressed, they will offer an insincere opinion on the spot. Most voters do not persist in holding significant opinions over the long term, and few have something we can reasonably describe as an ideology. There are few “single-issue” voters.⁹

Voters Are Highly Biased in How They Process Political Information

Voters generally do not reason about politics in a scientific or truth-tracking way. Rather, they engage in what political psychologists call “motivated reasoning”: they tend to believe what they want to believe rather than what the evidence supports. While most voters are politically agnostic—meaning they have few political opinions—the more opinionated minority tends to seek out and accept information that reinforces their current political beliefs, and to reject and ignore information that contradicts their current beliefs.¹⁰

Voters Are Highly Tribal

Though few citizens have stable political beliefs or an ideology, they nevertheless strongly identify as members of their respective political parties, and tend to exhibit strong degrees of antipathy toward members of other political parties. In fact, they tend to presume that supporters of rival political parties are stupid, selfish, and morally corrupt.¹¹ Finally, they prefer to live among people who share their political identity and tend to dislike, mistreat, and discriminate against those with different political identities.¹²

Political Affiliation Is about Identity Rather Than Belief

As Kwame Anthony Appiah summarizes the relevant research, “People don’t vote for what they want. They vote for who they are.”¹³ Citizens vote on the basis of partisan loyalties. These partisan loyalties are grounded in their identities, but aren’t related to ideology, sincere policy preferences, or their interests. Certain groups become attached to certain parties, but not because they believe in what those parties do or because those parties tend to best serve their interests and goals. Instead, political affiliation is largely a costly signal that one is a bona fide member of a particular identity group.¹⁴ Just as, say, Jews circumcise boys to prove they are committed members of their group, or rooting loudly for the Patriots helps prove I am a proper New Englander, so voting for the Democrats helps me prove I am a proper college professor or Boston Irish Catholic.

In *Against Democracy*, I argued we can lump nearly every citizen into one of two groups, which I call hobbits and hooligans. Hobbits are apathetic about politics. They find politics boring. They participate only intermittently and rarely. Because they find politics boring, they have few beliefs about politics and are usually extremely ignorant and misinformed. In contrast, hooligans

are the rabid sports fans of politics. They have strong and largely fixed worldviews. They can present arguments for their views, but they cannot explain alternative points of view in a way that people with those other views would find satisfactory. They consume political information, but in a biased way. They tend to seek out information that confirms their preexisting political opinions, but ignore, evade, and reject

out of hand evidence that contradicts or disconfirms their preexisting opinions. They may have some knowledge of the social sciences, but they cherry-pick data and tend only to learn about research that supports their own views. They are overconfident in themselves and what they know. Their political opinions form part of their identity, and they are proud to be a member of their political team. For them, belonging to the Democrats or Republicans, Labor or Tories, or Social Democrats or Christian Democrats matters to their self-image in the same way being a Christian or a Muslim matter to religious people's self-image. They tend to despise people who disagree with them, holding that people with alternative points of view are stupid, evil, selfish, or, at best, deeply misguided. Most regular voters, active political participants, activists, registered party members, and politicians are hooligans.¹⁵

This serves as a rough-and-ready summary of what citizens are generally like in democratic societies. In *Against Democracy*, I argued that roughly 50 percent of US citizens are hobbits while the other half are hooligans. However, more recent work in political science instead seems to indicate that the ratio is closer to 80 percent hobbits and 20 percent hooligans.¹⁶

But perhaps empirical research on what democratic citizens are like has little bearing on what academics are like. After all, one might think, academics receive extensive training in how to construct good arguments, and to read carefully and charitably. Academics are not supposed to be political activists, but politically disinterested scholars who fearlessly pursue the truth no matter where it lies. Surely all this training in critical thinking would stop academics from being hooligans. But there is little reason to have such hope *a priori*. After all, significant empirical research also finds that numeracy and other higher cognitive reasoning skills make people *more*, not *less*, susceptible to motivated reasoning.¹⁷

5.4. EMPIRICAL WORK ON POLITICAL DISCRIMINATION IN ACADEMIA

Before getting into the data and empirical studies, I'll recount a personal anecdote. Early in my career, I was on the hiring committee for a tenure-track job. The chair of the committee was a very moderate Democrat, certainly not someone I would expect to behave like a hooligan. That same person had been eager to hire *me*, after all.

Nevertheless, early in the process, he said that we already had too many libertarian faculty in the department and so no libertarians would be considered. (Note that in Washington, DC, political affiliation is considered a protected class.) We thought he was joking. He was not. Later, it became clear that the best candidate was a libertarian. (The libertarian candidate had a better publication record as an assistant professor than the anti-libertarian chair did as an associate.) The chair went behind our backs and asked the dean to change the job description in favor of moral psychology over moral and political philosophy. This ensured that we hired someone else and the libertarian would not even be interviewed.¹⁸ Note that the dean was unaware of the

political issue. This is how even moderate, boring academics with no track record of activism sometimes behave. But is this behavior a mere anecdote, or is it instead an illustration of a general trend?

Faculty skew leftward. In the early 1990s, surveys showed that 20 percent of faculty identified as conservative, 40 percent as moderate, and 40 percent as left-wing. More recent surveys find that now 10 percent of faculty self-identify as conservative, 30 percent as moderate, and 60 percent as left-wing.¹⁹ Self-described liberals increased by almost 20 percentage points between 1990 and 2014.²⁰ In many fields in the humanities or social sciences, the left outnumbers the right by a factor of 25 to 1 or higher.

The *Wall Street Journal* reports similar results:

According to data compiled by the Higher Education Research Institute, only 12% of university faculty identify as politically right of center, and these are mainly professors in schools of engineering and other professional schools. Only 5% of professors in the humanities and social-science departments so identify.

A comprehensive study by James Lindgren of Northwestern University Law School shows that in a country fairly evenly divided between Democrats and Republicans, only 13% of law professors identify as Republican. And a recent study by Jonathan Haidt of New York University showed that 96% of social psychologists identify as left of center, 3.7% as centrist/moderate and only 0.03% as right of center.²¹

Surveys of college administrators find they are more left leaning than the faculty.²²

Phil Magness and I have examined the topics administrators present on during national professional conferences. While, as you might expect, most panel topics are about administration, at least 38 percent of presentations were on clearly left-wing political causes, while 0 percent were on right-wing political issues.²³

Why is academia so skewed? The philosopher Michael Cholbi (2014) argues it is largely a self-selection effect. Conservatives are not cut out for academia. He claims that the mindset academia requires—critical-thinking, detachment, suspicion, and the willingness-to-overturn convention—is incompatible or at least in heavy tension with being a conservative.²⁴ (Even if he were right, this would hardly explain why administrators skew even more to the left.)

One problem with this view is that empirical research on political psychology does not generally show that people on the left are better at critical thinking or are more open-minded than people on the right. Indeed, studies on motivated thinking frequently find that people on the left suffers from confirmation bias, disconfirmation bias, intergroup bias, and other forms of political irrationality at a higher rate than those on the right.²⁵ Another problem is that the research Cholbi (2014) cites at best shows *conservatives* are not cut out for academia, but it says nothing about libertarians, who are psychologically distinct from conservatives. Indeed, empirical research shows that libertarians are the most analytical in forming their opinions—they are the most likely to override their immediate emotional reactions, enforce consistency in their thinking, and reason carefully about issues.²⁶ Perhaps academia

should be filled with libertarians rather than leftists, since the former have the proper psychological mindset.

That said, it is plausible that conservatives would indeed self-select away from academia. In 1971, Thomas Schelling published a famous economic model meant to explain racial segregation in the United States. Schelling asked readers to imagine that everyone has two preferences: First, imagine everyone desires to live within diverse rather than homogenous neighborhoods. Second, they prefer *not* to be the minority in their neighborhood. While they want to be in a diverse neighborhood, they do not want to be outnumbered. Schelling proved something truly depressing: so long as the second preference is stronger than the first, people will self-segregate and there will be little racial diversity in neighborhoods. That is, even if we suppose people are not racist and want to live within a diverse crowd, so long as they prefer avoiding being a minority to diversity, then radical segregation will result.

Presumably much of this applies to academia as well. Granted, getting a job is not like moving between neighborhoods. I do not need permission from potential neighbors to move to Anacostia in DC, but I do need permission from potential colleagues to get work at Princeton. Nevertheless, if people prefer not to be minorities, we might expect them to self-select into jobs where they will not be ideological minorities. We might also expect to see libertarians band together at one school, conservatives at another, and so on.

Further, Schelling's point is that even if people wanted to be in a diverse environment, we would still expect lots of segregation. However, when it comes to politics, our best available evidence is that people simply do not want to be in a diverse environment.²⁷

In general, people self-segregate by political identity. Since conservatives know that the academy skews leftward, they are probably less interested in working in higher education, surrounded by people they dislike and who intensely dislike them. If so, then we would expect academia to move ever leftward over time. Every year, conservatives self-select out and leftists self-select in at a slightly higher rate, and the academy becomes ever more left leaning. Counterfactually, had the academy been slightly right-leaning fifty years ago, it would be far more right-leaning today.

At least some and perhaps a great deal of academia's left-wing skew can be explained by self-segregation. However, it's not the whole story. We also have good reason to believe that people generally engage in explicit political discrimination in hiring, and, further, that they specifically do so in academic hiring.

Consider a famous experiment by political scientists Shanto Iyengar and Sean Westwood (2014). They crafted a number of mock résumés for graduating high school seniors. The résumés were designed to ensure some were clearly stronger than others. For instance, one résumé might list a person as a sports team captain with a 4.0 GPA in honors classes, while another would list someone as a benchwarmer with a 3.0 GPA in basic classes. When there was no political affiliation attached to these résumés, evaluators rated the résumés as one would expect.

However, Iyenger and Westwood then modified the mock résumés to include political affiliations. For instance, a résumé might mention that the student was a member of a Democrat or Republican youth group. Their question was, would Republicans discriminate in favor a Republican candidate and Democrats in favor of the Democratic candidate? Note the jobs in question were not ones in which political affiliation should matter at all.

The results—after over 1,000 subjects were polled—were damning: 80.4 percent of Democratic subjects picked the Democratic job candidate, while 69.2 percent of Republican subjects picked the Republican job candidate. When the Republican job candidate was clearly stronger, Democrats still chose the Democratic candidate 70 percent of the time. In contrast, Iyengar and Westwood found that once political affiliation was introduced, “candidate qualification had no significant effect on winner section.”²⁸ Politics completely silenced candidate quality.

In another famous study, Yoel Inbar and Joris Lammars (2012) asked academic psychologists whether they would discriminate against conservatives in hiring. Here’s the abstract of their paper:

The authors of this study surveyed a large number (combined $N = 800$) of social and personality psychologists and discovered several interesting facts. First, although only 6% described themselves as conservative “overall,” there was more diversity of political opinion on economic issues and foreign policy. Second, respondents significantly underestimated the proportion of conservatives among their colleagues. Third, conservatives fear negative consequences of revealing their political beliefs to their colleagues. Finally, they are right to do so: In decisions ranging from paper reviews to hiring, many social and personality psychologists said that they would discriminate against openly conservative colleagues. The more liberal respondents were, the more they said they would discriminate.²⁹

Over 44 percent of respondents admitted they would be strongly likely to discriminate in hiring decisions, and at least a third admitted the same for refereeing papers and grants.

Interestingly, these same social psychologists would tell you the actual number who would discriminate must be higher. One persistent finding in social psychology is that people suffer from a “social desirability bias.” That is, they answer anonymous surveys in ways that make them look good. Thus, if 44 percent of psychologists admit they would discriminate against conservative job candidates, this result tells us the real number who would discriminate is higher than 44 percent. If psychologists give themselves a mean discriminatory rating of 3.5 on a 7-point scale, then the real number is higher.

Peter Wood (2011) summarizes a recent study which shows that the field of sociology is just as bad:

A new study presents evidence that more than a quarter of sociologists (27.8 percent) would “weigh favorably” membership in the Democratic Party by a candidate for aca-

demic appointment, and nearly 30 percent would weigh favorably a prospective candidate's membership in the ACLU. More than a quarter (28.7 percent) would disfavor hiring a Republican, and 41.2 percent would weigh negatively a candidate's membership in the National Rifle Association.³⁰

Again, thanks to social desirability bias, these numbers represent lower bounds.

James Cleith Phillips (2016) found that libertarian and conservative law professors must publish more and achieve more than their peers to obtain equivalent academic positions. Here's his summary:

There are few conservatives and libertarians in legal academia. Why? Three explanations are usually provided: the Brainpower, Interest, and Greed Hypotheses. Alternatively, it could be because of Discrimination. This paper explores these possibilities by looking at citation and publication rates by law professors at the 16 highest-ranked law schools in the country. Using regression analysis, propensity score matching, propensity score reweighting, nearest neighbor matching, and coarsened exact matching, this paper finds that after taking into account traditional correlates of scholarly ability, conservative and libertarian law professors are cited more and publish more than their peers. The paper also finds that they tend to have more of the traditional qualifications required of law professors than their peers, with a few exceptions. This paper indicates that, at least in the schools sampled, conservative and libertarian law professors are not few in number because of a lack of scholarly ability or professional qualifications. Further, the patterns do not prove, but are consistent with, a story of discrimination.³¹

Now, perhaps this is a coincidence. Perhaps the disparity in output between libertarian and conservative and left-leaning professors is explained by something else. (Maybe, *pace* Cholbi [2014], conservatives are unusually smart and thus publish at a higher rate?) However, imagine that we have independent evidence that people are racist against African Americans. Suppose we then demonstrated that Black faculty tended to have more and better publications than their equally ranked White peers at equally good schools or departments. We would probably interpret that as good evidence that Black faculty are held to a higher standard than White faculty and are being discriminated against.

Anecdotally, when I mention studies like this to my leftist colleagues, they often tell me that this is different. They say that discriminating against conservatives or libertarians is not bad in the way discriminating on the basis of race is. After all, they say, there is no reason to discriminate against African Americans, but there is good reason to discriminate against conservatives and libertarians. The latter are generally stupid and/or evil.

Consider another piece of evidence: Many academic jobs are coded as left-wing. Universities frequently create new departments around racial identities or social justice causes; they rarely have jobs coded for conservative ideas. Many schools require applicants to submit statements affirming ideas about the value of ethnic and religious diversity and equity, and to explain how they will use these ideas in their

teaching. Elite private and public universities do not demand that applicants submit statements of fidelity to right-wing ideas.

Consider yet another piece of evidence: double standards. For instance, James Otteson created the Eudaimonia Institute at Wake Forest University. The Eudaimonia Institute bills itself as nonpartisan and nonideological. It does not intend to promote a particular ideology, though as of 2019, as far as I can tell, all of its affiliated faculty are libertarian or libertarian-leaning. (Perhaps the institute favors libertarians, or perhaps it finds libertarians are more interested in working there.) With a push from Ralph Wilson of the George Soros–funded UnKoch My Campus,³² the faculty senate voted to demand Wake Forest refuse Koch funding.³³ The senate also demanded discretion over each of the following:

1. whether the Eudaimonia Institute would be created,
2. whether and from whom the institute would receive funding,
3. the right to determine whom the institute may hire, and
4. the right to decide what the faculty affiliated with the institute may present or publish.³⁴

The last demand is especially bizarre. While shared faculty governance sometimes means that items 1–3 must be voted on collectively, faculty never get a say in what others may publish or where they may present. Even the lowest adjunct never has to ask permission from an endowed chair before submitting a paper for peer review. Even the lowest adjunct never has to ask permission from his colleagues before giving a talk somewhere else.

Now, I have no interest in defending the Eudaimonia Institute. What's of interest here is how Wake Forest treats it differently from other institutes. After all, Wake Forest also houses a number of explicitly left-wing, progressive research institutes, such as the Pro Humanitate Institute and the Anna Julia Cooper Center. Both receive funding from various left-wing foundations and sources. The Pro Humanitate Institute's directors and faculty seem to have significantly weaker research CVs than those affiliated with the Eudaimonia Institute. Further, the Pro Humanitate Institute explicitly pushes left-wing social justice causes. It appears to focus almost entirely on political activism instead of scholarship.³⁵ The Anna Julia Cooper Center claims its mission is to “advance[e] justice through intersectional scholarship”; its scholarship explicitly serves political outcomes.³⁶

In contrast, the Eudaimonia Institute is a research and teaching center with no apparent interest in activism. While the Eudaimonia Institute frequently invites non-libertarian speakers and hires postdocs with diverse politics, the two left-wing institutes only invite and hire people with left-wing politics.³⁷

Even though at least two of Wake Forest's centers are by their own admission engaged in left-wing activism, and even though they only hire and support left-wing people, no one bats an eye. The faculty senate has not voted to refuse their funding, to disband them, or to control what their faculty do. The senate has not asked them

to disclose their funding or demanded proof that their funders are not interfering with their hiring decisions. Hmmm.

5.5. HOW BIAS AFFECTS PUBLICATION

I suspect most peer reviewers want to be fair when they evaluate journal articles. But consider all the ways that ideology and politics influence how we evaluate what we read.

One issue is that ideology tells you which problems are important and which are not. Because sociologists are overwhelmingly left-wing, it is much easier to get a paper on racial inequality published than a paper on how economic freedom improves human welfare. In philosophy, it is easier to publish a piece debating the technical details of some version of luck egalitarianism than the fine details of some conservative or libertarian idea. The former will be seen as “of general importance and interest” while the latter will not. That is because, given their ideological priors, sociologists and philosophers generally regard certain topics as important and others as not.

Another issue is that even though referees might want to be fair, if they agree with you, they will tend to go easier on you. If they disagree, they will not. A piece defending the mainstream point of view in philosophy can be sloppy and badly argued. It can contain numerous factual and empirical mistakes. It can have gaping holes in its argument, but the author can waive his hands and say he’s putting those problems aside for now. It can offer up a principle as an objection to others’ views without having to consider whether this same objection applies to its own position. Referees are unlikely to challenge the basic assumptions or premises of the piece. Since they agree with the author, even if the author says something that economists or political scientists have shown is false, referees in philosophy are likely to accept it without question.³⁸ Left-leaning academics can get away with taking gratuitous swipes at authors outside the orthodoxy, and in many cases, in smearing or lying about them.

In contrast, pieces outside the philosophical orthodoxy—including conservative and libertarian pieces—will always be held to the highest standards. Authors of these pieces can expect every minor exegetical or interpretive error to be spotted—and treated as grounds for rejection rather than correction. They can expect referees to think up lots of objections—some sound and some bonkers—against each premise and argument. While those in the orthodoxy will not have to document their empirical claims, those challenging it will need ample citations for every claim—and even that may not be enough.

As an illustrative anecdote, in 2010, I submitted a piece to *Business Ethics Quarterly* (*BEQ*), a journal my current employer considers a second-tier outlet. (I’ve now given up on even trying to publish there.) In that paper, I had as a premise in my main argument that for-profit business activity and markets generally tend to make people better off. I was very explicit that I recognized the presence of market failure, but I was just making the general, generic claim. It didn’t even occur to me that

anyone would challenge this position, since it is the standard view in mainstream economics. Nevertheless, the editor and a referee misinterpreted it and accused me of making a controversial claim about something called “neoliberalism.” So, in my revision, I cited the top twenty economics textbooks plus a number of surveys of economists showing how that premise is considered completely unremarkable in economics. I even added a qualification that some philosophers dispute this *consensus* view, but I just wanted to explore an implication of it. Of course, that wasn’t good enough, and I received a stupidly ideological rejection letter. (I later published the piece elsewhere in an equally good journal.) I’ll note that, as far as I can tell, in the past ten years, *BEQ* has only published left-wing pieces.

One might think this doesn’t matter. Most faculty jobs are teaching-oriented. Only a small minority of professors are expected to, or in fact do, publish a great deal. Seventy percent of full-time faculty have published ten or fewer articles in their careers.³⁹ Nevertheless, status, influence, pay, and success in academia are largely tied to research output. Further, as the job market worsens, graduate students must publish more and more in order to compete for full-time jobs. To compete for elite jobs today, applicants have to publish as much as faculty used to need to do to earn tenure thirty years ago. Of course, as getting a job becomes ever harder, the effects of bias become even worse. Political bias thirty years ago might mean you got a job at Georgetown rather than Princeton, but now it might mean you just don’t get a job.

5.6. IS PHILOSOPHY BETTER THAN THE REST?

All this said, one might wonder whether perhaps philosophy is less hooliganish than most fields in the humanities and social sciences. After all, in the spirit of Socrates and Hume, many philosophers believe part of our job is to investigate, challenge, and even at times reject our most basic beliefs and assumptions. Many published philosophy papers take the form “Pretty much every layperson and philosopher believes X, but here are reasons to think X is false.” Papers like this are much rarer in, say, sociology or anthropology, where nearly every published paper corresponds to the basic (and often flimsy) starting assumptions of those fields.

Nevertheless, there are some reasons to worry that there is less openness to avant-garde or skeptical challenges to orthodoxy in political philosophy than other subfields of philosophy. To illustrate, consider the PhilPapers Surveys, conducted by David Bourget and David Chalmers. These surveys asked philosophers across the world what position they take on a range of philosophical issues. The data are broken down by rank, specialty, and which kind of university the philosophers work at.

For most interesting debates, philosophers are almost evenly split. In general, philosophers at elite programs are atheists, scientific realists, and are nonskeptical realists about the external world. A slight majority accept moral realism and two-thirds accept cognitivism about moral judgments. Most favor pulling the lever in the first half of the trolley problem. A slight majority favor the correspondence theory of truth. But beyond that, for most of the hard problems, they are rather evenly split.⁴⁰

When asked about political philosophy in general, they are also split. About a third favor egalitarianism. Fourteen percent favor communitarianism, 10 percent libertarianism. The “other” category is at 41 percent.⁴¹ However, if we examine *specialists* in political philosophy at elite programs, the numbers change dramatically. Egalitarianism rises to 51 percent, “other” drops to 34 percent, communitarianism drops to 9 percent, and libertarianism drops to 6 percent. If we examine all specialists in political philosophy, including those at both elite and non-elite programs, 45 percent accept egalitarianism, 23 percent accept “other,” and communitarianism and libertarianism get about 15 percent each. Egalitarianism pretty much dominates the field among specialists, even though only about a third of faculty overall accept it.

The other subfield where we see such a dramatic shift (between what specialists and philosophers in general think) is philosophy of religion. Sixty-six percent of philosophers in general, and 75 percent of philosophers at elite programs, are atheists. Less than 15 percent believe in God. But if we look at *specialists* in philosophy of religion, we see a massive change. Almost 70 percent of specialists believe in God, while 72 percent of specialists in philosophy of religion at elite programs do. What’s happening here? Here are three hypotheses:

1. Theists find philosophy of religion more interesting than non-theists, and so they are much more likely to self-select into becoming specialists in the philosophy of religion.
2. Theists have largely captured the subfield of philosophy of religion. They control the field journals and are far more likely to serve as referees for philosophy of religion papers in the general journals. They control who gets hired. Thus, while most philosophers are atheists, getting a job and getting published in the philosophy of religion is difficult unless one is a theist.
3. While most philosophers are atheists, if they take the time to specialize in the philosophy of religion, they realize, upon careful reading, that the arguments for the existence of God are compelling, while the arguments against the existence of God are unpersuasive. Thus, nearly all people who specialize *switch* to theism.

I put these hypotheses in what I regard as order of strength and plausibility. I suspect point 1 explains most of the disparity. Point 2 explains some of it. (For instance, atheist Keith Parsons famously “quit” the philosophy of religion in 2010 in part because of this problem.⁴²) Point 3 seems to me implausible. But I won’t try to prove that here.

Now consider three similar hypotheses about political philosophy:

1. Egalitarians find political philosophy more interesting than others do, and so they are more likely to self-select into becoming specialists.
2. Egalitarians have largely captured the subfield of political philosophy. They control the field journals. They are far more likely to serve as referees for political philosophy papers in the general journals. They also control who gets hired. Thus, while only a sizeable minority of philosophers in general are egalitarians,

getting a job and getting published in political philosophy is difficult unless one is an egalitarian.

3. While only a minority of philosophers are egalitarians, if they take the time to specialize in political philosophy, they realize, upon careful reading, that the arguments for egalitarianism are compelling, while the arguments against egalitarianism and in favor of other views are unpersuasive. Thus, nearly all people who specialize *switch* to egalitarianism.

In this case, the order of plausibility is different. Point 1 seems false. Moderates and centrists are probably uninterested in specializing, but conservatives, communitarians, and libertarians are very interested. Point 2 seems largely true. I have heard prominent philosophers at elite programs say they will never allow non-egalitarians to be hired, while I heard the editor of a prominent political philosophy journal say that he would never publish libertarian work. (While he was editor, the journal didn't.) The journal *Philosophy and Public Affairs* is famously nepotistic: for a long stint, it pretty much only published left-wing papers written by people connected to Oxford, Harvard, and Princeton; it rarely published papers from equally high-status political philosophers at peer institutions.⁴³ Point 3 seems implausible. But I won't try to prove that here.

For all their apparent open-mindedness and willingness to embrace skeptic's challenges, philosophers in general turn out to be surprisingly uniform in their politics. Eric Schwitzgebel (2008) finds that over 87 percent of political philosophers for whom data was publicly available were registered Democratic voters.⁴⁴ They are in fact *more* strongly Democratic than political scientists are, and more strongly Democratic than academics in various cognate fields.

In contrast, only 68.4 percent of political philosophers accept or lean towards non-skeptical realism about the external world.⁴⁵ As a group, political philosophers are apparently more confident that they ought to vote for Hillary Clinton than they are in the claim that Hillary Clinton exists.⁴⁶ It seems unlikely that our evidence for the claim that we should vote Democrat is stronger than our evidence for the claim that we have hands or, indeed, stronger than our evidence for any other major claim in philosophy. I suspect an alternate hypothesis is true: philosophers are beset by the same cognitive biases as others and have a stronger *motivation* to repel skeptical objections to their political beliefs than their beliefs about the external world. After all, that is what political psychology predicts. Politics is an important marker of identity, but these other philosophical beliefs are not.

5.7. A PARTING THOUGHT

Academia is filled with left-wing people. In my experience, most are open and reasonable, while some are frothing-at-the-mouth ideological blowhards who love to mob and harass others.⁴⁷

Nevertheless, while academia is filled with people who posit egalitarian ideals, it is not an egalitarian place. In *behavior*, academia may be the most right-wing institution in the United States, even more than the military or the police. Higher ed serves a very right-wing function: namely, to reinforce class hierarchy. Academia is highly hierarchical; everything and everyone gets ranked, and everyone is acutely aware of such rankings. Finally, while nearly all academics pay lip service to left-wing ideals, their actual behavior is predominantly selfish. In short, academics simultaneously promote egalitarianist philosophy and inequalitarian outcomes. Status, not education, is the *sine qua non* and the essential product higher ed sells; if it stopped providing this, it would quickly go out of business. Higher education strongly contributes to income inequality, especially in the United States.⁴⁸

People often use moral language to disguise their pursuit of self-interest. Academics in general are trained to use moral language in a sophisticated way. Perhaps we should regard academic egalitarianism as cheap altruism. If I say I'm an egalitarian, I come across as *nice* and *caring*, even though I haven't thereby done anything to help others or sacrificed my self-interest to help the poor. On the contrary, many egalitarians go out of their way to explain why their egalitarian commitments do not require them to donate their excess income to others.⁴⁹

Given how poorly universities behave and given how much they *undermine* social justice, it's strategic for administrators to use social justice talk as much as possible. While academia is supposed to aim at a higher mission and be nonprofit, the actual people inside academia are just normal, selfish, for-profit people. Egalitarian talk is often a cover or disguise for the pursuit of self-interest, just as talk of salvation in the medieval Catholic church was often a cover for the pursuit of real estate, power, and wealth.

NOTES

1. To be more precise, in my book *Why Not Capitalism?* (New York: Routledge Press, 2014), which parodies G. A. Cohen's *Why Not Socialism?* (Princeton, NJ: Princeton University Press, 2009), I use these methods to illustrate the problem with Cohen's reasoning.

2. Olson, Walter, "Yale and the Puritanism of 'Social Justice,'" March 6, 2018, <https://www.wsj.com/articles/yale-and-the-puritanism-of-social-justice-1520381642>.

3. See my "The Right to a Competent Electorate," *Philosophical Quarterly* 61(245) (2011): 700–724, as well as my *Against Democracy* (Princeton, NJ: Princeton University Press, 2016). Finally, see my *Compulsory Voting: For and Against* (Cambridge: Cambridge University Press, 2014; coauthored with Lisa Hill).

4. Caplan, Bryan, *The Myth of the Rational Voter* (Princeton, NJ: Princeton University Press, 2007).

5. David Estlund defends democracy despite these problems, which is one reason I regard his argument as one of the best philosophical defenses of democracy. See his *Democratic Authority* (Princeton, NJ: Princeton University Press, 2007). Nevertheless, see my "The Right to a Competent Electorate" (2011) as well as my *Why Not Capitalism?* (2014) for a critique.

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7. See my *Against Democracy* (2016); Somin, *Democracy and Political Ignorance* (2013); and Caplan *The Myth of the Rational Voter* (2007) for a review.

8. Ipsos MORI, "The Perils of Perception and the EU," June 9, 2016, <https://www.ipsos-mori.com/researchpublications/researcharchive/3742/The-Perils-of-Perception-and-the-EU.aspx>.

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10. Kahneman, Daniel, and Amos Tversky, "On the Psychology of Prediction," *Psychology Review* 80(4) (1973): 237–51; Kahneman, Daniel, Paul Slovic, and Amos Tversky, eds., *Judgment under Uncertainty: Heuristics and Biases* (New York: Cambridge University Press, 1982); Rasinski, Kenneth, "The Effect of Question Wording on Public Support for Government Spending," *Public Opinion Quarterly* 53(3) (1989): 388–94; Bartels, Larry, "Democracy with Attitudes," in *Electoral Democracy*, eds. George Rabinowitz and Michael MacKeun (New York: Oxford University Press, 2003); Arceneaux, Kevin, and Robert M. Stein, "Who Is Held Responsible When Disaster Strikes? The Attribution of Responsibility for a Natural Disaster in an Urban Election," *Journal of Urban Affairs* 28(1) (2006): 43–53; Lodge, Milton, and Charles Taber, *The Rationalizing Voter* (New York: Cambridge University Press, 2013); Westen, Drew, Pavel Blagov, Keith Harenski, Clint Kilts, and Stephan Hamann, "The Neural Basis of Motivated Reasoning: An fMRI Study of Emotional Constraints on Political Judg-

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16. Kinder and Kalmoe, *Neither Liberal Nor Conservative* (2017); Mason, “Ideologues without Issues” (2018).

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27. Mutz, *Hearing the Other Side* (2006).
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31. Phillips, James Cleith "Why Are There So Few Conservatives and Libertarians in Legal Academia? An Empirical Exploration of Three Hypotheses," *Harvard Journal of Law & Public Policy* 39(1) (2016): 153–208.
32. UnKoch My Campus claims its fiscal sponsor is the Center for Media and Democracy. See <https://centerformediaanddemocracy.salsalabs.org/unkochmycampus/index.html>. The center refuses to disclose where it gets its funding, but it has received at least \$200,000 from Soros. See Gainor, Dan, "Left, Obama Escalate War on Banks Into Dangerous Territory," *Fox News*, December 11, 2011, <http://www.foxnews.com/opinion/2011/12/11/left-obama-escalate-war-on-banks-into-dangerous-territory.html#ixzz1gWfrRwHS>. It also receives money from a number of other left-leaning foundations. SeeSourcewatch.org, "Funding," *Center for Media and Democracy*, last updated September 13, 2019, http://www.sourcewatch.org/index.php/Center_for_Media_and_Democracy#Funding. See also Schoffstall, Joe, "Soros-Tied Networks, Foundations Joined Forces to Create Trump 'Resistance' Fund," *Washington Free Beacon*, April 1, 2017, <http://freebeacon.com/issues/soros-tied-networks-foundations-joined-forces-create-trump-resistance-fund/>. Note that Lindsey Berger, UnKoch's executive director, also works for Greenpeace.
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41. Ibid.

42. See <http://secularoutpost.infidels.org/2010/09/goodbye-to-all-that.html>.

43. See the discussion at Leiter, Brian, "Editorial Practices at Philosophy & Public Affairs," *Leiter Reports: A Philosophy Blog*, <https://leiterreports.typepad.com/blog/2015/03/editorial-practices-at-philosophy-public-affairs.html?fbclid=IwAR1hB87SE9dtfakalTHuoFa5a51pasFY9sYB-O4oFyDQvPpo2flmUYDX6cU>.

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46. I posted this point on Facebook. One fairly moderate left-wing philosopher whom I respect went on to argue against it at great length. He had some clever arguments, but, frankly, I think this position is silly.

47. For example, while I was on sabbatical at the University of Arizona in 2018, I watched historian David Gibbs, an unaccomplished, hack professor who has not had what my university considers an A-level publication since 1991 (when I was in middle school), organize a harassment campaign against a junior faculty member. I complained to the deans on his behalf, but nothing was done, and the non-tenure-track professor eventually left for greener pastures.

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6

The Importance of Cultural Preservation

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If I can be considered a “dissident philosopher,” then, at least as far as my professional life is concerned, it must be on account of the following. First, I have coauthored, with Neven Sesardić, an allegedly “controversial” article criticizing the view that women are systematically discriminated against in philosophy.¹ Second, I have defended immigration restrictions out of a concern for cultural preservation, which probably places me to the right of libertarians in philosophy.² Combine these two facts with my sympathetic treatment, in various articles, of conservative authors such as Michael Polanyi and Roger Scruton, my persistent interest in art conservation, my Catholic educational background, and, perhaps relatedly, my defense of presentism, and what starts to emerge is a picture of a young, ambitious man who can barely hide his conservatism. But, assuming that this picture is accurate, why would I be conservative? Am I perhaps a “rich Catholic boy” (an expression Brian Leiter once used to refer to Brett Kavanaugh),³ fearful of losing the privileges bestowed on me by the prevailing culture, so that I have decided to do everything in my power to conserve it?

To be honest, that suggestion is not far from the truth. But it is far less incriminating than may be thought at first, for the privileges that I am most eager to retain—or, as the case may be, *regain*—are privileges that can in principle be shared with others, and at no cost. They are, in economic terms, non-rivalrous. For example, they include the privilege of living in a society in which law and order prevail. As this example already helps to make clear, there may be very good *objective* reasons for being concerned about the preservation of such goods. In fact, spelling out those reasons is one of my aims in this chapter. My main aim, however, is to show that those reasons also help to justify immigration restrictions.

Hence, in what follows, I attempt to explain why cultural preservation is important, and, in particular, why it is important enough to justify immigration restrictions. As

will become clear, this is an argument that is rarely made in philosophy. The main reason, probably, is that philosophers—on the left and the (libertarian) right—tend to argue *against* immigration restrictions, not for them. For example, in 2018 alone, at least three philosophical books came out defending a relaxation of immigration restrictions.⁴

There may be a deeper reason why this argument is rarely made in philosophy. Immigration restrictions usually are discussed by philosophers in relation to Western countries. In such a context, cultural preservation means the preservation of Western culture, or at least *some* Western culture (say, British or American). But, in certain quarters of philosophy, as in academia more generally, Western culture is held to be deeply problematic: its moral faults (principally, racism and sexism) are said to be “structural” and almost impossible to recognize, as they hide behind shifting norms of normality, as well as in coded messages (“dog whistles”), seemingly innocuous remarks (“microaggressions”), and even our unconscious (“implicit biases”). To someone who is sympathetic to this perspective, it may not be clear that Western culture should be preserved. Moreover, from this perspective, the very attempt to preserve Western culture may appear to be itself a manifestation of the immoral (e.g., racist) impulses that have given shape to Western culture. After all, it is quite common to question the motives behind appeals to cultural preservation, not just in public debates but also in philosophy. For example, Joseph Carens has recently claimed that “[u]nder existing conditions, appeals to cultural preservation as a justification for restrictions on immigration serve mainly to disguise the ways in which such restrictions protect noncultural, and arguably illegitimate, interests.”⁵

Whether or not the above captures why philosophers are reluctant to appeal to cultural preservation, in what follows, I will not assume that the reader has adopted any particular perspective on Western culture. By and large, I will discuss cultures in the abstract, and the few examples I give will mostly come from outside of the West. Since, for the reasons previously mentioned, this may appear to be a cover-up of my true intent, I will explicitly address the charge of cultural racism toward the end of this essay. I will also address the objections to culture-based arguments that can be found in a recent book by Bas van der Vossen and Jason Brennan. My reason for focusing on their objections is that, along with fellow libertarian Michael Huemer, van der Vossen and Brennan are among the few in philosophy to tackle this kind of argument head-on.⁶ First, however, I wish to lay the ground for a general argument against open borders that is based on a concern for cultural preservation. For this, I will take my starting point in an argument that has recently been developed by David Miller.

6.1. DAVID MILLER’S ARGUMENT

While other philosophers have defended immigration restrictions, David Miller is among the very few to do so out of a concern for cultural preservation. For example, Miller writes:

Whereas migration within a modern state will only change the prevailing culture in marginal ways, immigration from outside may change it more radically, and the receiving state and its citizens may have an interest in preventing this. This may be because they do not want to see existing cultural divisions in the society deepening further, or just because they are attached to their inherited culture.⁷

Miller further develops the argument in his book, *Strangers in Our Midst*. However, there it becomes clear that his argument for cultural preservation ultimately is an argument for “national self-determination.” As Miller summarizes his argument:

Citizens in a democracy have the right to decide upon the future direction of their society Because immigration unavoidably affects that future direction—in part because of the demographic and cultural changes that inward migration brings with it, and in part because most of the new arrivals will themselves become politically active citizens in due course—decisions about whom to admit, how many to admit, and what the terms of admission should be are all important matters for a democracy to decide.⁸

In short, Miller’s argument is that we take a legitimate interest in controlling immigration because we take a legitimate interest in self-determination.⁹ Of course, Miller does not simply state that self-determination warrants immigration restrictions. He offers a number of reasons. One is that self-determination requires control over public expenditures, which are affected by the number and characteristics of immigrants.¹⁰ Another reason is that self-determination requires freedom of choice, which is more limited to the extent that immigrants make their own demands, for example, based on “cultural needs.”¹¹

The concern for cultural preservation obviously ties in with this second reason. According to Miller, “the more diverse the background cultures of the immigrants, the tighter these limits will be” within which we are free to choose.¹² However, there is still another way in which cultural diversity may affect self-determination—namely, by affecting the democratic process through which self-determination is normally achieved. According to Miller, this process will tend to be guided by group-specific interests, instead of the public interest, to the extent that the participants in the process are culturally diverse. (Miller bases this prediction on sociological studies that purport to have found an inverse correlation between diversity and trust.)

So, Miller offers at least three reasons for thinking that self-determination requires immigration restrictions, and two of these have to do with cultural preservation (at least in the sense of maintaining a certain level of cultural homogeneity). However, cultural preservation, ultimately, is not what matters for Miller. At least in his argument for immigration restrictions, cultural preservation features only as a means to an end, the end being self-determination.

Miller takes self-determination to be a safe foundation for immigration restrictions, since its value is easily recognized outside debates about immigration. (To be sure, it is also recognized within such debates.)¹³ For example, decolonization and secessionist movements, as well as theater groups, will be happy to affirm the value

of self-determination.¹⁴ Even those who oppose, say, secession in a particular case may concede that there is value in being self-determining. Moreover, it is possible to *explain* at least part of the value that attaches to self-determination by noting that it implies the ability to determine one's own future and so make meaningful plans.¹⁵ An ability of this sort can be expected to be found desirable. For example, it has been argued that the harm in killing a person consists, at least in part, in thwarting future-directed desires.¹⁶ If such desires are important enough to justify restrictions on killing, then surely they are important enough to justify restrictions on immigration. Or so it might be thought.

6.2. MODIFYING THE ARGUMENT

An argument along the lines of Miller's is likely to invite the objection that our interest in self-determination is not important enough to outweigh the competing interests of would-be immigrants. Miller tries to avert the objection by saying that we can be partial and assign greater weight to the self-determination of our co-citizens than we assign to someone else's.¹⁷ However, it is doubtful whether this response gets to the heart of the objection. Presumably, the objection is that *no one's* interest in self-determination—not theirs, not ours—is important enough to outweigh such competing interests as would-be immigrants typically have. If this is an acceptable reformulation of the objection, then it matters little whether everyone's interests are weighed equally or whether partiality is allowed to come into play.

Indeed, it seems to me that the objection is onto something—namely, that national self-determination is of little value in itself. This is not to deny that self-determination *can* be of great value (for example, when it helps to preserve a culture that is itself of great value). In Miller's argument, as we have seen, it is the other way around: cultural preservation is valuable because it helps to secure self-determination, which is valuable in itself. To see why the explanatory direction might have to be reversed, consider a country in which people are passive (foreign workers take care of necessities and no higher goals are pursued); social life is dull; manners are crude; the architecture is run-of-the-mill modern; and the language spoken is Esperanto. Compare this country to its opposite: people are active (locals take care of necessities but also pursue higher goals); social life is rich and varied; manners are refined; and the architecture, like the language, is characteristic of the place. Now, in which case would we find diminished self-determination (resulting, say, from mass immigration or a foreign invasion) more regrettable or less desirable? The obvious answer seems to be in the second case. After all, if the citizens of the second country lost their grip on the future of their society, then they would risk losing one of their (and perhaps humanity's) most valuable assets—that is, their culture. But it does not even matter which answer we give, as long as there is a clear preference for one of the two. What the preference brings out, then, is that the perceived value of a culture affects the

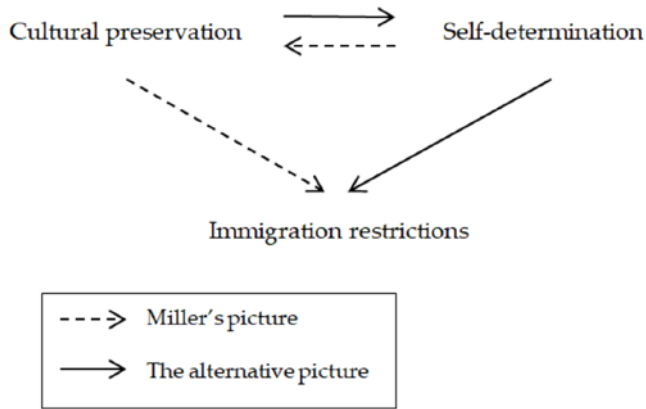


Figure 6.1. The Conciliatory Picture

importance we attach to self-determination.¹⁸ If that is the case, then why not consider cultural preservation rather than self-determination as the ultimate justification for immigration restrictions?

Hence, cultural preservation and self-determination can feature in the justification of immigration restrictions in at least two different ways, which can be roughly contrasted as follows. In Miller's picture, self-determination requires cultural preservation, which requires immigration restrictions. The alternative picture suggested by the thought experiment (henceforth, "the alternative picture") is that cultural preservation requires self-determination, which requires immigration restrictions. To be sure, the two justifications are not incompatible, since cultural preservation and self-determination could require each other (as Miller himself argued in an earlier book).¹⁹ They could go hand in hand, as it were, and jointly justify immigration restrictions. The resulting "conciliatory picture" is illustrated by figure 6.1. However, my guess is that the alternative picture offers a more robust justification of immigration restrictions than Miller's, since cultures can have enormous—perhaps even inestimable—value, whereas the value of self-determination, considered in isolation, seems limited. To be sure, it is hard to prove that my guess is right, but the limited intrinsic value of self-determination could explain why the aforementioned objection, concerning the competing interests of immigrants, has a tendency to spring up in the literature.²⁰ Moreover, the "enormous value" of certain cultures is not difficult to explain. Name anything of considerable value—beauty, courtesy, freedom, friendship, justice, knowledge, prosperity, security, "belonging"—and either it will be part of some culture or there will be cultural mechanisms such as institutions, dispositions, customs, and norms to protect and promote it.

Anyway, to build a case for immigration restrictions for cultural preservation it is not necessary to choose between the alternative picture and the conciliatory picture. After all, as figure 6.1 makes clear, the conciliatory picture includes the alternative

one. Hence, in what follows, an attempt will be made to defend *either* picture against objections raised by libertarians van der Vossen and Brennan against culture-based arguments for immigration restrictions. Addressing their objections will not just help me to defend my position but also make it clearer.

6.3. DEFENDING THE MODIFIED ARGUMENT

Objection 1: We have to compare what citizens lose to what immigrants gain.²¹

This is the argument from competing interests that was mentioned earlier. It is hard to address the argument in the abstract, since what citizens stand to lose, and what immigrants stand to gain, depends on the citizens and the immigrants in question. If the country has a highly valuable culture, then the competing interests of the immigrants will have to be equally important. Refugees may meet this requirement, but those who are simply in search of a better life may not. Moreover, note that immigrants, too, have an interest in the preservation of valuable cultures that are not necessarily their own. Cultures are repositories of traits that can in principle be reproduced elsewhere, and whose beneficial effects may extend far beyond the boundaries of any particular culture. For example, think of the dispositions and ideals that have made modern science possible, those that have determined the development of art in different parts of the world, or those that undergird liberal democracy. Such traits tend to emerge in a specific cultural context, but their effects do not remain confined to it. It is only fair, then, to include the risk of such cultural losses on both the citizen's and the immigrant's side of the balance.

Even in a concrete case it may be hard to compare the expected gains and losses. One reason is that most modern states have never had truly open borders. A second reason is that the past generation of immigrants may be different from the current generation of would-be immigrants. And a third reason is that the situation in the receiving country may have changed.²² As a result, we cannot simply extrapolate from past experience, as van der Vossen and Brennan do.²³ In other words, the effects of an open borders policy will remain uncertain until such a policy is adopted. Moreover, uncertainty on this score may well favor immigration restrictions: first, and as already mentioned, because would-be immigrants stand to lose, too, if a hitherto valuable culture goes into decline; second, because immigration is almost impossible to reverse; third, because what is valuable in a culture may be very difficult to regain once it has been lost. As Roger Scruton warns, "good things are easily destroyed, but not easily created."²⁴ Interestingly, van der Vossen and Brennan agree with the second part of the warning ("good things are . . . not easily created"): "While we have something of an idea about what good institutions look like—stable property, competitive markets, democracy, the rule of law—we have very little idea of how to bring them about."²⁵ However, they do not agree with the first part ("good things are easily destroyed"), for reasons that the next objection makes clear.

Objection 2: If cultures help shape institutions, institutions help shape cultures, too.²⁶

In other words, institutions help to mitigate the impact on the local culture of the foreign cultures that immigrants bring with them. However, the question is which—cultures or institutions—exert the stronger influence, especially in the long run and when borders are truly open. In this connection, it may be worth observing that there is very strong convergence among migration preferences. According to one poll,²⁷ a handful of mainly liberal-democratic countries (including Australia, Switzerland, New Zealand, and Luxemburg) would see their populations more than double if everyone's migration preferences were to be satisfied. (That is, if all countries were to adopt an open borders policy. If, say, only Australia adopted such a policy, then its population would probably . . . triple? Quadruple? Quintuple?)²⁸ What is the likelihood that institutions in these countries will continue to shape their cultures as before when the inflow of immigrants is much higher and less selective? A higher rate of immigration and—potentially—greater cultural distance from the indigenous population are likely to lead to slower assimilation and a larger pool of unassimilated immigrants.²⁹ Even if one sees room for uncertainty here, it may be wise not to risk the experiment of open borders for the aforementioned three reasons.³⁰

Objection 3: If cultural preservation justifies restrictions on immigration (from abroad), then it also justifies restrictions on relocation within a single country.³¹

The consequent of this conditional seems entirely acceptable to me. Of course, it does not follow that restrictions on relocation within a country can *always* be justified by appealing to cultural preservation. (The same is true of restrictions on immigration from abroad.) For such restrictions to be justified, at least three conditions have to be met. First, there has to be a culture within the country that is sufficiently distinct and which is (normally, for historical reasons) characteristic of a particular area or region. One could think here of Basque culture in Spain, Kurdish culture in Turkey, or Tibetan culture in China. Second, the culture has to be of sufficient value to merit protection in the form of relocation restrictions. Third, there has to be a real risk that the culture comes under threat if no restrictions on relocation are imposed. Regarding the third condition, it is no doubt hard to specify how high the risk has to be, but it is natural to make it proportionate to the value of the culture: the more valuable the culture, the smaller the risk one should be prepared to take.

In case all of this sounds counterintuitive, or even horrible, note that such within-country relocation restrictions already exist in the world, including in the United States, and that they generally meet with little resistance. For example, they apply to the reserves belonging to Native Indians in Canada and the United States, and to Aboriginals in Australia. They also apply to the Hong Kong Special Administrative Region, which can only admit 150 mainland Chinese per day under the One-Way Permit Scheme. In a similar vein, sociologist Eric Kaufmann mentions that “In the 1990s, the US Congress granted five Pacific Island territories—American Samoa,

Micronesia, the Marshall Islands, the Northern Mariana Islands and Palau—the right to control immigration to maintain their ethnic majorities.”³² Kaufmann even suggests that such restrictions could be used to avoid the gentrification of black neighborhoods such as Harlem in New York and Brixton in London. One can of course disagree about the cases, but it is far from obvious that restrictions on within-country relocation must be “highly unjust.”³³

Of course, there are other ways in which culture-based arguments might justify too much. For example, could they justify the forceful expulsion of co-citizens? How about reeducation camps to prevent cultural disintegration? Van der Vossen and Brennan sometimes give the impression that such over-justification worries apply only to arguments *against* open borders.³⁴ However, any argument, whether for or against open borders, will invoke some value or right in its premises (e.g., freedom of movement, prosperity, equality), and the question can always be asked whether this value or right trumps other values or rights, and, if so, which ones and under what circumstances. If one is somewhat sympathetic to moral particularism, then there probably are no easy answers here.³⁵ The easiest answer is to invoke human rights as a constraint on what can be justified, but of course it is a matter of some controversy what they include, and how to interpret them.³⁶ In any case, one cannot say that the answer is easier in the case of an argument for open borders because “people seem to recognize a moral presumption in favor of liberty.”³⁷ Presumably, there is a moral presumption in favor of *everything* that is of considerable value: liberty and human rights, for example, but also the continued existence of certain cultures. In fact, the two are arguably bound up with one another. Liberty at the level of society requires that certain institutions and norms are in place. Hence, to have a presumption in favor of liberty is *ipso facto* to prefer a certain kind of culture.

6.4. KEY ELEMENTS IN THE DEFENSE

Two elements in my defense of the argument from cultural preservation are worth emphasizing. The first is that the argument does not rest on the assumption that open borders *will* lead to cultural decline. In other words, the following would be an inappropriate reconstruction of the premises of my argument:

1. When people from bad countries move to good countries, they infuse good countries with bad cultures.
2. Because good countries need good cultures, once enough people move from bad countries to good countries, the good country will become a bad country.³⁸

This is how van der Vossen and Brennan reconstruct the premises of Paul Collier’s argument in *Exodus*. Perhaps it is good enough a reconstruction for their purposes, but it seems to me that a better reconstruction would have premises centered on

risk. After all, for a cultural preservationist it might be enough if there is a *risk* that a “good culture” will come under threat. The risk need not even be very high. If the culture in question is of enormous value, then a relatively small risk might suffice, just as a relatively small risk might suffice to decline a request for lending an artwork to a particular museum. Moreover, the risk need not amount to a complete cultural collapse or *Untergang*. Irreversible loss of valuable elements of the culture might be of sufficient importance, just as irreversible damage to (part of) an artwork might be of sufficient importance in the lending case. Of course, “might be” does not imply “will be,” and being of “sufficient importance” to justify immigration restrictions does not imply that *any* immigration restriction can be so justified. But what is implied is that immigration restrictions do not (for their justification) require absolute certainty regarding what would happen if they were not in place. Hence, the following questions, intended to raise doubts about culture-based arguments for immigration restrictions in general, are not really to the point in this particular case: “And are we *sure* that these newcomers will resist assimilation? Also, how can we be *sure* that the cultural changes will be rapid and detrimental?” (my emphasis).³⁹

The second element that merits emphasizing is that valuable cultures do not just confer benefits on their members (as others, including Miller, have argued); they also benefit outsiders.⁴⁰ Since these benefits are likely to be different for different cultures—different cultures emphasize different attitudes and values—everyone benefits from having a diversity of valuable cultures.⁴¹ In other words, specialization (“division of labor”) may benefit not just economic productivity but cultural productivity more generally. The paradoxical conclusion we are approaching now is that cultural diversity may require cultural homogeneity. The conclusion seems hard to avoid if (1) cultural diversity requires cultural preservation, as an analogy with biodiversity and wildlife protection suggests, and (2) cultural preservation is most easily achieved within a culturally homogeneous environment.

Premise (1) seems plausible. Bernard Williams, for one, seems to have seen something in the analogy with wildlife protection when he wrote that “the existence of exotic traditional societies presents quite different, and difficult, issues of whether the rest of the world can or should use power to preserve them, like endangered species.”⁴² More to the point, genuinely new cultures do not regularly come into existence. Hence, if we wish to maintain our current level of cultural diversity, then we need to preserve the cultures that currently are in existence.

Premise (2) is less obvious but could be made plausible in a number of ways. For example, if one combines the claim that cultural preservation requires self-determination—not an implausible claim in light of what was said earlier about the passive versus the active country—with Miller’s claim that a certain level of cultural homogeneity is necessary for self-determination, then one easily reaches the conclusion that cultural preservation requires a certain degree of cultural homogeneity.

Still, one may find it hard to comprehend how one can simultaneously strive for diversity and homogeneity: the two seem to be incompatible aims. But the

aims may be achieved at different levels; for example, one may strive for diversity between countries, and homogeneity within them. Importantly, this does not imply that more homogeneity within a country is always better. (Nor does it imply that more diversity between countries is always better.) There may be a threshold beyond which homogeneity becomes a burden rather than a blessing. As T. S. Eliot wrote, “a national culture, if it is to flourish, should be a constellation of cultures, the constituents of which, benefiting each other, benefit the whole.”⁴³ Hence, at the national level, one should not strive for absolute, but for relative homogeneity: a degree of homogeneity that is higher than what is desirable at the international level. At the very least, this is a coherent aim.

6.5. CULTURAL RACISM?

Having dealt with some potential objections to the argument from cultural preservation, it may also be important to deal with a potential accusation. The accusation is that my appeal to the value of cultures is simply a (veiled) form of racism—what is sometimes referred to as “cultural racism,” to distinguish it from the biological racism that is much less common these days. One expert explains the difference between the two kinds of racism (in a British context) as follows:

While biological racism is the antipathy, exclusion and unequal treatment of people on the basis of their physical appearance or other imputed physical differences, saliently in Britain their non “whiteness,” cultural racism builds on biological racism a further discourse which evokes cultural differences from an alleged British, “civilised” norm to vilify, marginalise or demand cultural assimilation from groups who may also suffer from biological racism.⁴⁴

If an accusation of cultural racism along these lines were to be made against my argument, then the following would have to be said in response: First, the immigration restrictions that cultural preservation is supposed to justify are intended not just to protect the civilized against the uncivilized but also to protect one group of civilized people against another group of civilized—not necessarily *less* civilized—people. For example, they can also be used to prevent too many Han Chinese from settling in Tibet or too many British from settling in Thailand. Second, the norm that is implicit in talk about “valuable” cultures and elements of cultures is not supposed to be relative or country-specific (say, British) but absolute, like the criteria that UNESCO currently uses to select World Heritage sites. As my examples of Kurdish, Tibetan, and Thai culture hopefully illustrate, there is no presumption here that only (or all!) Western cultures meet the norm. Third, although some degree of cultural assimilation can be justified by invoking the importance of cultural preservation, the same is not true of “vilification” of groups of people, let alone vilification on the basis of race or physical appearance.

6.6. CONCLUSION

Let me try to sum up my argument. According to David Miller, immigration restrictions are justified because they help to secure cultural preservation, which is important because it helps to secure self-determination. My proposal was to reverse the roles of cultural preservation and self-determination in this argument, so that immigration restrictions are justified because they help to secure self-determination, which is important because it helps to secure cultural preservation. Cultural preservation thus becomes the ultimate foundation for immigration restrictions. Of course, it can only fulfill this role if it is a worthy end, something that everyone can recognize as important. The importance of cultural preservation was therefore explained in terms of how both members and nonmembers are beneficiaries of what is of value in a culture. Once the group of beneficiaries is expanded in this way, it also becomes easy to understand why cultural preservation is not only in the interest of, say, rich Catholic boys. Finally, a number of objections (and one accusation) were addressed, including the objection that cultural preservation may not be important *enough* to outweigh considerations favoring a more relaxed immigration policy.⁴⁵

NOTES

1. Sesardić, Neven, and Rafael De Clercq, “Women in Philosophy: Problems with the Discrimination Hypothesis,” *Academic Questions* 27(4) (2014): 461–73. Full version available at https://www.nas.org/academic-questions/27/4/women_in_philosophy_problems_with_the_discrimination_hypothesis. Our article is labeled “controversial” in Berenstain, Nora, “Implicit Bias and the Idealized Self,” *Ergo* 17(5) (2018): 448.

2. De Clercq, Rafael, “Huemer on Immigration and the Preservation of Culture,” *Philosophia* 45(3) (2017): 1091–98.

3. Leiter, Brian, “Ford’s Testimony about the Kavanaugh Assault,” *Leiter Reports: A Philosophy Blog*, accessed December 26, 2019, <https://leiterreports.typepad.com/blog/2018/09/fords-testimony-about-the-kavanaugh-assault.html>.

4. Bertram, Chris, *Do States Have the Right to Exclude Immigrants?* (Cambridge: Polity Press, 2018); Hidalgo, Javier, *Unjust Borders: Individuals and the Ethics of Immigration* (London: Routledge, 2018); van der Vossen, Bas, and Jason Brennan, *In Defense of Openness: Why Global Freedom Is the Humane Solution to Global Poverty* (Oxford: Oxford University Press, 2018).

5. Carens, Joseph H., *The Ethics of Immigration* (Oxford: Oxford University Press, 2013), 286. Motive questioning is just one rhetorical strategy that has been deployed against appeals to cultural preservation. Strawmen are also frequently deployed, for example, when the cultural preservationist is depicted as believing in the possibility or even actuality of a culture that is not subject to change; that has clear boundaries; that does not owe anything to other cultures; and whose members (should) all have a single allegiance or affiliation or identity. Such strawmen abound, for example, in Scheffler, Samuel, “Immigration and the Significance of Culture,” *Philosophy and Public Affairs* 35(2) (2007): 93–125; Waldron, Jeremy, “Minority Cultures and the Cosmopolitan Alternative,” *University of Michigan Journal of Law Reform*

25(3) (1992): 751–92; and Waldron, Jeremy, “What Respect Is Owed to Illusions about Immigration and Culture?” NYU School of Law, Public Law Research Paper No. 16-49 (2016), accessible at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2851527. For a more realistic depiction of what a cultural preservationist believes, see Eliot, T. S., *Notes towards the Definition of Culture* (London: Faber and Faber Limited, 1948), 50–60, 110–14; Scruton, Roger, *How to Be a Conservative* (London: Bloomsbury, 2014), 90–92; and Miller, David, “Is There a Human Right to Immigrate?” in *Migration in Political Theory: The Ethics of Movement and Membership*, eds. Sarah Fine and Lea Ypi (Oxford: Oxford University Press, 2016), 28–29.

6. Elsewhere (in De Clercq, “Huemer on Immigration and the Preservation of Culture”) I have defended the argument from cultural preservation against objections raised in Huemer, Michael, “Is There a Right to Immigrate?” *Social Theory and Practice* 36(3) (2010): 429–61.

7. Miller, “Is There a Human Right to Immigrate?” 27–28.

8. Miller, David, *Strangers in Our Midst: The Political Philosophy of Immigration* (Cambridge, MA: Harvard University Press, 2016), 154.

9. A similar argument was made by Michael Walzer in his *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), 61–62. It might be more natural to say that we “have a right” to be self-determining, but Miller has some reservations regarding this terminology (Miller, *Strangers in Our Midst*, 70–71). Moreover, Miller has another argument for immigration restrictions, based on the need to control the size of the world population, which I will henceforth ignore (*Ibid.*, 65).

10. *Ibid.*, 62.

11. *Ibid.*, 63–64.

12. *Ibid.*, 64.

13. See, for example, the references in Fine, Sarah, “The Ethics of Immigration: Self-Determination and the Right to Exclude,” *Philosophy Compass* 8(3) (2013): 254–68.

14. Miller, *Strangers in Our Midst*, 69.

15. *Ibid.*, 63.

16. Singer, Peter, *Practical Ethics* (3rd ed.) (Cambridge: Cambridge University Press, 2011).

17. Miller, *Strangers in Our Midst*, 71.

18. Miller’s focus on self-determination *within the boundaries of human rights* already points in this direction (*Ibid.*, 62–63).

19. Miller, David, *On Nationality* (Oxford: Clarendon Press, 1995), 82–90.

20. See, for example, Fine, “The Ethics of Immigration,” 262–63, and van der Vossen and Brennan, *In Defense of Openness*, 39–40. See also Margalit, Avishai, and Joseph Raz, “National Self-Determination,” *Journal of Philosophy* 87(9) (1990): 439–61, especially 451–53, where an argument for the intrinsic value of national self-determination is critically examined.

21. Van der Vossen and Brennan, *In Defense of Openness*, 39–40.

22. See Borjas, George J., *We Wanted Workers: Unraveling the Immigration Narrative* (New York: W. W. Norton, 2016) for similar reservations.

23. “Historically liberal institutions and their predecessors have been remarkably robust . . . Of course, in the past people also feared a lack of support among immigrants for domestic cultures and norms. In the United States, the same points were once made about Irish, Italian, Chinese, and Eastern Europeans [sic] immigrants, and many others. None of these groups actually threatened American liberalism. We see little reason to think that today’s immigrants . . . are different” (van der Vossen and Brennan, *In Defense of Openness*, 40–41).

24. Scruton, *How to Be a Conservative*, viii.

25. Van der Vossen and Brennan, *In Defense of Openness*, 20.

26. *Ibid.*, 40.

27. Esipova, Neli, Julie Ray, and Anita Pugliese, “Newest Potential Net Migration Index Shows Gains and Losses,” *Gallup*, December 10, 2018, <https://news.gallup.com/poll/245270/newest-potential-net-migration-index-shows-gains-losses.aspx>.

28. That is, of course, if people were to *act on* their migration preferences—an assumption already entailed by “if everyone’s migration preferences were to be satisfied.” Note (with Borjas, *We Wanted Workers*) that the economic benefits promised by advocates of open borders also presuppose an enormous amount of migration.

29. Paul Collier notes that such a larger “diaspora” may in turn increase the rate of immigration. See his *Exodus: How Migration Is Changing Our World* (Oxford: Oxford University Press, 2013), 38–39, 91.

30. Van der Vossen and Brennan base part of their optimism on the claim that “immigrants today integrate better, not worse” (*In Defense of Openness*, 40). The claim is supposed to be supported by evidence from the Manhattan Institute. But the institute’s report attributes increased integration to a slowdown in immigration, and also to the profile of recent immigrants: “a higher proportion of Vietnamese-type immigrants, and fewer Mexican-type immigrants” (Vigdor, Jacob L., “Measuring Immigrant Assimilation in Post-Recession America,” *Civic Report*, 76, March 2013, https://media4.manhattan-institute.org/pdf/cr_76.pdf). Moreover, Borjas thinks the evidence points to a slowdown in integration (*We Wanted Workers*, 96–100). More reasons for pessimism about the influence of institutions on cultures can be found in Joshi, Hrishikesh, “For (Some) Immigration Restrictions,” in *Ethics, Left and Right: The Moral Issues That Divide Us*, ed. Bob Fischer (Oxford: Oxford University Press, 2019), 196–97.

31. Van der Vossen and Brennan, *In Defense of Openness*, 41–42 (see also 182n12).

32. Kaufmann, Eric, *Whiteshift: Populism, Immigration, and the Future of White Majorities* (London: Allen Lane, 2018), 469.

33. Van der Vossen and Brennan, *In Defense of Openness*, 42.

34. *Ibid.*, 31.

35. Moral particularism is the view that we cannot appeal to general principles (for example, “Lying is always wrong”) to justify our moral judgments about particular cases.

36. Miller takes them to correspond to the preconditions for leading a “minimally decent life” (Miller, *Strangers in Our Midst*, 31–32).

37. Van der Vossen and Brennan, *In Defense of Openness*, 28.

38. *Ibid.*, 39.

39. Wellman, Christopher Heath, “Immigration,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Winter 2019 Edition), <https://plato.stanford.edu/archives/win2019/entries/immigration/>.

40. This seems to be a point that has been neglected by authors who are sympathetic to claims made on behalf of cultural preservation. For example, Margalit and Raz, “National Self-Determination” (e.g., 448), and Miller, *On Nationality*, 85–86, exclusively point to benefits conferred on members of a culture.

41. Cf. “We have to admit . . . that no one society and no one age of it realizes all the values of civilization. Not all of these values may be compatible with each other: what is at least as certain is that in realizing some we lose the appreciation of others” (Eliot, *Notes towards the Definition of Culture*, 18).

42. Williams, Bernard, *Ethics and the Limits of Philosophy* (London: Routledge, 2011), 181. Originally published in 1985.

43. Eliot, *Notes towards the Definition of Culture*, 58.

44. Modood, Tariq, "Islamophobia: A Form of Cultural Racism," 3, submission to the All-Party Parliamentary Group on British Muslims in response to the call for evidence on "Working Definition of Islamophobia," June 1, 2018, <http://www.tariqmodood.com/reports.html>.

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7

Learning All the Wrong Lessons

Dan Demetriou (University of Minnesota, Morris)

In 2013, I taught a course on sex ethics for the first time. The best student in the course, a queer activist and trans ally philosophy and gender studies double-major, gave a very illuminating presentation on the mainstream gender studies views of sex and gender. That presentation first acquainted me with the “genderbread person,” which distinguished sex, gender, and gender expression, each represented by a spectrum. I also learned about terms such as “cisgender,” “nonbinary,” and “genderqueer” and was informed that you weren’t supposed to say things such as “sex change operation” or “transsexual.” This now sounds quaint, but in 2013 very few faculty were familiar with basic trans concepts and conventions.¹

While this student was presenting, an idea came to me. So, with help from him, we wrote a paper up and presented it at my university’s new gender and women’s studies works-in-progress series. Roughly the thought went as follows:

Accept the (then) gender studies orthodoxy that sex and gender fall along continua. Gender studies scholars are focused on the underrepresented center: the intersex people in the middle of the sex continuum and the “gender neutral” people in the middle of the gender spectrum (who may or may not now prefer to be called “non-binary”). But what about people at the tips? That is, on the sex spectrum (figure 7.1), there are presumably only a small percentage of hypermale people in the population, followed by a lot of normally male-bodied people, then a small percentage of intersex people in the middle, then a lot of normally female-bodied people, and then a small percentage of hyperfemale people at the other extreme. Similar things can be said of gender (as observed in figure 7.2).

My very simple idea was that if transgenderism is (roughly) people wanting to transition to points significantly nearer the *opposite* pole, why wouldn’t you be in some sense “trans” if you wanted to “transition” to a point on the sex or gender

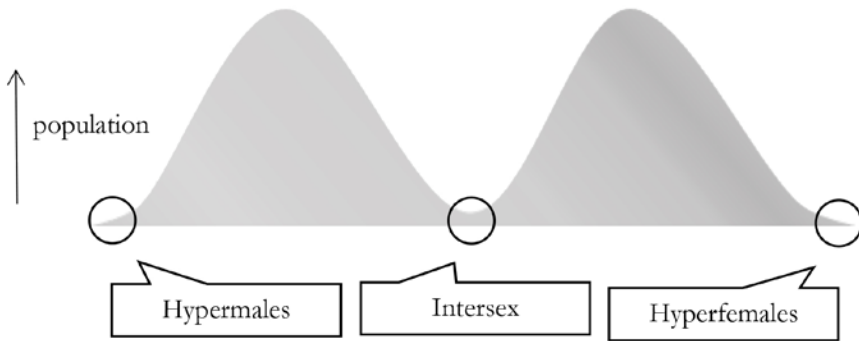


Figure 7.1. Hypersex on the Sex Spectrum

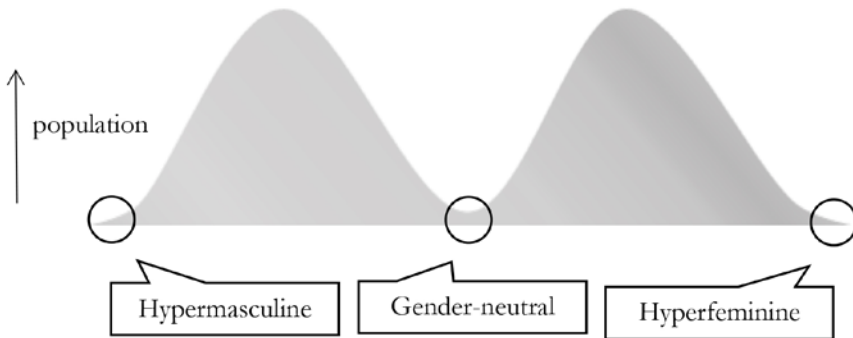


Figure 7.2. Hypergender on the Gender Spectrum

spectrum equally far away toward the *nearer* pole? For instance, what if an average man wished to be significantly more male-bodied or masculine—why wouldn't he be trans, or something metaphysically and morally (if not socially) analogous? Thus, in figure 7.3, a slightly effeminate man, Wes, would be considered trans if he transitioned to Zoe. If that's right, then if he made an equally significant transition to Chad, we wondered, why wouldn't he be transgender, too—or at least the ontological and moral equivalent of a transgender person?

We then got political. We noted that progressives seem very accepting of those who, like Zoe, transition *across* the gender divide, but tend to be dismissive of those who, like Chad, “exaggerate” their present gender or sex. Males who lift and take steroids, get into weapons, or take up MMA and so on are generally looked at with suspicion by feminists and progressives for following scripts of “toxic masculinity.” There is even a psychological malady called “hypermasculinity disorder” that defines hypermasculinity partly in terms of “rapey” behavior and sexist attitudes.² How, we wondered aloud, could progressives say they're champions of gender freedom while at the same time disparaging a position on the gender spectrum, and by extension those who wish to transition there?

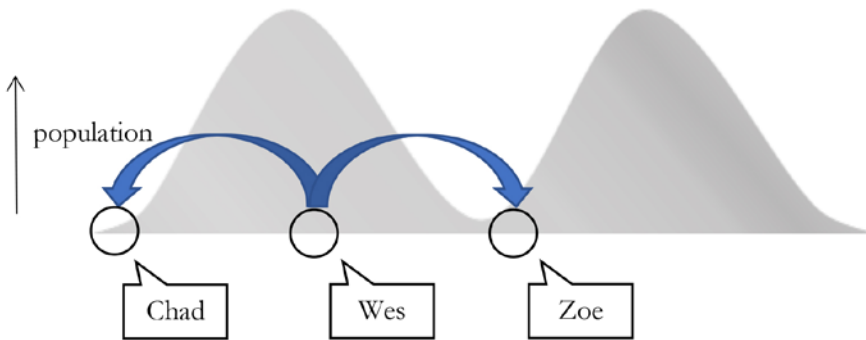


Figure 7.3. Two Types of Gender Transition

We also criticized conservatives, whom we saw as inconsistent by criticizing trans people while at the same time celebrating and encouraging behavior that looks a lot like gender exaggeration. Many of the same Christian conservatives, for example, who boldly proclaim that “God doesn’t make mistakes” and declaim against the unnaturalness of transgenderism see nothing wrong with makeup, shaved legs, high heels, and a host of other female-exaggerating displays, and they usually promote a culture that spurs boys and men to ever-more masculine performance.³ A perfect example of the latter is the *Captain America* superhero story, whose protagonist, Steve Rogers, has a heart of a lion but a weakling’s body. Rogers is “transformed” into a super-soldier with a hypermale body to match his highly thumotic spirit thanks to a special “serum.” Given the gender spectrum model above, it’s hard not to see this mainstream piece of Americana pop culture as a transgender parable.

We went through the presentation and our audience . . . just stared at us; there was no applause. Then we received a couple good questions (the best were about whether we ignored the social realities of gender transitioning, which are far more dramatic for trans people than gender exaggerators), received our thanks when time was up, and then . . . again nothing: no applause. The audience just gathered their things and left, with a few audience members conversing with us in the hall. (Where was “please clap” Jeb Bush when we needed him?)

Around this time I was on the job market to see whether I could find a better position, and managed to land an on-campus visit at fairly well-to-do small private liberal arts college. The philosophy faculty there liked my work on honor, being themselves somewhat conservative—a very rare alignment of stars. In informal conversation at the American Philosophical Association I was asked whether I’d be satisfied with a salary \$25,000 higher than what I was currently making, not counting many other perks not offered by my humble public liberal arts college, and they flew my wife down with me to sell her on the place. Realistically, all I had to do was show up at the job talk, be friendly, and talk about honor. But I was writing this paper at the time, and I wanted to share something my future colleagues hadn’t heard before. As anyone with common sense could have predicted, my talk was an unmitigated

disaster. A feminist student in the audience started crying. The faces of the conservative faculty in the audience grew stony. I was largely ignored in the dinner afterward, and I didn't get the job.

Dispirited professionally but not intellectually, I sent the paper to journals. At that time, nothing challenging the mainstream trans paradigm was to be found on philosophy's major database, philpapers.org. I didn't realize that philosophers *probably had noticed* that transgenderism existed and *probably had interesting things to say about it* but *weren't for some reason*. Arrogantly, I figured I was just ahead of the curve, and, naively, I assumed philosophy was a functional field of study. So, I submitted the paper to journals. I got, I think, something like five desk rejections and two referee reports. The reports were the worst hatchet jobs I have ever seen: outright misrepresentation to the editor of what we said, many complaints that our terminology wasn't in keeping with the way trans people talk about themselves (good luck to anyone trying to keep up with the rapidly shifting idioms of trans discourse), and finally a note to the editors that "This was an upsetting paper to read. I think that it will be personally offensive to a lot of trans people, and I think that the authors should consider why (and whether they should change or abandon the project)."

A prominent trans referee groused about it on her social media before I received this report, and I groused on social media about the report she gave me. This led to a post about ideological policing on *Daily Nous*, a major philosophy industry blog, about my complaints. The discussion there seemed to vindicate my sense that the idea was interesting enough to warrant publication, and my comments (despite being written on my cell phone with sporadic electricity, as I was in rural Cameroon at the time) were fairly well received.⁴ Colorado's David Boonin, who disagrees with me on most things but actually likes provocative ideas, was gracious enough to publish a blog-post version of these ideas on his *What's Wrong?* blog.⁵ This remains the only "published" version of this work, although the essay is still available on philpapers.org.⁶

This little drama exemplifies the nature of my dissidence, which is not an expression of an already developed ideology contrary to the progressive consensus—I never thought of myself as "conservative" and have never been Christian. Rather, my dissidence usually begins with a naïve curiosity about some realm of inquiry that is *supposed* to leave one with progressive attitudes but ends with my reaching a position which, be it rightist/conservative or (as in this case) not, nonetheless irritates progressives.

Since much has transpired on trans issues since that time, the paper would need to be substantially revised before being sent out again. I would now take stock of Ray Blanchard's work on autogynephilia, which adds important wrinkles.⁷ Blanchard and some others, such as psychologist J. Michael Bailey, argue persuasively that the majority of male-to-female trans women are autogynephiles, or men who are sexually aroused by the prospect of their bodies as female.⁸ Autogynephilia theory is an explosive subject in its own right since, if true, the majority of trans women do not have a feminine psychological identity but are rather using their transitions to act

out a sexual paraphilia.⁹ On the other side of things, there is good reason to suppose that many tween females interested in transitioning are not really gender dysphoric in the sense of having a strong masculine self-identity, but rather are suffering from Rapid Onset Gender Dysphoria (ROGD), galvanized by the prospect of transitioning because of a variety of issues, including borderline personality disorder, social contagion, social awkwardness, and (the threat of continued) sexual abuse.¹⁰ Since the hidden explanations for transitioning are many and complex, drawing analogies to gender exaggeration is likewise complicated. Generally, I would argue today that *if* one recognizes a right to transitioning without negative judgment either medically or morally, one should do the same *vis-à-vis* exaggeration. Likewise, *if* autogynephiles deserve access to hormone treatments because of their paraphilia, then male exaggerators deserve access to anabolic-androgenic steroids even if they don't have an identity mismatch between their scrawny selves and muscular self-image, simply because *they* feel sexier as hypermale-bodied or are so highly sexually narcissistic as to be aroused by *their* bodies as more male.¹¹

Note the "ifs": having said all this, since about 2017 I have grown more skeptical of the transgender cause.

In large part, my trans skepticism is a reaction to excesses in transgender activism. Transgender activists often insist that everyone must affirm that trans people *really are* their adopted gender as opposed to having a right to be treated (in part or in whole) *as if* they are their adopted gender. An accommodating position held by many philosophers in private conversation holds that our moral requirements of respect are discharged by as-if treatment. But many trans advocates wish to silence private individuals and academics who argue against the possibility of *actually* transitioning, even to the extent of criminalizing such speech on social media or banning expression of contrary views in classrooms.¹²

I also object to what appears to be trans marketing. I was much more tolerant of transgenderism when I saw it as an extremely rare condition and lifestyle. But clearly it is not: in just a few years, we have reached the point where, according to the Centers for Disease Control, 2 percent of young Americans are identifying as trans,¹³ and it seems reasonable to expect that the average classroom will soon have at least one trans student. I doubt such a large segment of our population struggles with undiagnosed gender identity disorders. Anecdotal evidence from de-transitioners and former therapists for young transitioners is mounting that transgenderism is seen (and sold) as a panacea for a host of troubles young people face, some normal but some distinctly modern.¹⁴ The hype around transgenderism has led many gay, autistic, or awkward young people uncertain of how to perform their gender to identify as trans or nonbinary, usually scuttling their chances at reproducing or even mating.

Thus, my *modus ponens* of 2014 or so . . .

1. If transgenderism is morally unproblematic, so is gender exaggeration.
2. Transgenderism is morally unproblematic.
3. So, gender exaggeration is morally unproblematic.

. . . is something I cannot endorse any longer, because I now doubt the second premise. I now am sympathetic to these two propositions:

4. If transgenderism is morally unproblematic, so is gender exaggeration.
5. But the converse doesn't hold: if gender exaggeration is unproblematic, then transgenderism may nonetheless be problematic.

Of course, scale and cultural particulars matter. But, overall, it seems to me that gender exaggeration will usually not be as harmful to a person's sexual and reproductive prospects (and thus their emotional well-being) as transitioning will: heavy steroid use and injection of synthol to get artificial muscles is dangerous, as are extreme male risk-taking performances and displays. *Mutatis mutandis* for female gender exaggeration in the form of breast and (nowadays) butt implants, extreme diets, and so forth. But the negative outcomes for gender exaggerators seem dwarfed by the negative mental and physical outcomes of hormone treatment, misdiagnosed dysphoria, and gender reassignment surgery—especially for young people.¹⁵

I still teach my sex ethics class. It's been an emotionally exhausting experience, mostly because of the insight it offers into the sexual unhappiness of my students. In 2013, I would have described myself as basically libertarian and (I agonize to say) "sex positive." Now I hold liberal sex ethics, which considers sex a private matter morally governed by the norms of mere consent, in utter contempt, as I do much of my own thinking about sex up to this point. I now sympathize with a wholly secular movement—more "traditional" than "conservative"—on the right that sees the last century's experiments with sexual liberation as a civilization-threatening failure. These gender-troubled days will pass. But their replacement will not be the moderate equilibrium that, I guess, the silent majority of philosophers today desire: one in which a tiny percentage of gender dysphorics are allowed to live as their preferred gender, with exceptions for sport or certain spaces (such as waxing parlors)¹⁶ where institutions or practitioners may discriminate on the basis of biological sex. I predict instead that the most tolerant societies will grow increasingly intolerant as they feel themselves threatened, and this will result in a multigenerational rightward shift, a central aspect of which will be socially enforced gender roles that are patriarchal and pronatalist. Why I think this is so brings me to another instance in which I learned the wrong lessons . . .

In northern Ethiopia I encountered a people called the Afar. Stubbornly traditional, their lifeways, except for their adoption of Islam, have changed little over the millennia. There is also an infamously low-trust society, with a reputation for decorating their huts with the scrotums of conquered enemies or trespassers.¹⁷ Although all live in the hardscrabble of this singularly resource-poor area of sub-Saharan Africa, the ones I met eked out a particularly precarious existence in Africa's version of Death Valley, the Danakil Depression, where the continent is pulling itself apart in three directions.

The Afar of the Danakil are hammered by an unrelenting tropical sun on an anvil of desert scrub peppered with sulfurous springs, endless salt plains, salt lakes, and

active volcanoes. The Afar men I met in the Danakil spend most of their energies mining the plains by chopping salt into squares, which they load upon their camel trains and sell in cities over a hundred miles away. I tried my hand at chopping salt and was exhausted after a couple minutes, but even the much harder Afar take frequent breaks, with only about a third working at any time. Through an interpreter I chatted with them about their views on honor and manhood, but the questions I wanted to ask were more practical: Why didn't they work under an awning? Why did they reject Ethiopia's offer to build a railway out to the salt plains, so they could move more salt? Why did they abjure any modern convenience or tool? My experiences in Africa had by then discouraged me from asking such questions: I didn't want to play the part of the improving, meddling, complicating white person.

Afar women have a very hard lot. They do most of the herding, build the huts and fences, and of course do all the cooking, cleaning, and childcare. As a polygamous culture in a climate that must make full use of women's reproductive careers, female child marriage is typical. When I was there, a fifty-something-year-old man was marrying a fourteen-year-old girl: she was estimated to be his sixth or seventh wife (some had, of course, died) and she has probably given him his sixtieth child by now. The groom was once himself a simple salt miner, but for whatever reason—charisma? looks?—his ambition of getting a government administrative job and pension was achieved when the local authorities realized he had so many sons that his clan was deemed a potentially destabilizing threat, and they gave him the largely no-show government position he coveted.

My companions and I said goodbye to the Danakil by reaching out of our truck windows and passing out nuts we brought to give small children we'd come across. However, older kids materialized out of the Martian landscape, and the children in front were roughly pushed aside by older boys who snatched at our bags. To prevent the younger children from getting trampled, I threw handfuls of nuts on the ground far from the truck, as if I were feeding geese at a park. Although hardly dignified from my perspective, at least the smaller children were able to get some of the nuts, which they stuffed into their mouths. We drove away and were pursued by youngsters for a couple hundred yards, who bounded after us by leaping from razor-sharp volcanic rock to rock in bare feet.

From there I returned to my then home in the Swedish countryside, where I was spending my sabbatical with my family. In contrast to those lean and desperate Afar children, the kids at my children's school were feted with daily lunches in the form of lavish buffets of nutritious, locally prepared fare: plenty of fish and meat and fresh vegetables, much of it organic. At mealtimes the impeccably behaved children ate quietly, returned their plates to the counter, wiped their tables clean, and placed their chairs upside down on the lunch table. After school they would be picked up in the ceaseless drizzle by their beautiful, smartly dressed, Volvo-driving parents to be carted off to some sort of lesson: music or horseback riding, perhaps.

The infallibly polite smiles the Swedes shared among themselves and especially to my family belied the political turmoil in Sweden at the time. Sweden was still in

shock from a massive influx of migrants from Africa, the Middle East, and Central Asia. This land of recently nine million was practically and morally unprepared for the onslaught of about a million migrants their generous welfare policies would attract in just a few years.¹⁸ When I was there, the government was housing refugees in hotel rooms costing hundreds of dollars per night as migration services struggled to find permanent housing.¹⁹ School systems that had experienced very little ethnic or religious diversity suddenly had students from Afghanistan and Somalia to deal with. The ethnically homogenous Sweden had a culture built upon a host of very Nordic behavioral assumptions and thus did not—and still does not—know how to cope with the troublingly high percentage of low-trust, clannish, ethnocentric migrants²⁰ who adhere to profoundly segregated gender roles,²¹ exploit social services as a matter of duty,²² and view Swedish sartorial and sexual norms as a signal that Swedish women are appropriate targets of sexual assault.²³

One thing many outsiders marvel at is how naïve Swedes were revealed to be by the migration crisis. Manipulating Swedish immigration officials in this highest of high-trust cultures does not appear to be very challenging. For instance, migrants regularly toss their papers and lie to immigration officials about their home situation and even country of origin to be counted as a “refugee” as opposed to what they usually are: economic migrants. If their refugee status is denied, most avoid deportation by simply ignoring letters instructing them to show up at deportation centers.²⁴ Unaccompanied minors are fast-tracked and given preferential treatment, but dozens of embarrassing reports—complete with pictures of grizzled grown men with five o’clock shadows wedged in among bright-eyed teenage Swedes—eventually forced the government to medically assess the real age of these supposed minors, finding that 85 percent of questionable cases—6,628 in one round of testing—were adults (readers owe it to themselves to search out some images of Swedish migrant “teens” to fully grasp the vulnerabilities of a high-trust society).²⁵ Swedes, whose own ministers have told them they lack a culture,²⁶ have had to grapple with child marriages;²⁷ polygamy;²⁸ and gender-segregated schools, buses,²⁹ and pools.³⁰ It should be apparent to everyone now that the Swedes have a culture after all—whether they can maintain it is the question.

My attitudes toward mass migration into Europe, especially by Muslim populations, had been negative for some time, but the mass sexual assault of over a thousand women at the 2015–2016 New Year’s Eve celebrations in Cologne and other German cities, combined with the suppression of these reports by the German press and government, solidified my impression that Europe was not just dying but also committing suicide.³¹ Meanwhile, Trump was assuming office and the media, academia, and many of my colleagues were in full meltdown over the change in administration. It is widely appreciated now that one of Trump’s most effective weapons is the visceral hatred of him, which causes his opponents to reflexively endorse whatever he is opposed to. In this case, because of Trump’s (supposed) hardline stance on illegal immigration, American and indeed most European media saturated the airwaves with pro-migrant messaging. Being pro-illegal migrants had become essential to

being anti-Trump, and stances on illegal immigration for which Clinton or Obama paid lip service just a few years prior were now deemed “fascist.”³² My university was taking unprecedented political stands to countersignal the new administration and affirm the vital need for immigrants. Even Superbowl ads pushed the meme that immigrants were “the best of us” and that Americans were incapable of creating and sustaining a competitive civilization without the contribution of this invaluable human resource of migrants from the third world. The message was, to my mind, plainly demoralizing, gaslighting, and subversive. So, one afternoon I gave myself permission to post something on my Facebook not one whit more inflammatory than what my leftist friends and colleagues were posting in the opposite direction.

100% of illegal immigrants lower confidence in the rule of law and add people and workers and students we don't need. They on average have IQs lower than natives and low skills. They are harmful to an economy about to automate, especially when it's a welfare state. Look up the tragedy of the commons if you don't understand the dangers of open access to a shared resource.

And refugees are way worse, as most adhere to a religious-political cult with repulsive values at war with the west [sic] from its inception. No country who has taken in the current crop of refugees has made it work. No school with many refugees or illegals is a good school. None of their neighborhoods are safe. Not everyone has an extra \$100k to avoid them.

What an insult to our kids, our educators, to suggest for a moment that a 20 yr old, raised in rubble and taught to hate you, gays, Christians, Jews, women's rights, and western liberalism would be as good an American as your kid. Truly, let's save a trillion and scrap the education system if we can't produce better average children than the average refugee.

I quote the post in full because it changed my life forever. Quite beyond the offense it caused among some of my friended colleagues, it was screenshotted and sent around to faculty and students who I wasn't connected to on social media (all my Facebook settings were on “private” and I don't “friend” students until they graduate). Within twenty-four hours I was receiving emails from professors I didn't know personally about how I was a fascist and how disappointed they were to have me as a colleague. Some of the more righteous professors at my university held a teach-in about it and issues relating to Trump, immigration, racism, and white nationalism. A few students and faculty called for my firing. Within forty-eight hours the post was being discussed in Minnesota's largest newspapers. Various national outlets picked up on the story. All of this while I was thousands of miles away in the quiet Swedish countryside, with little information about who was saying what about me.

Although I could have done better, I held my ground pretty well. I knew enough to know that one never apologizes to progressive outrage mobs. I referred requests for comments to something I wrote on my professional website doubling-down on my position. The *Daily Nous* ran a piece about it—a gratefully balanced one, too—and its resulting discussion was not the bloodbath I expected.³³ The climax came when I was contacted by Tucker Carlson's producer inviting me on the show and asking

where to send the limo so I could be taken to a studio for the interview. Carlson is the one journalist I felt I should talk to. I explained to his producer that I was in rural Sweden and that I'd have to Skype in. So, the next day, at about 3:30 a. m. local time, with every underpowered lamp in our house pointing in my direction, I stared into the blank screen of my laptop responding to unrehearsed questions from Carlson to an audience of about 2.5 million people. The whole experience was surreal.

After the interview I was deluged with emails, friend requests, and follows on social media. There are many Americans who feel betrayed by academia and I was encouraged to be a renegade America-first academic. I knew, however, that I am not cut out for punditry, and prefer remaining what I am: a low-agreeable professor whose status is too meager to justify reciting progressive dogma I don't believe. Days later, an Uzbek asylum-seeker hijacked a truck and ran down as many "infidel" (as he put it) Swedes as he could on a busy pedestrian street in Stockholm. Five people died in the attack, one of them an eleven-year-old girl who was literally cut in half: pictures of *her* corpse, unlike the corpse of a Turkish (not Syrian) migrant boy who washed ashore on a Greek beach, or the corpses of migrants at the US southern border, were not featured on mainstream news outlets.³⁴ I was once more contacted by Carlson's producer, asking me to come on again and comment on Sweden's self-inflicted domestic terrorism problem. Although I was livid about the attack and knew that too few voices out there were willing to protest Europe's suicidal migration policies, I realized it wasn't my place to comment publicly on Swedish problems, and it would insult the memory of that poor girl for me, an American, to jaw about it on a news show.

What seemed to offend people most about my post was the comments about IQ. The bit about IQ was interpreted as a comment not on the observed "phenotypic" IQ gaps between those in receiving countries and their migrants³⁵ but about the intellectual potential of populations. How confident one should be about the long-term human capital of migrants probably has a lot to do with from where the migrants hail.³⁶ In any event, I meant the gap as important given the looming inevitability of automation, and even then meant it is only really significant because progressive welfare policies, when combined with mass migration, would mean that an even higher percentage of the American population would be dependents of the state. Only later did I discover the work of economist Garret Jones, who argues that mass migration from countries with a low mean IQ will have seriously harmful effects on first world institutions.³⁷

The internet is forever, so my views will probably be indelibly associated with those expressed in that post. Of course, I've grown a great deal since early 2017, as has any thoughtful person. For instance, I wouldn't today criticize Islam for being a "hate cult," since any ideology currently in play seems plenty "hateful": the problem with Islam isn't that it's hateful—it's who it hates and why.

I also care much less about the IQ of immigrants now, for the mean intelligence of this or that wave of migrants is a distraction from more serious practical and moral concerns. As I see things now, peoples benefit very little from mass migration into

their lands of *any* sort, be it low-IQ or high. After all, what does a growing GDP of a “country” matter to a people if the country is no longer theirs? A population’s true interest lies in maintaining its homeland for itself and its children, finding *its own* solutions to *its own* problems, and mining the resources of its genius, as opposed to drifting about in a superficial society designed to accommodate ever-higher levels of ethnic, cultural, and religious diversity. Just as we wouldn’t adopt strangers’ children, no matter how brilliant, to “improve” our families, I think we shouldn’t import migrants, no matter how great they may be, to improve our countries. If intelligence, some personality trait, or other psychological phenotype is important, we should create environments that select for those traits among ourselves.³⁸

Consistency on this point calls me to reflect on my own family’s immigration to the United States. My grandparents immigrated in the 1910s, like so many millions of southern and eastern Europeans. Sponsored by Greeks who came to America before them (a process now called “chain migration”), my grandfathers worked in the steel mills of Youngstown, Ohio, and my grandmothers raised responsible children who fought for America in the Second World War. My grandparents, true to stereotype, had a picture of FDR in their home. They voted Democrat, as did their children for some decades. They swallowed the flattering rhetoric of America being “a nation of immigrants” and a nation “built by immigrants” and so forth. I was raised with these tropes too. But now I see them as false and offensive. As progressives remind us whenever taking a break from trying to mesmerize us into accepting more migrants, America is *not* a nation of immigrants: this land was conquered, and conquerors are not immigrants. Native Americans are not immigrants. And, importantly, black Americans are not an immigrant community. *Why* were my grandparents allowed into this country, after all? Not for humanitarian reasons, but rather because industrialists wanted more and cheaper labor for their mills. My grandparents relieved the “labor shortage” that would have resulted in massive opportunities for poor white, and especially poor black, Americans. True, many millions of black Americans did move into the industrial north during the Great Migration, but how much better off would they have been without competition in the labor market from Greeks, Italians, and Poles?³⁹ How much cheaper would their housing have been? How much more cultural attention would have been devoted to them if other minority demographics weren’t competing with them for a fixed amount of political power? Thus, I cannot help but condemn the wave of mass migration that allowed my grandparents to migrate to America, just as I condemn this one.

We are taught to see conquering as evil, but immigration as neutral or even as a good. I no longer see why. Except for Native Americans,⁴⁰ everyone got to America by conquering, settling, immigrating, or being brought here as slaves. Only the last category is unimpeachable. Why should settlers and true immigrants (who I see as arrivals in an already settled land) be looked at as any better than conquerors? If an Anglo carjacks a Native’s car, is the Swede settler any better for buying it off the Anglo, conducting the transaction over the prostrate body of the Native? Or the Greek immigrant for buying the car after that? Any less violence on the part of the

immigrant is balanced by his opportunism: the conqueror at least fought for what he has, whereas the immigrant in many cases flees the call to improve his homeland and pursues personal gain in a land pacified and made prosperous by a strange people who, in the greatest of ironies, he often looks down upon and hopes his children won't marry into. Again, my family, and I personally, figure poorly in these calculations. Like so many immigrant families, my grandparents preferred Greek ways to American ones, did their best to discourage their children from marrying non-Greeks, and left their children with a schizophrenic identity, neither Greek nor American. Likewise, I moved my family to rural Minnesota, a land I have no connection to, to pursue *my* career ambitions. My children have no extended family here, I don't want them to marry anyone from the small town I have moved into, nor do I belong in rural Minnesota. I am happy to take my paycheck, though. I enjoy my cushy job as a professor. I appreciate the safety and peace of rural Minnesota, which is far more functional than my hometown of Youngstown, which I left rather than improved. Not until recently did I appreciate the moral superiority of those who bloom where they're planted and better their local communities and homelands.

Thus, what had begun as a concern for institutions and security has been replaced by a focus on home and identity. Obviously, I like functional institutions. I sincerely believe mass migration jeopardizes our institutions, not just because of human capital concerns but even more so because of the loss of trust that comes from ethnic and religious diversity.⁴¹ When Sweden stops recording the ethnic demographics of criminals to hide the truth about migrant criminality,⁴² when British police turn a blind eye to nineteen thousand white British girls systematically targeted, raped, and groomed by Pakistani pimps,⁴³ when our own armed forces—so operationally effective overseas—somehow cannot protect our own borders, the pretense of maintaining our institutions under mass migration evaporates. We have traded national identity and *thus* sovereignty for lower labor costs and convenience under the assumption that our institutions, at least, are resilient enough to withstand mass migration. But what we appear to be seeing right now is that it is impossible to maintain a society with functional institutions without also maintaining a baseline of fraternity.

John Stuart Mill, who, it should be remembered, argued against mass migration from less civilized to more civilized lands,⁴⁴ defined a nation as people not necessarily united by ethnicity but by common political history⁴⁵—as I understand it, a group of people who have survived war and poverty and have emerged from these privations with a unique identity and high levels of ingroup trust, making it easier for them to transact with each other and leaving them with a sense of mutual obligation to aid. The migrations into receiving countries such as Sweden, the United Kingdom, or the United States over the past few decades make it a trivial truth that the current residents of these countries no longer compose respective “nations,” in even Mill's expansive sense. Thus, it may surprise some readers, as it has surprised me, that I find myself, if anything, more empathetic to people in many developing countries *because* of what is happening in my own. We have been told for some time by historians that colonialist governments hobbled Africa's future by leaving Africans with artificial

“states” that don’t map onto traditional tribal territories or organic allegiances.⁴⁶ Similar rationales against mass migration to the *West* are deemed racist and xenophobic for reasons that escape me—maybe progressive thinkers think more highly of whites?—but the original insight remains true enough, and we can experience for ourselves the civilizational drag that comes from living in lands divided by incompatible political, ethnic, and religious groups. How couldn’t “populist nationalists,” then, watching their own lands being settled by foreigners, not have keener sympathy for those Africans or Middle Easterners whose lands have similarly been colonized? Or feel a strange mix of guilt and fellowship with the Native peoples of this land? Only after becoming a “xenophobic nativist” could I start to really appreciate how a proud people can be brought low by having their homelands taken and their culture erased. I now recognize the importance of tribalism, and the weaknesses of individualist, high-trust societies in a mobile world. I’m even starting to see the advantages that come from living in an *undesirable* place, and contemplating the upsides of deliberate poverty, which makes at least a people’s territory a less attractive target for migrants. Maybe this is the answer to the unasked questions I had for those Afar miners, who will be obstinately chopping their salt in Afarland long after the American epoch has ended.

NOTES

1. The genderbread person has been radically updated since this time. See “All Resources for the Genderbread Person,” Genderbread.org, accessed Feb 15, 2020, <https://www.genderbread.org/resources>.

2. Mosher, Donald, “Hypermasculinity Inventory,” in *Handbook of Sexuality-Related Measures*, ed. Clive M. Davis et al. (Thousand Oaks, CA: Sage, 1998): 472–74.

3. See for instance, Mead, Christina, “What the Catholic Church Wants the Transgender Community to Know,” *Life Teen* blog, accessed February 15, 2020, <https://lifeteen.com/blog/catholic-church-wants-transgender-community-know/>.

4. Weinberg, Justin, “Allegations of Ideological Policing via Refereeing,” *Daily Nous* blog, July 5, 2016, <http://dailynous.com/2016/07/05/allegations-ideological-policing-via-refereeing/>.

5. Demetriou, Dan, “What’s Wrong with Hypermasculinity?” *What’s Wrong* blog, October 12, 2015, <https://whatswrongcvsp.com/2015/10/12/whats-wrong-with-hypermasculinity/>.

6. Demetriou, Dan, and Michael Prideaux, “Gender Exaggeration as Trans,” October 28, 2014, <https://philpapers.org/rec/DEMGEA>.

7. Blanchard, Ray, “The Concept of Autogynephilia and the Typology of Male Gender Dysphoria,” *The Journal of Nervous and Mental Disease* 177(10) (1998): 616–23.

8. Bailey, Michael, *The Man Who Would Be Queen: The Science of Gender-Bending and Transsexualism* (Washington, DC: Joseph Henry Press, 2003).

9. Bailey, J. Michael, and Ray Blanchard, “Gender Dysphoria Is Not One Thing,” *4thwavenow* Blog, December 7, 2017, <https://4thwavenow.com>.

10. Littman, Lisa, “Parent Reports of Adolescents and Young Adults Perceived to Show Signs of a Rapid Onset of Gender Dysphoria,” *PLoS ONE* 13(8) (2018): e0202330. Note that “gender dysphoria” is sometimes spoken of as a psychological mismatch between one’s

psychology and one's body, and sometimes as a mere wish to transition. Sometimes proponents of ROGD use "gender dysphoria" in the latter sense. For a more thorough, popular discussion of this sad phenomenon, see Shrier, Abigail, *Irreversible Damage* (Washington, DC: Regnery Publishing, 2020).

11. Indeed, recent research suggests these feelings are more common than most of us would suppose: see Alexander, Scott, "Autogenderphilia Is Common and Not Especially Related to Transgender" (sic), *Slate Star Codex* blog, February 10, 2020, https://slatestarcodex.com/2020/02/10/autogenderphilia-is-common-and-not-especially-related-to-transgender/?fbclid=IwAR13IYB_g_foAHH4V9AEHYB1pjYeF_PbHLBkCSRUGXXU34qLzU3SezmvAW8.

12. Luckily, the tide seems to be turning. See Byrne, Alex, "Are Women Adult Human Females?" *Philosophical Studies* 177 (2020): 3783–803; and Bogardus, Tomas, "Evaluating Arguments for the Sex/Gender Distinction," *Philosophia* 48 (2020): 873–92.

13. Johns, Michele M., et al., "Transgender Identity and Experiences of Violence Victimization, Substance Use, Suicide Risk, and Sexual Risk Behaviors among High School Students—19 States and Large Urban School Districts, 2017," *Morbidity and Mortality Weekly Report* 68 (2019): 67–71.

14. Evans, Marcus, "Why I Resigned from Tavistock: Trans-Identified Children Need Therapy, Not Just 'Affirmation' and Drugs," *Quillette*, January 17, 2020, <https://quillette.com/2020/01/17/why-i-resigned-from-tavistock-trans-identified-children-need-therapy-not-just-affirmation-and-drugs/>. There is also a detransition subreddit that provides important anecdotal insight into the complexity of trans psychology: <https://www.reddit.com/r/detrans/>.

15. In this regard I note the recent ruling against the Tavistock Center, in which the English court found "that children under the age of 16 considering gender reassignment are unlikely to be mature enough to give informed consent to be prescribed puberty-blocking drugs, in effect curtailing medical intervention for under-16s with gender dysphoria." Brooks, Libby, "Puberty Blockers Ruling: Curbing Trans Rights or a Victory for Common Sense?" *The Guardian*, December 3, 2020, <https://www.theguardian.com/society/2020/dec/03/puberty-blockers-ruling-curbing-trans-rights-or-a-victory-for-common-sense->.

16. Regarding waxing parlors, see, for example, Mangione, Kendra, "Trans Activist Files Another Human Rights Complaint over Waxing Refusal," *CTV News Vancouver*, January 7, 2020, <https://bc.ctvnews.ca/trans-activist-files-another-human-rights-complaint-over-wax-ing-refusal-1.4757496>.

17. Jeffrey, James, "Ethiopia's Remote Afar: An Ancient Way of Life Continues in a Modernising Country," *Inter Press Service*, March 2019, <http://www.ipsnews.net/2019/03/ethiopias-remote-afar-ancient-way-life-continues-modernising-country/>.

18. Jürgensen, Agnete Lundetræ, "Immigration to Sweden from 2008 to 2018," *Statista*, February 11, 2020, <https://www.statista.com/statistics/523293/immigration-to-sweden/>.

19. Nordenstam, Sven, "Housing Refugees Is Big Business for Swedish Pop Tycoon," *Reuters*, September 24, 2015, <https://www.reuters.com/article/us-europe-migrants-swedenbusiness/housing-refugees-is-big-business-for-swedish-pop-tycoon-idUSKCN0RO1HV20150924>.

20. Panshiri, Mustafa, "How Sweden's Blind Altruism Is Harming Migrants," *Quillette*, March 4, 2019, <https://quillette.com/2019/03/04/how-swedens-blind-altruism-is-harming-migrants/>.

21. "Swedish PM Condemns Gender Segregated School Bus," *Local SE*, April 4, 2017, <https://www.thelocal.se/20170404/stockholm-school-segregated-boys-and-girls-on-the-bus>.

22. Tomlinson, Chris, "Former Insurance Directors Warn Migrants Can Abuse Welfare System Easily," *Breitbart*, January 10, 2020, <https://www.breitbart.com/europe/2020/01/10/former-insurance-directors-warn-migrants-can-abuse-welfare-system-easily/#>.

23. “When University of Oslo Professor Unni Wikan reported a few days before 9/11 that 65% of rapes in Norway were committed by Muslim men, she saw fit to add that ‘Norwegian women must take their share of responsibility for these rapes’ because Muslim men found Western dress too provocative to stand: ‘Norwegian women must realize that we live in a multicultural society and adapt to it.’” Schulman, Alex, “Stockholm Syndrome: Radical Islam and the European Response,” *Human Rights Review* 10(469) (2009), <https://doi.org/10.1007/s12142-009-0118-2>.

24. Lifvendahl, Tove, “How Sweden Became an Example of How Not to Handle Immigration,” *Spectator*, September 6, 2016, <https://www.spectator.co.uk/2016/09/how-sweden-became-an-example-of-how-not-to-handle-immigration/>.

25. “Sweden Child Migrant Tests ‘Reveal Many Adults,’” *BBC*, December 5, 2017, <https://www.bbc.com/news/world-europe-42234585>.

26. “I cannot figure out what Swedish culture is. I think that’s what makes many Swedes jealous of immigrant groups. You have a culture, an identity, a history, something that brings you together. And what do we have? We have Midsummer’s Eve and such silly things,” famously said then–minister of democracy and integration Mona Sahlin to a Turkish youth organization. See “Mona Sahlin,” [wikiquote.org](https://en.wikiquote.org/wiki/Mona_Sahlin), last updated February 19, 2021, https://en.wikiquote.org/wiki/Mona_Sahlin.

27. Bogdan, Michael, “Some Critical Comments on the New Swedish Rules on Non-Recognition of Foreign Child Marriages,” *Journal of Private Individual Law* 15(2) (2019): 247–56, <https://www.tandfonline.com/doi/full/10.1080/17441048.2019.1645972>.

28. “Polygamy in Sweden: Two Wives, Two Houses,” <https://www.bitchute.com/video/PnGiq5g62zM/>.

29. “Swedish PM Condemns Gender Segregated Schoolbus,” op cit.

30. Hofverberg, Elin, “Sweden: Separate Swimming Hours by Gender Justifiable,” *Global Legal Monitor*, January 12, 2017, <https://loc.gov/law/foreign-news/article/sweden-separate-swimming-hours-by-gender-justifiable/>.

31. As a starting point, see the Wikipedia entry on the attacks: “2015–16 New Year’s Eve Sexual Assaults in Germany,” *Wikipedia*, accessed February 15, 2020, https://en.wikipedia.org/wiki/2015%E2%80%9316_New_Year%27s_Eve_sexual_assaults_in_Germany.

32. Many video montages on this point are available, such as “Flashback: Bill vs. Hillary on Immigration,” *Fox Business*, October 4, 2016, https://youtu.be/xc7xW5_GBAC.

33. Weinberg, Justin, “Philosopher’s Comments on Immigration Cause Stir on Campus,” February 17, 2017, <http://dailynous.com/2017/02/17/philosophers-comments-immigration-causes-stir-campus/>.

34. “2017 Stockholm Truck Attack,” *Wikipedia*, accessed February 15, 2020, https://en.wikipedia.org/wiki/2017_Stockholm_truck_attack.

35. Rindermann, Heiner, et al., “Survey of Expert Opinion on Intelligence: Causes of International Differences in Cognitive Ability Tests,” *Frontiers in Psychology* 7 (2016): 399, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4804158/>.

36. Jones, Garrett, “Do Immigrants Import Their Economic Destiny?” *Economics*, September 17, 2016, <https://economics.com/do-immigrants-import-their-economic-destiny-garrett-jones/>.

37. Jones, Garrett, *Hive Mind* (Stanford: Stanford University Press, 2016).

38. Anomaly, Jonny, *Creating Future People: The Ethics of Genetic Enhancement* (New York: Routledge, 2020).

39. In an even greater betrayal, immigrant whites would all too often use unions to keep blacks out of industry, which would have been harder to do if labor shortages were dire.

40. Of course, every Native people of this land themselves must have conquered previous occupants over the long history of the populated North American continent.

41. As the authors of a recent review essay on social trust and diversity put it,

[a]t both the collective and individual levels, civic nationalism has a (weak) positive effect on social trust, whereas ethnic nationalism has a (stronger) negative effect. Furthermore, if one looks at the widely researched, and mainly negative, effects of ethnic and cultural diversity on levels of trust, having a civic national identity appears not to moderate these effects, whereas having an ethnic national identity exacerbates them. [citations removed]

Lenard, Patti Tamara, and David Miller, "Trust and National Identity," in *Oxford Handbook of Social and Political Trust*, ed. Eric Uslaner (New York: Oxford University Press, 2018): 67.

42. Roden, Lee, "Why Sweden Doesn't Keep Stats on Ethnicity and Crime," *The Local SE*, May 8, 2018, <https://www.thelocal.se/20180508/why-sweden-doesnt-keep-stats-on-ethnic-background-and-crime>.

43. "Rotherham Child Sexual Exploitation Scandal," *Wikipedia*, accessed February 15, 2020, https://en.wikipedia.org/wiki/Rotherham_child_sexual_exploitation_scandal. The cover-up of official data on offender backgrounds continues as of this writing. See Dearden, Lizzie, "Grooming Gang Review Kept Secret as Home Office Claims Releasing Findings 'Not in Public Interest,'" *Independent*, February 22, 2020, <https://www.independent.co.uk/news/uk/home-news/grooming-gang-rotherham-review-home-office-findings-a9344896.html>.

44. Writes Mill,

The nationalities brought together under the same government, may be about equal in numbers and strength, or they may be very unequal. If unequal, the least numerous of the two may either be the superior in civilization, or the inferior. Supposing it to be superior, it may either, through that superiority, be able to acquire ascendancy over the other, or it may be overcome by brute strength, and reduced to subjection. This last is a sheer mischief to the human race, and one which civilized humanity with one accord should rise in arms to prevent. The absorption of Greece by Macedonia was one of the greatest misfortunes which ever happened to the world: that of any of the principal countries of Europe by Russia would be a similar one.

Representative Government, Chapter 16, in *The Collected works of John Stuart Mill* (Vol. 19), 1861, https://oll.libertyfund.org/titles/234#Mill_0223-19_410.

45. *Ibid.*

46. "The bottom line in this paper is that the artificial borders bequeathed by colonizers are a significant hindrance to the political and economic development," concludes one widely cited study. Alesina, Alberto, et al., "Artificial States," *Journal of the European Economic Association* 9 (2011): 246–77.

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8

The Metaphysical Foundations of Conservatism

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It might seem odd to suggest that conservatism has metaphysical foundations, given that the word “metaphysics” connotes high-flown theory and conservative thinkers have famously and consistently *contrasted* the conservative attitude with a predilection for theoretical abstraction. Hence Edmund Burke denounced the “metaphysic sophistry” of the French revolutionaries, and said of their principles that “in proportion as they are metaphysically true, they are morally and politically false.”¹ Of the conservative understanding of government, Michael Oakeshott held that no “highfalutin metaphysical beliefs [are] necessary to provoke it or make it intelligible.”² Roger Scruton writes that “it is more characteristic of conservatism to distance itself from an idea which can be justified, if at all, only on the basis of abstruse metaphysical argument.”³

Yet conservatism is a view about what is best for human beings in the social and political spheres, and any such view makes at least implicit assumptions about human nature. To that extent, any such view makes metaphysical assumptions. This is so even of views that take the facts about human beings not to go very deep, but rather to be highly malleable and historically contingent. That is itself a metaphysics of human nature. Even conservative suspicion of any overly theoretical approach to organizing social and political affairs reflects the assumption that such an approach is not good for human beings, given what a human being *is*. But to consider what a thing *is*—to reflect on its nature or essence—is to take a paradigmatically metaphysical view of it.

Nor, in the first place, could all systems of metaphysics be equally objectionable from a conservative point of view. P. F. Strawson famously distinguished *revisionary metaphysics* from *descriptive metaphysics*.⁴ A system of revisionary metaphysics is the kind that posits a radical discontinuity between appearance and reality. Examples

would be Parmenides's denial of the reality of change and multiplicity, or the eliminative materialist's denial of the reality of mind. For the revisionary metaphysician, common sense and tradition reflect only unrefined and historically contingent "folk theories" always susceptible of overthrow by more sophisticated philosophical or scientific investigation. The world is not as it seems to the man on the street. Needless to say, the conservative is bound to hold revisionary metaphysics suspect, especially when it inspires a moral or political doctrine. Since systems of revisionary metaphysics are of their nature striking and have had tremendous influence in the history of philosophy, they are the sort of thing that naturally comes to mind when one hears the word "metaphysics." But as Strawson writes:

[I]t would be a great blunder to think of metaphysics only in this historical style. For there is a massive central core of human thinking which has no history—or none recorded in histories of thought; there are categories and concepts which, in their most fundamental character, change not at all. Obviously these are not the specialities of the most refined thinking. They are the commonplaces of the least refined thinking; and yet are the indispensable core of the conceptual equipment of the most sophisticated human beings. It is with these, their interconnexions, and the structure that they form, that a descriptive metaphysics will be primarily concerned.⁵

Now, descriptive metaphysics is the kind represented by Aristotle, by the commonsense philosophy of Thomas Reid, and the ordinary language philosophy of J. L. Austin and Strawson himself. It is the reverse of philosophies dismissive of common sense and tradition. Its spirit is well summed up in some passages from Austin:

[O]ur common stock of words embodies all the distinctions men have found worth drawing, and the connexions they have found worth marking, in the lifetimes of many generations: these surely are likely to be more numerous, more sound, since they have stood up to the long test of the survival of the fittest, and more subtle, at least in all ordinary and reasonably practical matters, than any that you or I are likely to think up in our arm-chairs of an afternoon—the most favoured alternative method . . .

[O]rdinary language . . . embodies, indeed, something better than the metaphysics of the Stone Age, namely, as was said, the inherited experience and acumen of many generations of men. But then, that acumen has been concentrated primarily upon the practical business of life. If a distinction works well for practical purposes in ordinary life (no mean feat, for even ordinary life is full of hard cases), then there is sure to be something in it, it will not mark nothing: yet this is likely enough to be not the best way of arranging things if our interests are more extensive or intellectual than the ordinary . . . Certainly, then, ordinary language is not the last word: in principle it can everywhere be supplemented and improved upon and superseded. Only remember, it *is* the *first* word.⁶

This approach to metaphysical investigation is, I submit, pretty closely parallel to what a Burke, Oakeshott, or Scruton would say about the conservative approach to evaluating moral and political practices and institutions. This is no accident, because, as I will argue, the latter is implicitly grounded in the former. It is because our

commonsense metaphysics of human beings and their world gets the first word that traditional moral and political arrangements also get the first word. And the extent to which that metaphysics is not revisable determines the tenacity with which we ought to hold on to certain traditional practical arrangements.

Of course, there are different brands of conservatism. But then, there are different brands of descriptive metaphysics. In both cases, the differences largely reflect different judgments about the extent to which common sense and tradition might be “supplemented and improved upon and superseded” (to borrow Austin’s words, as quoted previously). There are also themes that all brands of conservatism share in common, and this reflects a common metaphysical core, albeit a pretty thin one. As I will argue, where the brands differ, they differ in part precisely because of differences in their thicker metaphysical commitments.

This analysis certainly reflects my own experience. Though my metaphysical commitments have changed pretty radically over the years, my most basic moral and political commitments have not. I have always been conservative—both as an atheistic naturalist and, later, as a Thomist—and my conservatism reflected assumptions about human nature that remained constant through the metaphysical transition. The transition did, however, alter my interpretation of those assumptions in a way that altered, in turn, the character of my conservatism.

Of course, autobiography is not an argument. Let’s turn to that. In the next section, I will argue that there is a general theme that not only is common to different varieties of conservatism but also serves as the deep underlying basis for the variety of particular claims and policies conservative thinkers tend to advocate. That theme is *tradition*. In the section after that, I will argue that there is a metaphysical thesis about human nature that in turn underlies the conservative understanding of tradition. That is the thesis that all conscious cognition and deliberate action are and must be grounded in a body of unconscious or *tacit knowledge*. I will then propose that there are three alternative views conservative thinkers have taken about how deeply rooted in human nature, and unalterable, this body of tacit knowledge is. These amount to three views about how solid the metaphysical foundations of paradigmatic conservative claims and policies are, which I label *metaphysically robust conservatism*, *metaphysically modest conservatism*, and *metaphysically thin conservatism*.

8.1. TRADITION AS THE CORE NOTION OF CONSERVATISM

For the man on the street, words like “conservative” and “conservatism” no doubt call to mind attitudes and policies like the following: an emphasis on law and order; an emphasis on individual responsibility and merit, and a consequent approval of greater rewards for those who work hard and follow the rules and of stern punishment for criminals; respect for authority figures, such as parents, police, and teachers; an emphasis on the importance of the family and of rules of sexual morality that safeguard the family’s stability; respect for traditional moral constraints in general

and for religion; patriotism and respect for the military; a belief in the basic justice of the market economy and acceptance of a significant degree of inequality as an ineliminable part of the human condition; the conviction that violence is a just and necessary means of dealing with the worst evildoers; the conviction that government should be limited to carrying out only those functions that cannot be performed by private organizations and individuals; a high regard for common sense and a distrust of ideas regarded as “highfalutin” or impractical; and distrust of attitudes and doctrines that deny one or more of these convictions, such as liberalism, socialism, pacifism, libertinism, utopianism, and so forth.

Such attitudes are familiar from everyday conservative politics, and probably most conservative theorists like the ones cited earlier would embrace all or most of them, albeit with qualifications, nuances, and rationales that would not occur to the average voter or politician. However, the emphasis of such thinkers is, naturally, on the philosophical articulation and defense of the more abstract and fundamental of conservative themes, rather than on specific practical policies.

For example, consider John Kekes’s account of the essence of conservatism.⁷ Kekes distinguishes between “the conservative attitude” as a natural psychological disposition, and “the political morality of conservatism” as the articulation of the principles that reflection shows to be necessary to realize the ends toward which the conservative attitude disposes us. The conservative attitude has two components, the first being enjoyment of the good one possesses, and the second being the fear of losing it. It is the disposition human beings normally have when things are going well or at least going not too badly (even if it is not the appropriate disposition to have when things are going very badly). In the political context, it cashes out to a presumption in favor of existing arrangements as long as they are not incorrigibly evil. This distinguishes conservatism from rival views like liberalism and socialism, which do not share this presumption but hold instead that even reasonably good existing arrangements ought to be altered wherever they do not conform to some proposed ideal. The conservative, unlike the liberal or the socialist, is inclined to leave well enough alone.

The political morality this entails has, on Kekes’s analysis, four main components, each of which represents a middle ground between extremes. The first is a healthy *skepticism* that rejects both the rationalist tendency to construct utopian models unsupported by concrete experience and the fideism that falls out of the rationalist frying pan into the fire of irrational commitment. The second is a *pluralism* that recognizes that there are multiple ways for human beings to achieve good lives, contrary to an absolutism that would insist on imposing a single vision of the good life on all, and a relativism that would deny that there are any general principles that the variety of ways of living good lives have in common or any objective standard of goodness. The third component is a *traditionalism* that neither fetishizes individual autonomy at the expense of social authority nor denies the individual latitude in appropriating and applying the traditions of his society. The fourth is a moderate *pessimism* that denies that human beings and societies can ever be made perfect, but without laps-

ing into a negativism that denies that any improvement is possible or characterizes human beings as essentially evil.

Consider also Scruton's account of the key themes of conservatism.⁸ In contemporary politics there is a tendency to identify conservatism with a commitment to the *free market*. As Scruton notes, this is a mistake insofar as the market is not the fundamental conservative idea, but it is nevertheless an instructive mistake insofar as there is at least an aspect of the market that is useful to understanding what is fundamental. As F. A. Hayek famously argued, prices generated by the market embody greater knowledge of local economic circumstances and diverse needs than can possibly be acquired by any individual human mind or centralized governmental authority.⁹ *Tradition*, which is fundamental to conservatism, plays a similar role. By virtue of having stood the test of time, traditional practices embody greater knowledge about what is necessary for individual and social well-being than could be acquired during the lifespan of a single individual or by any social reformer.

A further and related key conservative theme is that of the *social individual*. For Scruton, "conservatism arises directly from the sense that one belongs to some continuing, and pre-existing social order, and that this fact is all-important in determining what to do."¹⁰ Freedom is not to be understood in terms of liberation from all unchosen social obligations. On the contrary, a human being is what he is in part precisely because of the social institutions that helped to form him, and he bears obligations to those institutions that he never chose and that circumscribe the ways he might legitimately use his freedom. In particular, and following Hegel, Scruton argues that individuals owe allegiance to three basic kinds of social institutions: to the *family*, to the *state*, and to the various free associations of *civil society* (churches, universities, political parties, clubs, businesses, unions, and other private organizations) that come between the family and the state. Following Burke, Scruton also emphasizes that we are obligated not only to those who are our contemporaries but also to the dead and to those yet unborn, in a partnership that extends across generations.

Scruton also argues that the authority of social institutions is crucially connected to their having a *personal* character. Like an individual human being, a state, a church, or a business corporation can have rights and duties; can be said to act justly or unjustly; can be held accountable for its actions; can be convinced to change its policies; and can be born, be healthy or unhealthy, and die. It is in part because these institutions can have such a personal character that their relationship to individuals needn't be oppressive, but instead can be one of mutual respect and concern between rational and responsible agents. And like individual human beings, these corporate persons can be seen as ends in themselves rather than having merely instrumental value.

Scruton regards this insistence on the personal character of social institutions as one reason for conservative hostility to class politics. Classes are impersonal and therefore cannot intelligibly be said to act either justly or unjustly or to have rights, duties, or responsibilities. Class politics is also often conducted in the name of

egalitarianism and hostility to private property. But hierarchy and some degree of inequality are natural and unavoidable aspects of the human condition, and property is necessary to our well-being. Conservative governments will be guided by these insights, and also, in Scruton's view, by the imperative to uphold other aspects of traditional morality, as well as religious belief. Morality and religion facilitate the self-sacrifice that is necessary for the order and stability of social institutions.

Now, the point of rehearsing these expositions of conservatism is to show that, despite their conceptual richness and complexity, in neither case is the notion of tradition merely one element of the account among the others; rather, it is the governing idea that underlies and unifies the others. When Kekes describes the conservative attitude as entailing the enjoyment of a good and fear of its loss, the good he has in view is the social and political order that we have inherited, which is embodied in a set of rules and institutions. That is precisely the kind of thing that conservatives have in mind when they invoke tradition. What conservatives wish to conserve (or, to be more precise, what they take there to be at least a presumption in favor of conserving) is the order of rules and institutions that have been *handed on* to us (where "tradition" derives, of course, from the Latin *tradere* or "to hand over").

Each of the four components of Kekes's account of the political morality of conservatism is grounded in the notion of tradition. This is obviously true of the *traditionalism* he takes to be the middle ground between excessive individualism, on the one hand, and authoritarianism, on the other. But it is also true of the *skepticism* that he pits against both utopian rationalism and irrationalist fideism. The idea here is precisely that traditional rules and institutions, since they have stood the test of time, have a grounding in experience that neither rationalist utopian ideas nor the fideist's subjective fantasies have. Kekes's skepticism is not a skepticism about tradition but a skepticism about proposed alternatives to tradition. Furthermore, the *pluralism* that Kekes advocates has to do with respect for the plurality of traditions that have been handed down, each of which has the same presumption in its favor that the others do. Finally, Kekes's *pessimism* plausibly can be said also to reflect the idea that tradition embodies more wisdom than either the individual or governing authorities can have on their own. Because our knowledge is limited and unlikely to improve much on tradition, the social and political order can never be made perfect; at the same time, because tradition evolves and can be improved in a piecemeal way, so, too, can the social and political order.

Tradition is also at the core of Scruton's exposition of conservatism. What is most distinctive about Scruton's position is the emphasis he puts on the notion of the person, the notion of a social institution, and the relationship between the two. It is essential to individual human persons that they are shaped by the social institutions into which they are born, but social institutions in turn are persons in their own right, albeit corporate persons rather than human individuals. Conservatism, for Scruton, is about the proper understanding of the relationship between these persons. But the corporate person that Scruton identifies a social institution with exists

essentially as a body of traditions—of laws, mores, observances, expectations, and so on—and persists over time only so long as this body of traditions does. Moreover, the way that the individual human being is shaped by a social institution is precisely by inheriting its defining traditions.

Tradition is even more obviously central to the thinking of conservatives like Burke and Oakeshott. Burke's main theme is expressed in passages like the following:

[I]nstead of casting away all our old prejudices, we cherish them to a very considerable degree . . . and the longer they have lasted, and the more generally they have prevailed, the more we cherish them. We are afraid to put men to live and trade each on his own private stock of reason; because we suspect that this stock in each man is small, and that the individuals would do better to avail themselves of the general bank and capital of nations, and of ages.¹¹

Oakeshott, too, takes the essence of conservatism to lie in a presumption in favor of preserving the concrete practices and institutions that we have inherited, rather than abandoning them in favor of the deliverances of some abstract theory.¹² Like Burke, he contrasts the wisdom that is implicit in custom and habit with the shallow theorizing of the rationalist who will accept only what can be given an explicit justification, by reference to a personal stock of explicitly articulated knowledge that is far more limited than he realizes.¹³

It is worth noting too that some thinkers whose relation to conservatism is less clear are often nevertheless associated with conservatism precisely because of the emphasis they put on tradition. Hayek is one example. Famously, he denied being a conservative.¹⁴ Yet, especially in his later work, he put great emphasis on a defense of tradition very similar to those of Burke and Oakeshott, and he even described himself as a "Burkean Whig."¹⁵ Alasdair MacIntyre has been critical of Burkean conservatism because of its liberal individualist elements and its association with the defense of the free market.¹⁶ However, because an important theme of MacIntyre's work concerns the ways that moral practice and rational inquiry are always conducted within the context of socially embodied traditions, he too has sometimes been associated with conservatism, broadly construed, and has had an influence on contemporary conservative writers. (During my years as an undergraduate and graduate student, MacIntyre had a large influence on my own understanding of how to articulate and defend a conservative approach to morality.)

An implicit appeal to tradition also underlies the various specific attitudes and policies associated with the conservative man on the street and the average conservative politician. Respect for authority, greater rewards for those who work hard and follow the rules, stern punishment of criminals, restraining one's sexual appetites, patriotism, and other conservative values are values that have prevailed for most of human history in most societies. Hence the conservative takes their survival of the test of time to be good reason to judge them to be grounded in the needs of human nature.

8.2. THE METAPHYSICAL UNDERPINNINGS OF TRADITION

Now, no conservative theorist advocates clinging to all traditions inflexibly. Burke himself acknowledged that “a state without the means of some change is without the means of its conservation.”¹⁷ Conservatism holds that there is a *presumption* in favor of tradition, but not that that presumption can never be overridden. Still, the reason there is at least a presumption is that conservatism takes a reliance on tradition, even where it is fallible, to be essential to human beings given their nature. It is not merely that it is a good rule of thumb to regard tradition as innocent until proven guilty. It is that we cannot help but do so, at least to a considerable extent, and that to pretend otherwise leads to grave deformations in our thought and practice.

The reason has to do with the thesis that everything we know by way of explicitly articulated and consciously affirmed propositions rests, like the tip of an iceberg, on a foundation of habits and practices that encapsulate a vast amount of information that we can be said to know only tacitly or implicitly. And these habits and practices, and the information they embody, are largely passed on to us by way of imitation, by virtue of our simply adopting the ways things are done in the social contexts that form us. This thesis is sometimes summed up as the idea that all *explicit knowledge* rests on a foundation of *tacit knowledge*, sometimes as the view that all *knowing that* presupposes *knowing how*, and sometimes as the claim that all cognition is *situated* in the practices of a social context. While the thesis can be found in conservative writers, it is not unique to conservatives, and indeed has been articulated and defended by a wide variety of thinkers who are not necessarily concerned with political philosophy, much less conservatism.¹⁸ Examples would include philosophers as diverse in their commitments as Martin Heidegger, Ludwig Wittgenstein, Maurice Merleau-Ponty, Gilbert Ryle, Michael Polanyi, John Searle, and Hubert Dreyfus.

The thesis is sometimes defended by way of *regress arguments*. For example, Searle points out that to grasp any one concept requires grasping many others at the same time.¹⁹ To understand the concept of being a *bachelor*, you need to understand the concepts of being a *man* and being *unmarried*; to understand these concepts, you need to grasp yet others; and so on. *Applying* the concepts also requires having certain beliefs, being able to draw certain inferences, and so forth. If you know that Fred is a bachelor and are thinking about asking him whether he'd like to double date, that is because you believe that Fred is the sort of bachelor who would like to date, you have the intention of asking someone out on a date yourself, you infer that Fred will ask someone too if you propose the idea to him, and so forth. Of course, these beliefs, intentions, and such presuppose still others. Searle calls this body of interconnected concepts, beliefs, intentions, and so on the “Network.”

Now, this network of concepts, beliefs, and so on, many of which are consciously and explicitly entertained, functions against what Searle calls a “Background” of unconscious and inexplicit assumptions, capacities, and dispositions. To borrow one of his examples, suppose you order a steak in a restaurant. Your network includes the concept of a steak as a slice of meat typically taken from a cow, the information that a

steak can be cooked well done or rare, and so on. But it probably doesn't include the explicitly formulated proposition that when the steak arrives at your table, it won't be encased in concrete, or the conscious intention to use all five fingers rather than only two when you hold your knife to cut it. You simply act in a way that presupposes that the steak will not be encased in concrete, and simply start cutting into the steak in the normal way without thinking about some alternative.

Now, you could, of course, consciously come to entertain, for some reason, the proposition that the steak will not be encased in concrete and to form the intention of cutting the steak while using all five fingers. But there will nevertheless be yet further assumptions and dispositions that remain unconscious and inexplicit, and if *these* become conscious and explicit, there will be still further ones that do not. There is always a background of unconscious and inexplicit assumptions, capacities, and dispositions that ends the regress embodied by the network, like a vast iceberg of which the network is only the tip.

Now, within the background there is a further distinction to be drawn between what Searle calls the "local Background" and the "deep Background." The local background has to do with those unconscious assumptions, capacities, dispositions, and so on that are culturally and historically contingent, and that can in principle change from time to time and place to place. Examples would be the assumption that the steak will be served on a plate, the practice of eating it using a knife and fork, and so forth. The deep background has to do with those assumptions, capacities, dispositions, and such that reflect much more stable or even unalterable aspects of the human condition. For example, the implicit assumption that the external world is real and not a hallucination manufactured by a Cartesian demon, and the disposition to interact with it via bodily movements, is part of the deep background. Even someone who tries hard to doubt the reality of the external world will find himself acting in ways that presuppose it. He will converse with you as if you were real rather than a figment of his imagination, spontaneously duck if you throw a baseball at him, and so forth.

Now, elsewhere I have put forward a detailed exposition and defense of this thesis that all conscious and explicit human knowledge rests on a background of tacit knowledge, bodily capacities, dispositions, and the like.²⁰ I won't repeat all of that here. The point for present purposes is simply to note that the conservative defense of tradition has deep foundations in this particular sort of view in the philosophy of mind. The thesis that there is a presumption in favor of inherited ideas and practices is essentially a variation on the claim that we cannot help but think and act against a background of assumptions, capacities, and dispositions that we have inherited from our social context or that go deep in human nature. Of course, not all conservatives think of their defense of tradition in such terms, and not all thinkers who have defended the tacit knowledge thesis are conservative. But there is an obvious and natural affinity between conservatism in its more philosophical expressions and the tacit knowledge thesis.²¹ (Searle's and Wittgenstein's defense of the thesis had a tremendous influence on my thinking about these matters in my student days.)

But just *how* deep in the background do various traditional ideas and practices go? Here is where the metaphysical foundations of the different varieties of conservatism diverge, and where the specific content of these varieties of conservatism, as they go beyond a general respect for tradition, is also bound to diverge. I would propose that there are three basic positions that conservatives have taken.

The first is what I would call *metaphysically robust conservatism*. An example would be the classical natural law tradition in ethics and political philosophy, which looks to Aristotle and Thomas Aquinas as its chief representatives.²² This tradition grounds morality in what, by modern standards, is a highly ambitious and controversial metaphysics—namely, a commitment to *essentialism* and *teleological realism*. That is to say, it holds that every natural object falls into a sharply demarcated natural kind with a fixed essence or nature, and that by virtue of having this nature any specimen of a kind is directed toward the realization of certain ends. The realization of these ends is, in turn, constitutive of what is good for a thing. For example, being a good specimen of a tree entails realizing the ends toward which a tree is naturally directed, such as sinking roots into the ground and carrying out photosynthesis. A tree that failed to do these things would, as a matter of objective fact, be defective as a tree. There is no fact/value dichotomy on this view. That realizing the end of sinking roots into the ground is good for a tree is no less an objective fact about it than its size or chemical composition is. A gap between facts and values opens up only if we deny that teleology is a real feature of things.

Now, what is true of trees is no less true of us. The realization of the ends toward which human physiological and psychological faculties are by nature directed is constitutive of what is, as a matter of objective fact, good for human beings. Consider a well-known and controversial example, which will help illustrate what is at stake in the choice between the alternative forms of conservatism that I am describing. For the natural law theorist, our sexual physiology and psychology have, as a matter of objective fact, a heterosexual teleology. The natural end of sexual desire is to get a person to mate with someone of the opposite sex, just as the natural end of hunger is to get a person to eat and thereby nourish his body. Hence homosexual desire is, in this view, a kind of psychological deformation, comparable to a desire to eat dirt, metal, or some other non-nutritive substance—a disorder known as *pica*.²³ To suppose that homosexual desire is normal and to alter marriage, the structure of the family, and moral sentiment accordingly is like treating *pica* as normal and altering cookbooks, restaurant menus, and meal etiquette accordingly. For the classical natural law theorist, then, the traditional reflexive disapproval of homosexual behavior is by no means a manifestation of bigotry. Rather, it is part of the deep background, a tacit understanding of what is good and bad for us where sexuality is concerned.

A very different view is represented by what we might call *metaphysically thin conservatism*. This kind of conservatism is not committed to any ambitious or controversial metaphysics, and as a consequence it does not necessarily regard any particular traditional attitude or practice as part of the deep background. Metaphysically thin conservatism is committed only to the thesis that it is a mistake to suppose that tradition can be overthrown *wholesale* (or all at once) or replaced entirely with a system

of belief each component of which is explicitly formulated and justified rather than tacit. It would regard such a complete replacement as impossible, and a wholesale overthrow as too disruptive of social stability. But it would not deny that any particular aspect of tradition might in principle be revisable or even rejected, as long as such change was carried out in a gradual and piecemeal way. In some readings, Burke was a conservative of this kind, though this point is debatable.²⁴

Needless to say, metaphysically thin conservatism would be much more open than metaphysically robust conservatism to accommodating even the most radical social and moral changes. For example, conservatives of the metaphysically thin stripe would be more likely to accommodate “same-sex marriage” and other consequences of the sexual revolution and its transformation of the family, so long as such changes were defended and implemented in a reformist rather than revolutionary spirit. Andrew Sullivan is a self-described conservative who favors precisely such a revision of traditional sexual morality.²⁵

An intermediate position is represented by what I would label *metaphysically modest conservatism*. The metaphysically modest conservative would avoid Aristotelian essentialism, teleological realism, rejection of the fact/value dichotomy, and other premodern metaphysical commitments that would be a tough sell in contemporary philosophy. But he would not go as far in abandoning substantive metaphysical commitments as metaphysically thin conservatism does. One example of this approach would be David Hume’s attempt to ground moral and political philosophy in the suppositions of “common life,” understood as reflective of a universal human nature.²⁶ Another would be Larry Arnhart’s “Darwinian conservatism,” which takes evolution to have shaped human nature in a way that supports conservative skepticism about how malleable human beings and social institutions are.²⁷

The implications that a metaphysically modest conservatism would have for any specific issue would depend on the issue and on the specific metaphysical commitments of this or that metaphysically modest conservative thinker. For example, as Scott Yenor points out, though Hume himself supposed that religion is grounded in fear and want, and thus might disappear if the sources of fear and want are removed, a Humean conservative could argue instead that religion is grounded in a thirst for justice and righteousness, and thus it is bound to be as permanent a part of the human condition as that thirst is.²⁸ Or, to return to the example of sexual morality, Michael Levin has defended traditional attitudes about homosexuality, not on natural law grounds but on Darwinian conservative grounds.²⁹

My own conservatism is of the metaphysically robust kind, though in my atheistic naturalist days it was of the metaphysically modest kind. I have never been attracted to metaphysically thin conservatism, though I do not deny that at least in principle it really could count as a kind of conservatism. In practice, however, the conservatism of metaphysically thin conservatism is likely to be as thin as the metaphysics—especially in a context in which the political and cultural pressure to conform to liberal orthodoxy is increasingly intense. If socialists used to be described as liberals in a hurry, metaphysically thin conservatism might be described as liberalism in slow motion.

NOTES

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2. Oakeshott, Michael, "On Being Conservative," in *Rationalism in Politics and Other Essays* (Indianapolis: Liberty Fund, 1991), 434.
3. "Introduction: What Is Conservatism?" in Roger Scruton, ed., *Conservative Texts: An Anthology* (New York: St. Martin's Press, 1991), 17.
4. Strawson, P. F., *Individuals: An Essay in Descriptive Metaphysics* (London: Methuen, 1959).
5. *Ibid.*, 10.
6. Austin, J. L., "A Plea for Excuses," in *Philosophical Papers* (3rd ed.) (Oxford: Oxford University Press, 1979), 182, 185.
7. Kekes, John, *A Case for Conservatism* (Ithaca, NY: Cornell University Press, 1998), especially chapters 1 and 2.
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10. Scruton, *The Meaning of Conservatism*, 10.
11. Burke, *Reflections on the Revolution in France*, 87.
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13. Oakeshott, Michael, "Rationalism in Politics," also in *Rationalism in Politics and Other Essays*, 5–42.
14. Hayek, F. A., "Why I Am Not a Conservative," in *The Constitution of Liberty* (Chicago: University of Chicago Press, 1960).
15. Hayek, F. A., *Hayek on Hayek: An Autobiographical Dialogue*, ed. Stephen Kresge and Leif Wenar (Chicago: University of Chicago Press, 1994), 141. For discussion of Hayek's relationship to conservatism, see Feser, Edward, "Hayek on Tradition," *Journal of Libertarian Studies* 17 (2003): 1–42, and Scruton, Roger, "Hayek and Conservatism," in *The Cambridge Companion to Hayek*, ed. Edward Feser (Cambridge: Cambridge University Press, 2006).
16. MacIntyre, Alasdair, *After Virtue* (2nd ed.) (Notre Dame, IN: University of Notre Dame Press, 1984), 221–22. MacIntyre also here suggests that his own understanding of the relationship between reason and tradition is different from the Burkean one, but it seems to me that the differences are exaggerated at best and rest on an uncharitable reading of Burke.
17. Burke, *Reflections on the Revolution in France*, 21.
18. For a discussion of Oakeshott's and Hayek's defenses of this thesis that relates them to this larger group of thinkers, see Marsh, Leslie, "Oakeshott and Hayek: Situating the Mind," in *A Companion to Michael Oakeshott*, ed. Paul Franco and Leslie Marsh (University Park, PA: Pennsylvania State University Press, 2012).
19. For Searle's exposition and defense of the ideas to be summarized below, see Searle, John R., *Intentionality: An Essay in the Philosophy of Mind* (Cambridge: Cambridge University Press, 1983), chapter 5.
20. Feser, Edward, *Aristotle's Revenge: The Metaphysical Foundations of Physical and Biological Science* (Neunkirchen: Editiones Scholasticae, 2019), 95–116.
21. The suggestion that the conservative defense of tradition is in this way grounded in the philosophy of mind, and that rationalist dismissals of tradition are grounded in an erroneous

philosophy of mind, is one that John Gray has made in a couple of places. See Gray's *Hayek on Liberty* (3rd ed.) (London: Routledge, 1998), 138, and "Hayek as a Conservative," in *Post-Liberalism: Studies in Political Thought* (London: Routledge, 1993), 36.

22. A general exposition of the classical natural law approach to ethics can be found in Feser, Edward, *Aquinas* (Oxford: Oneworld Publications, 2009), chapter 5. I apply that approach to questions about private property and sexual morality in my essays "Classical Natural Law Theory, Property Rights, and Taxation" and "In Defense of the Perverted Faculty Argument," both of which can be found in *Neo-Scholastic Essays* (South Bend: St. Augustine's Press, 2015). I apply it to a defense of capital punishment in Feser, Edward, and Joseph M. Bessette, *By Man Shall His Blood Be Shed: A Catholic Defense of Capital Punishment* (San Francisco: Ignatius Press, 2017).

23. Aristotle makes this comparison in the *Nicomachean Ethics*, at 1148b 15–19a 20.

24. Cf. some of the essays in Crowe, Ian, ed., *An Imaginative Whig: Reassessing the Life and Thought of Edmund Burke* (Columbia: University of Missouri Press, 2005). The essays by F. P. Lock and David Bromwich give reason for taking Burke to be committed to what I am calling a metaphysically thin conservatism, whereas the essay by Joseph L. Pappin III argues for interpreting Burke as closer to what I am calling a metaphysically robust conservative. In the last chapter of *Natural Right and History* (Chicago: University of Chicago Press, 1953), Leo Strauss reads Burke as committed to a metaphysically thin conservatism.

25. Sullivan, Andrew, *Virtually Normal: An Argument about Homosexuality* (New York: Vintage Books, 1996).

26. Cf. Danford, John W., *David Hume and the Problem of Reason* (New Haven, CT: Yale University Press, 1990), and Yenor, Scott, *David Hume's Humanity: The Philosophy of Common Life and Its Limits* (Basingstoke: Palgrave Macmillan, 2016).

27. Arnhart, Larry, *Darwinian Conservatism* (Charlottesville, VA: Imprint Academic, 2005).

28. Yenor, *David Hume's Humanity*, 8–9.

29. See Levin's half of Thomas, Laurence M., and Michael E. Levin, *Sexual Orientation and Human Rights* (New York: Rowman & Littlefield, 1999).

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9

Reflections of an Apostate

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I am a libertarian extremist. Libertarianism is in general an extreme view, relative to the prevailing political culture; nevertheless, I am extreme even for a libertarian. In my ideal society, *all* the functions of the state would be privatized or eliminated. The police would be privatized; the courts would be privatized; even the *universities* would be privatized. I have explained elsewhere how all this would work and why it would be preferable to the status quo.¹ Here, I simply state my main radical views without elaboration.

9.1. A RADICAL LIBERTARIANISM

At the core of my extreme libertarianism is a skepticism of political authority: no state, in my view, has any genuine authority, of a sort that would set it above other agents, morally speaking. The state is bound by the same moral constraints as other agents. Thus, if it would be wrong for a private individual or organization to forcibly confiscate your money to give it to the poor, then it is also wrong for the state to do so. If it would be wrong for a private agent to take you captive and hold you against your will for two years to punish you for ingesting unhealthful substances, then it is also wrong for the state to do this. It happens that almost all the current activities of the government, in the United States as well as other nations, are things that would be considered wrong if anyone other than the government were to do them. Thus, I think that almost all current government activities are in fact morally wrong. (Not *all*, however. It would be praiseworthy, for example, for a private individual to track down murderers and lock them up to protect the rest of society, and so it is for the state.)

Libertarians are not primarily people with peculiar and extreme beliefs about rights, nor are they primarily privileged people who don't care about the poor, as some critics are wont to claim. The core characteristic of libertarians, as I understand it, is a disposition to apply commonsense morality consistently *to the state*. The idea that *I* may not steal your money to give it to your poorer neighbor is not some far right-wing ideological assumption; it is an uncontroversial part of the ordinary norms of our society. Libertarians are, first and foremost, people who do not see what is so special about the state that should entitle it to get away with things that no one else may do.

There are of course theories in political philosophy that try to specify exactly what is so special about the state, so to speak. I cannot detail those theories here. My judgment, however, as I explain in my work in political philosophy, is that none of them survives scrutiny. That is the core of my intellectual defense of radical libertarianism.

9.2. MY POLITICAL DEVELOPMENT

I was not always a radical libertarian, however. As far as I recall, I first had political opinions, or proto-opinions, when I was in elementary school. Ronald Reagan was running for president against Jimmy Carter. Some adult told me that if Reagan were elected, he would start a war with Russia. That sounded bad to me, so I hoped Reagan would lose. When he won, however, there was no war, and I came over to Reagan's side. I liked his talk about the need to balance the government's budget (I found the idea of a *trillion-dollar* debt astounding), as well as his willingness to stand up to the Soviets. At that time, I had no identifiable philosophy and little sense of the difference between Democrats and Republicans, let alone any other ideology.

In high school, I participated in policy debate (a useless game that mainly serves to fill students' minds with the most sensational absurdities, while training them in utterly unpersuasive and irrational forms of discourse). One of the rules in this game, as I learned, is that any published material may be quoted and the quotation treated as "evidence" for whatever its author is saying. One may string together quotations from different sources to form a chain of argument leading to . . . well, just about anything.

Now, it happens that this method of "reasoning" is particularly well suited to supporting radical left-wing positions. There are a large number of left-wing authors who are prepared to assert, in print, that the world is shortly coming to an end unless the government adopts some radical intervention to stop pollution, or resource shortages, or nuclear proliferation, or capitalist exploitation, or some other alleged societal problem. Particularly widespread were the arguments on behalf of socialism, which was asserted, in various publications, to be the solution to virtually everything. Credulous as I was as a youth (at least when it came to the words of the presumed experts who wrote books and articles), I assumed that the vast wealth of quotations blaming virtually all human (and some nonhuman) problems on capitalism and at-

testing to the ability of true socialism to solve these problems, was good evidence of the superiority of socialism.

So it was that I entered college at UC Berkeley in the 1990s as some vague sort of socialist. Of course, when someone pointed to the horrors of Stalin or Mao, all sensible socialists knew that one had to distinguish the bad, centralized kind of socialism (as in the Soviet Union) from the good, decentralized form of socialism (which had never been tried, or perhaps had been tried a few times successfully, as in the Israeli kibbutzim or the American Amish communities).

My sympathy with socialism, however, was to be short lived. Around the end of high school and beginning of college, there were three separate people I ran into who, in the course of discussion, recommended that I read Ayn Rand. When I finally took this advice, the first thing I read was an excerpt from *Atlas Shrugged*. It was a self-contained story that appears within the novel, about an automobile manufacturing company that decides to implement Karl Marx's famous dictum, "From each according to his ability, to each according to his need"—a dictum that, when I first heard it, sounded entirely sensible and just to me. But in the story, things do not go well. The business is run as a sort of self-contained commune. Naturally, one cannot simply count on each individual to unilaterally state their own needs and abilities. To implement the Marxian dictum fairly, the community holds meetings at which the abilities and needs of workers are assessed, so as to determine how much productivity is to be expected of each and how many resources are to be given to each. This quickly devolves into individuals vying to demonstrate to everyone else how great their needs are and how minimal their abilities. The business spirals downward to financial collapse, amid strife and recriminations.²

When I read this story, my first thought was "That is not true socialism." My second thought was "But that *is* what would happen if one actually tried to implement the Marxian dictum." Little as I knew of the world, I had enough familiarity with human beings to see the essential plausibility of the developments in Rand's narrative. The problem was not to be evaded. After all, it makes little sense to say that one advocates for an ideal, unless one supports some means by which it could be implemented.

I would later become a well-known critic of Ayn Rand's philosophy.³ But I continued to think she had Karl Marx's number. Three decades after I first encountered it, Rand's essential critique of socialism remains the deepest and most telling of which I know. It is not a mere technical problem, nor is it a critique of some particular version or aspect of socialism. The slogan "From each according to his ability, to each according to his needs" is, as far as I understand it, a fair distillation of the *core motivation* behind all manner of socialist proposals. But the adoption by society of that principle, by its very nature, gives individuals an interest in having, or appearing to have, *greater needs* and *lesser abilities*. That is a recipe for trouble. There is no human society in which that incentive structure will work out well.⁴

As I read more of Rand's writings, I realized that I was no socialist. I was, in fact, an individualist. I put the matter this way because there is more to one's

political orientation than some explicitly affirmed propositions. Underlying the political stances we take are certain broader attitudes, traits of character, and ways of relating to the world. These underlying traits are more stable than our explicitly held beliefs, and they largely explain what political views we are drawn to. I never had the character of a socialist; I always had the character of a libertarian. My libertarian leanings were only masked, briefly, because of my exposure to certain sensational claims of the socialists.

What are the underlying traits of a libertarian? Roughly, libertarians tend to take an unsentimental and abstract principle-oriented approach to politics. (Indeed, this trait often leads us astray, because almost all abstract principles, even those that initially seem very plausible, are false. But that is a topic for another time.) We prize norms of rationality and objectivity. Libertarians tend to be highly skeptical of authorities, traditions, and received opinions. We feel sympathy and admiration when we see individuals exercising independent judgment and pursuing their own authentic values in the face of social pressures. Libertarians are scandalized by the idea of a person trying to force others to serve his own goals or embrace his own beliefs. We see individual people as fundamental, and *society* as a vague abstraction. We see *the state* as simply the strongest group of people, who are trying to impose their will on everyone else. A police officer is a person who is paid by that group to help impose their will, and who wears a weird outfit to somehow trick other people into thinking that he has some special status that sets him above ordinary people. Human beings, I believe, are simply born with this libertarian orientation, or else born without it.

While I was at UC Berkeley, I met a student named Bryan Caplan who was also a libertarian, though of a more extreme sort than myself at the time.⁵ Bryan introduced me to anarcho-capitalism (as the cognoscenti call it), mainly through the work of David Friedman and Murray Rothbard. My initial reaction to anarchism was about the same as most people's. It sounded like a silly, obviously impractical proposal. But as it turned out, thinkers such as Friedman and Rothbard had thought much more seriously and cogently than their critics about how a "radical capitalism" might work.⁶ It is, as I came to think, the critics of anarchism who don't know what they are talking about.

I have remained an anarcho-capitalist since the end of college, having found no objections to that ideology that have not been adequately addressed by its supporters. Around 2012, I decided to finally write up my defense of libertarianism in book form. The book was *The Problem of Political Authority*, which attracted lavish praise from many readers and has earned me invitations to speak and write for various libertarian and other non-left-leaning forums, including the book you are now reading. I wrote it because I wanted there to be a stronger defense of liberty than those existing hitherto—a defense founded on the most (as it seems to me) commonsensical assumptions, rather than on some fundamentalist theory of negative rights or some highly contentious metaethics.⁷

9.3. IDEOLOGY AND BIAS IN THE ACADEMY

9.3.1. Life as a Dissident Student

Sometimes, non-academics ask me what it is like to be a libertarian in the academy. Is it difficult? How much bias do libertarians experience coming from the other academics? The answer is probably less than you think but more than there should be.

I joined the academy, by my reckoning, when I became a graduate student in philosophy at Rutgers University. That was when I started to have regular interactions with professors who knew my name and listened seriously to my ideas; I went to philosophy department talks, asked questions of the visiting speakers, and even went out to dinner with the professors afterwards. As far as I know, I was the only libertarian to be found among either the graduate students or the faculty (though there could have been others who kept their own counsel).

I was not particularly focused on political questions at the time, being more interested in epistemology and metaethics, but nor did I make any effort to conceal my views. Apart from perhaps a few strong disagreements with other students over the course of my graduate studies, no one seemed to care about my unorthodox politics, and it posed no more of a problem than did my unorthodox views about epistemology and metaethics. In the one political philosophy course I took, the professor was mainly concerned to help me formulate the strongest version of my objection to Rawls; I don't know what the professor's own views were.⁸

It was, nevertheless, during that time that I felt myself surrounded by a subculture with distinctly different attitudes and presuppositions, not only from myself but also from the wider society. I noted, for example, that after a congressional election, one academic could say to another, within a group of miscellaneous students and faculty, "How bad is it?" and everyone listening would understand what this meant. No one needed to ask the political orientation of the speaker or the listener; it could simply be assumed that "How bad is it?" meant "How many seats did the Republicans gain?" The thought that this way of speaking might exclude any secret conservatives in the group would scarcely occur to anyone.

9.3.2. Small Biases in Academic Philosophy

I went on to work as a professional philosopher at the University of Colorado, where I remain today. My experience is that of an analytic philosopher. I cannot speak with any authority about what things are like in disciplines other than philosophy, or even what they are like in nonanalytic philosophy departments—though I rather suspect that they are much worse. My crazy, right-wing libertarian views (as some might put it) have not precluded me from attaining professional success. I publish a good amount in prestigious journals, and I devise clever, original arguments for interesting claims. Those are the main things that (analytic) academic philosophy

values, and since those are politically neutral values, analytic philosophy is reasonably open to people with unorthodox political views.

I would not, however, say that the profession is entirely unbiased. There are many situations in which success in academic endeavors turns on someone else's subjective judgment, and thus many opportunities for political bias to enter the equation. When one submits a paper to a journal, subjective judgments are made by both the referees and the editor. Referees in philosophy commonly recommend rejection of a paper on the grounds that the author's central idea or argument is no good (this has been *by far* the most common reason for rejection that I have received in my years as a professor). Of course, if a paper defends a thesis that conflicts with the referee's own ideology, it is far more likely that the referee will find that thesis, or the argument for it, "implausible," "poorly developed," or otherwise not good. Since the overwhelming majority of referees in the field are left-leaning, this almost guarantees that it will be harder—not impossible, but *harder*—to publish non-leftist than leftist papers. This may explain why, by my own subjective judgment, there are more low-quality papers published with left-wing stances than with right-wing stances.

Other occasions for subjective judgment include hiring decisions, decisions about fellowships and awards, and decisions about whom to invite to give talks or write chapters for edited volumes. Judgments must be made as to which scholars have the most "interesting," "promising," or even "plausible" research projects—all of which are subject to bias. It will simply be easier for a philosopher to find flaws in the work of a philosopher with a different standpoint than to find flaws in the work of a philosopher of the same political standpoint.

All of that concerns implicit unconscious or semiconscious bias. Since the academy (despite its exquisite sensitivity to racial, gender, and other forms of nonintellectual bias) exhibits little concern about ideological bias, this kind of bias is likely to be widespread. Nevertheless, I suspect that most cases are unintentional and relatively minor. Otherwise, I could not have succeeded as a radical libertarian philosopher. Most philosophers are willing to listen to arguments, even for extreme right-wing (or otherwise unorthodox) positions, and to respond with reasoned arguments rather than emotive condemnation. When asked to referee a journal submission, review a book manuscript, or evaluate a job candidate, most philosophers will attempt to do so fairly. Few will seek to exclude an author or job candidate simply for holding the wrong political views.

Nevertheless, the relatively small amount of political bias may have significant effects. For illustrative purposes, suppose that only 10 percent of faculty in the profession would deliberately discriminate against right-wing philosophers.⁹ Another 40 percent would not deliberately do so, but they would suffer from normal human biases, making them slightly more able to perceive apparent flaws in the work of right-wing philosophers than in equal-quality work of left-wing philosophers. The remaining 50 percent of faculty, let us generously suppose, have no bias at all against right-wing philosophers. Even this relatively modest amount of bias, I would argue, could plausibly be enough to effectively enforce a political orthodoxy.

To see why, note first that academic philosophy is an *extremely* competitive field. When any reasonably prestigious philosophy department advertises a position, there are usually *hundreds* of applicants for that one job, among which there will assuredly be many who are well qualified by objective or semi-objective criteria. It can therefore be expected (and this is consistent with my experience) that there will be multiple candidates who are close to each other in their desirability to the hiring department. As a result, votes on whom to hire will usually be close. In that context, losing just one or two votes out of ten due to one's disfavored political orientation can easily be decisive. In brief, in an extremely competitive field, one needs every advantage one can get to succeed. Those with unorthodox political views will therefore likely suppress their views, or else find themselves much less successful in their careers than they would otherwise be. Needless to say, none of this is good for an institution founded on the pursuit of knowledge and understanding.

9.3.3. Large Biases in the Academy

As I say, a philosopher in the academy is free to advance a wide range of unorthodox positions, on a wide range of issues, and other philosophers will generally make an effort to evaluate those arguments objectively.

There are, however, certain exceptions. In the academy today, as is well known, one does not speak on such matters as race, gender, or cultural diversity, except to reiterate or fine-tune the left-wing orthodoxy. One may, indeed, freely question the merits of socialism as an economic system. But one does not question the merits of feminism or multiculturalism. In addition, there is a list of specific groups (blacks, women, transgender people, and so on) that one must not offend, groups which are assumed by activists in the profession to be incredibly sensitive to any conceivable slight. Transgressions of the unwritten rules can call forth internet mobs with petitions designed to publicly shame one, with consequences ranging up to and including job termination and permanent exile from the society of academia.¹⁰ No doubt, we would send the blasphemers to prison if we could. There is nothing subtle about this ideological orthodoxy.

When it comes to hiring decisions, the academy's boldest forms of discrimination have arrived on the scene, or at least have greatly expanded, within the last few years. An increasing number of positions are "diversity" oriented. (I use scare quotes because I think universities have a misguided conception of diversity.) For philosophy departments seeking to hire a woman or a black person, the old approach has been to advertise a position in the philosophy of race or feminist philosophy. This is a highly reliable way of attracting applicants who are, respectively, racial minorities or women, and an extremely reliable way, too, of finding a left-wing philosopher. The new approach is to create special positions earmarked for people who "increase the diversity" of the faculty. At my university, the administration offers departments the opportunity to hire extra faculty members, if (and only if) the departments identify suitable diversity-increasing candidates. A limited number of such diversity hires are authorized across

the university each year, so departments must compete with each other to find the most diversity-promoting candidates to put forward.¹¹ This is an extremely reliable way of inducing departments to prioritize diversity over all other values.

Some universities now go so far as to make *every* hire diversity related. The University of California, for instance, in eight of its ten campuses, now requires a “diversity statement” from every job applicant, in which the applicant must explain how she will contribute to the diversity of the faculty.¹² Such statements are becoming increasingly popular across the country.

What exactly counts as contributing to diversity? There are two kinds of criteria: first, a diversity candidate should ideally be a member of one of the oppressed groups that the academic left favors (especially blacks, women, Latinos/Latinas, the disabled, and LGBTQIA people). Universities do not explicitly state this—most likely because race and gender discrimination are both prohibited under the Civil Rights Act of 1964 (as well as Proposition 209 in California)—nor may hiring committees ask a candidate their race or gender.¹³ So what universities do instead is to state a vague belief in “diversity” and then invite job candidates to explain how they (the candidates) will contribute to the university’s diversity. Some job candidates play ball and discuss their race, gender, and so on. The university may then hire the minorities they desire. (None of this, of course, makes the discrimination *legal*; it simply makes it more difficult for an outsider to prove.) If, however, some candidate should write, in his diversity statement, that he will contribute to the *ideological* diversity of the university, then this candidate will stand exposed as some sort of conservative or other academic dissident.

The second criterion for a diversity hire is a matter of one’s activities. A good diversity candidate should be someone who has contributed or is planning to contribute to diversity initiatives within the university—essentially, affirmative action plans and activities devoted to exposing and fighting the alleged racism, sexism, and similar oppression in the university and in the wider society. This criterion is a highly reliable and extremely obvious proxy for political ideology. Almost no one but a left-wing identity-politics ideologue will succeed on this criterion.

None of this is to say that all conservatives, or all cishet white men, will be excluded. They will, however, labor under a distinct disadvantage, relative to the preferred, “diverse” categories of people.

The members of the academy responsible for this discrimination lose no sleep over it. Yet they would not describe themselves as intolerant ideologues. Most, I suspect, would say that *of course* they believe in academic freedom and intellectual diversity. But, they might add, surely that does not extend to hiring people with ideas that have no merit whatsoever, nor people who would blatantly abuse students. You would not, for example, hire a professor whose research is concerned with arguing that the world is run by a Jewish conspiracy, nor one who thinks that it is alright for professors to murder their students. And similarly for right-wing extremists who hold such abhorrent and irrational views as that affirmative action is wrong or that America is not a rape culture.

From a pedagogical standpoint, I regard diversity of viewpoints—substantive, intellectual diversity—as highly valuable; indeed, I think it the most valuable form of diversity. From that point of view, conservatives, libertarians, and other dissenters from the academic orthodoxy should be regarded as the highest-priority diversity hires. I should thus count myself as an excellent diversity candidate, in the true sense of that term. But virtually no one in the academy who has any power agrees with this.

It is not lost on me—nor, I suspect, on most of the other heterodox professors—that I am precisely the sort of person whom many of my peers are hoping to exclude. I had the good luck to get into academia and earn tenure before the profession took its most shameless turn towards ideological imposition. I have had, by the standards of the profession, a very successful career, with over seventy published articles to date, eight books, and over four thousand citations on Google Scholar, including more than two thousand in the last five years (all of which is far above the norm for philosophers). Yet it is far from clear that I could build a successful career, or even find employment, at a research university if I were trying to enter the profession today. This is partly because the profession has simply become more competitive in the past two decades. But it is also partly because it has become more biased and less meritocratic than ever before.

9.4. UNDERSTANDING THE CURRENTS OF THE ACADEMY

How did all of this come about? I am no expert on the history of the Academy, and the institution is in any case complicated and chaotic, as any large human institution is bound to be. But here are my guesses about some of the factors that have led to the current status quo.

American universities became politicized during the 1960s.¹⁴ This was mainly due to two central issues that faced America, about which some professors and many students were deeply concerned: the Vietnam War and civil rights. America at the time was a shockingly prejudiced society, in a way that was obvious to both students and professors. Given the huge injustices that were occurring, the level of concern about these issues was understandable, as was the effort to turn the university into a tool in the fight for justice. (It is a wonder, indeed, that it took so long for the civil rights movement to occur.)

The American military involvement in Vietnam ended definitively in 1973, after which one simply could not go on agitating for an end to the war. But the fight for equality—racial equality, gender equality, and equality across other dimensions of human classification to be added later—had no natural end date. There were landmarks of progress, to be sure, such as the passage of the Civil Rights Act of 1964, but none of these definitively *ended* prejudice in the way that the Paris Peace Accords definitively ended the US-Vietnam war. The fading of racism, sexism, and other biases has been gradual. Thus, academics who had grown used to protesting against prejudice, who had built their identities and their sense of meaning in life around

that struggle, were not at any point clearly forced to stop their campaign. As prejudice faded, they could continue increasing their sensitivity to prejudice so that they might keep protesting against it, in increasingly subtle forms. These academics have spent decades developing theories designed to find ever more forms of prejudice, and ever more problems attributable to it. These theories are passed on to each new generation of students and professors in training.

Academics were able to agree about the cause of civil rights because the issue was in fact one-sided: there was no rational case against civil rights. (The cause was similar to the cause of animal welfare today, except that the victims were easier to see and to empathize with.¹⁵) Intellectuals in any case tend to lean to the left in general, and this was considered a left-wing cause.

But something happens to human beings when they find themselves in a group united by common points of ideology, especially in the face of other groups who diverge from those beliefs. What happens is *groupthink*, in which the group members start to conflate ideological purity with *standing in the group*. Perhaps for evolutionary reasons, human beings are naturally inclined to care far more about loyalty to a social group than about loyalty to the truth. The group members thus start to compete with each other in demonstrating their loyalty by making ever stronger, ever more uncompromising professions of the common faith. Each person who devises a more extreme, thoroughgoing way of embracing the ideology thereby acquires status in the group. No one reins in the excesses, because to do so would position one as *supporting the other side*—the side of those people outside the group who criticize the group.

That is what has happened to the academy. It may have begun with a modest left-leaning bias of the sort to be found among intellectuals who do not belong to an academic institution. But by now the group-affiliation signaling has gone on for so long, and mutated so far, that some of the ideological purity signals would be completely unrecognizable to the originators of the civil rights movement. To take one example, a recent news story reported that a play ridiculing the KKK was planned at Washington University in Maryland. The school decided to cancel the play because any depiction of KKK members—even for purposes of ridiculing them—was deemed too upsetting for sensitive student eyes.¹⁶ No doubt the KKK would approve of the decision. When activists for social justice find themselves agreeing with the KKK about which speech needs to be suppressed, it is fair to say that the movement has come a long way since the 1960s.

9.5. IN DEFENSE OF DIVERSITY

9.5.1. Learning from Disagreement

But not all efforts to promote diversity in the academy are to be regretted. There is a genuine pedagogical rationale for valuing diversity of faculty members. So, I would like to conclude this essay with some words in defense of a particular kind of diversity: intellectual diversity.

You might at first wonder why intellectual diversity should be valued at all. Wouldn't it be better if everyone believed *the truth*, rather than having a wide variety of beliefs? If the function of a university is to advance and disseminate knowledge, should we not focus on teaching students the correct views, rather than teaching a variety of views, both true and false? Universities, one might argue, are simply doing their job if they suppress erroneous ideas that might otherwise mislead students.

In response, there are a number of benefits of intellectual diversity. To begin with, since it is highly unlikely that any group has attained the complete, final truth on matters of philosophical or political interest, we can usually learn from those with whom we disagree. (If you are under the impression that you *have* discovered the complete, final truth about politics, then it is more likely that you are a dogmatic ideologue than that humanity has actually, in the person of you, finally arrived at that complete truth.) Sometimes those with differing perspectives bring to our attention important points that we and the people who think like us would not have thought of. In addition, as John Stuart Mill taught us, even to fully understand *our own* perspective requires defending it against competing views, an experience that we are denied when we construct an ideologically uniform community.¹⁷

Granted, it is also possible to be *misled* by interaction with those who hold incorrect beliefs. Perhaps some of our misguided interlocutors will possess superior skill at constructing clever, sophistic arguments. However, as a general rule, it is easier to construct persuasive arguments in defense of correct positions than in defense of error. Therefore, truth benefits from a full and free exchange of arguments. It is the *erroneous* beliefs that stand most in need of protection against criticism. Therefore, if you find yourself frequently arguing that your own beliefs need to be protected by social institutions that silence dissent, you should seriously consider that it may be you who is in error.

Exposure to differing views is perhaps even more important for students than it is for scholars, because students have not yet fully developed their reasoning abilities. The function of education is not merely to teach students a particular set of propositions; it is above all to train students in careful, cogent, and fair-minded *reasoning*. To learn to reason well about difficult or controversial matters, students must be exposed to differing views, so that they may compare the competing arguments. If they are simply told one view, they *may* wind up with a correct belief (though even this is in question), but they are unlikely to learn about how one rationally arrives at such a belief. Granted, a professor can and should present views that he does not personally subscribe to. But if all of a student's professors hold essentially the same views, then the student is unlikely to gain a full and fair appreciation for the alternatives. Even a highly skilled professor is unlikely to represent an opposing perspective as well as an expert who subscribes to that perspective.

9.5.2. Escaping Groupthink

One of the disadvantages of ideological uniformity was raised in section 9.4. Even if one begins with an essentially correct view, ideological uniformity among one's

colleagues, together with a contrast with the beliefs of outsiders, leads to problems of groupthink, in which group members are under psychological pressure to profess increasingly extreme and unreasonable versions of the common ideology. To avoid this outcome, it is not necessary to have equal representation of all ideologies, but it is necessary to have significant representation of some dissenting ideologies, and dissenters must feel comfortable speaking freely, so that group members do not confuse loyalty to the group with loyalty to any ideology. For some disciplines and some issues within the academy, this condition is met. But for some others, it is not. Some disciplines, particularly in the humanities and social sciences, tend to be unusually ideologically uniform. This incurs the risk of groupthink, given the insularity of academic disciplines.

9.5.3. Suppression Does Not Persuade

Even the fight against error may be hampered by the suppression of erroneous beliefs. If there are many people who hold some mistaken belief to begin with, those individuals *may* be amenable to persuasion through reasoned discourse. Successful persuasion will typically need to acknowledge and address their reasons for holding that belief, however misguided those reasons might be.

It is extremely unlikely that the misguided will be persuaded if their underlying reasons are never addressed because, for example, every attempt to openly state those reasons is met with vituperative condemnations, attempts to shout them down, or attempts to cause direct personal harm. Here, I have in mind such events as the protests and physical threats designed to silence Charles Murray, the petition seeking a withdrawal of Rebecca Tuvel's article from *Hypatia*, and the petition that successfully sought the firing of Noah Carl.¹⁸ Persuasion begins with *understanding*, and understanding begins with *listening*. If you cannot listen to an opposing view, then you have no hope of persuading your opponent. If, then, you should manage to shout them down or intimidate them into silence, they will most likely end up more strongly convinced than ever that their side is in the right and that your side is wrong and evil. It therefore makes no sense to pursue the strategy of exclusion or intimidation—unless, of course, you believe that your own view cannot survive open, reasoned discourse.

9.5.4. What of Established Truths?

Admittedly, not all intellectual diversity is to be prized. Biology departments need not advertise positions for creationists; geography departments need not hire flat-earthers. This is true even though a large percentage of our society subscribes to creationism. The reason is that creationism is not a serious theory within biology. It is motivated by religious faith, rather than by scientific evidence. (Discussion of this point is beyond the scope of this chapter.)

But why may one not say the same of right-wing political views? Perhaps leftism is simply a well-established truth, just as the theory of evolution is well established in

biology. Perhaps that is why academics in the social sciences tend to be overwhelmingly on the left, just as biologists tend to be overwhelmingly pro-evolution.

One could of course make that claim. But political ideology simply does not seem to be like science in the relevant respects; indeed, it is about as far from science as one can get. We do not have compelling scientific evidence showing that left-wing ideas in general are objectively better than right-wing ones. Nor is it the case that individuals become leftists by learning of certain scientific proofs during graduate school, or that conservatives in the general population disagree only because they have not read the empirical studies. What seems to be the case, rather, is that individuals with certain broad *personality traits*, together with a certain pattern of emphasis for the broad values that underly human moral judgments, are predisposed to liberalism; those with different traits and value emphases are predisposed to conservatism. (Very briefly: among the widely discussed “big five” personality traits, liberals tend to be higher in *agreeableness*, *neuroticism*, and *openness to experience* and lower in *conscientiousness* than conservatives.¹⁹ Also, among the common foundations of human moral judgments, liberals tend to emphasize considerations relating to *harm and care* over considerations of *loyalty*, *authority*, and *purity*.²⁰ Other research indicates that political orientation has a largely genetic basis.²¹) Individuals with liberal personalities, in turn, are disproportionately likely to self-select for academic careers. Those with conservative personalities, meanwhile, are more likely to choose careers in business or nonacademic professions. In short, academics are not left-leaning because academic research uncovers evidence of leftism; academics are left-leaning because left-leaning people disproportionately prefer to enter academic careers.²²

9.5.5. Encouraging Diversity

If intellectual diversity is a value, what is the best way of promoting this value? Should universities adopt affirmative action for conservatives?

In the case of a department hiring a professor to teach or perform research on politically relevant topics, I think it would indeed be appropriate to give some amount of preference to candidates with views different from those of the current faculty, other things being equal. This is a special case of the principle that a more intellectually interesting department is, *ceteris paribus*, preferable to a less interesting one.

Be that as it may, the main point that I want to emphasize is that one should at least take care to avoid discriminating *against* those with unorthodox views or suppressing the expression of those views. One should not, for example, create requirements whereby job candidates must in effect declare loyalty to some idea or catchphrase that is popular on one side of the political spectrum. When one encounters scholars with whom one disagrees, one should either remain silent or engage them in respectful, reasoned dialogue; one should not attempt to shout them down, intimidate them, or cause personal harm to them.

The points that I have just made used to be considered liberal points, back when toleration and freedom of speech were liberal values. Today, I suppose, they have

become “right-wing” values. And so, on these matters, I have shifted from the left to the right over the past three decades, though without changing my views. The left and the right periodically exchange places on particular issues. Libertarianism, however, does not; libertarianism always takes the side of freedom and individual rights.

NOTES

1. Huemer, Michael, *The Problem of Political Authority* (New York: Palgrave Macmillan, 2013).

2. Rand, Ayn, *Atlas Shrugged* (New York: Signet, 1957), part II, chapter 10.

3. Huemer, Michael, “Why I Am Not an Objectivist,” accessed December 7, 2019, <http://owl232.net/papers/rand.htm>; “Critique of the Objectivist Ethics,” 2005, accessed December 7, 2019, <http://spot.colorado.edu/~huemer/rand5.htm>.

4. Rand’s point was not only economic but also moral: the socialist ideal is defective in terms of *justice* because its implementation requires a system that in effect rewards those who, according to that very ideal, are behaving badly, while punishing those who are behaving well.

5. Caplan is today a prominent libertarian economist at George Mason University.

6. Friedman, David, *The Machinery of Freedom* (LaSalle, IL: Open Court, 1989), accessed December 7, 2019, http://davidfriedman.com/The_Machinery_of_Freedom_.pdf. Note that the subtitle of this work is “Guide to Radical Capitalism.” See also Rothbard, Murray, *For a New Liberty* (Lanham, MD: University Press of America, 1978).

7. Huemer, *The Problem of Political Authority* (2013). For examples of the sort of defenses of libertarianism that I found insufficient, see Rand, Ayn, *The Virtue of Selfishness* (New York: Signet, 1964); Nozick, Robert, *Anarchy, State, and Utopia* (New York: Basic Books, 1974); Narveson, Jan, *The Libertarian Idea* (Philadelphia, PA: Temple University Press, 1988). For discussion of the relative advantages of my own approach, see my “Defending Liberty: The Common Sense Approach,” in *Foundations of a Free Society*, eds. Gregory Salmieri and Robert Mayhew (Pittsburgh, PA: University of Pittsburgh Press, 2019), 237–60.

8. My term paper for that course was later published (thanks in part to Professor Howard McGary’s helpful advice) as “Rawls’s Problem of Stability,” *Social Theory and Practice* 22 (1996): 375–95.

9. In one survey of social psychologists, more than a third of respondents explicitly stated that they *would* discriminate against conservatives in hiring decisions. See Inbar, Yoel, and Joris Lammers, “Political Diversity in Social and Personality Psychology,” *Perspectives in Psychological Science* 20 (2012): 1–8. Data for the field of philosophy are lacking; it is, however, generous to suppose that philosophers would be markedly fairer.

10. See section 9.5.3 below, at note 18.

11. See University of Colorado, “Strategic, Targeted, and Accelerated Recruitment Program (STAR),” 2019, accessed December 7, 2019, <http://www.colorado.edu/faculty/star>; see also University of Colorado, “Chancellor’s Postdoctoral Fellowship for Diversity Program,” 2019, accessed December 7, 2019, <http://www.colorado.edu/postdoctoralaffairs/current-postdocs/chancellors-postdoctoral-fellowship-diversity-program>.

12. UCLA Office of Equity, Diversity and Inclusion, “Equity, Diversity and Inclusion (EDI) Statement FAQs,” 2019, accessed December 7, 2019, <http://ucla.app.box.com/v/edi-statement-faqs>.

13. Race and gender information is commonly solicited on applications, but this information is for general statistical purposes and does not go to the members of the hiring committee.
14. I did not observe this development firsthand, as I either did not exist or was a disembodied soul during most of it. My understanding of the history is largely based on John Searle's *The Campus War: A Sympathetic Look at the University in Agony* (New York: World Publishing Company, 1971).
15. See my *Dialogues on Ethical Vegetarianism* (New York: Routledge, 2019).
16. Sargent, Troy, "College Yanks Student-Directed Play at Last Minute Because It Depicts KKK," *The College Fix*, December 3, 2019, accessed December 7, 2019, <http://www.thecollegefix.com/college-yanks-student-directed-play-at-last-minute-because-it-depicts-kkk/>.
17. See chapter 2 of Mill, John Stuart, *On Liberty* (Kitchener, Ontario: Batoche Books, 2001).
18. For an account of the Tuvel incident, see Singal, Jesse, "This Is What a Modern-Day Witch Hunt Looks Like," *New York*, May 2, 2017, accessed December 7, 2019, <http://nymag.com/intelligencer/2017/05/transracialism-article-controversy.html>. On Murray, see Reilly, Katie, "Middlebury Has Sanctioned Students for Shutting Down Charles Murray's Lecture," *Time*, May 24, 2017, accessed December 7, 2019, <https://time.com/4792694/middlebury-college-discipline-charles-murray-protest>. On Carl, see "Academics' Mobbing of Young Scholar Must Be Denounced," *Quillette*, December 7, 2018, accessed December 7, 2019, <https://quillette.com/2018/12/07/academics-mobbing-of-a-young-scholar-must-be-denounced>.
19. Barbaranelli, Claudio, et al., "Voters' Personality Traits in Presidential Elections," *Personality and Individual Differences* 42 (2007): 1199–208.
20. Graham, Jesse, et al., "Liberals and Conservatives Rely on Different Sets of Moral Foundations," *Journal of Personality and Social Psychology* 96 (2009): 1029–46.
21. Alford, John, et al., "Are Political Orientations Genetically Transmitted?" *American Political Science Review* 99 (2005): 153–67.
22. Gross, Neil, *Why Are Professors Liberal and Why Do Conservatives Care?* (Cambridge, MA: Harvard University Press, 2013).

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10

Individualism and Rights

Libertarianism in Academia

Eric Mack (Tulane University)

I have three goals in composing this chapter for *Dissident Philosophers*. The first and chief goal is to provide a sketch of my own dissident views in political philosophy. More specifically, I want to indicate a few of the ways (I wish I could fit in more) in which I have pursued my philosophical project of addressing and overcoming shortcomings within and objections to rights-oriented libertarian political theory. Unfortunately, I will not have space within this essay to go much beyond gesturing toward these few ways of further developing and fortifying rights-oriented libertarian doctrine.¹

I have dissented from the strong, albeit sometimes implicit, coalition of doctrines that has dominated political philosophy within the English-speaking world for at least the last half century. Despite notable philosophical and policy differences among its doctrinal strands, this coalition is held together by many shared philosophical and empirical commitments. Parties to this coalition all endorse the extension of state power for the sake of promoting some overriding radiant collective end such as (what is taken to be) society-wide or global distributive justice, genuine democratic governance, or true community. They all favor the intentional (re)design of the economic and social order for the sake of advancing more or less egalitarian or socialist societal or global outcomes. They all believe in the genuinely beneficial effects of increased state power when wielded by truly public-spirited leaders who are attuned to philosophical enlightenment, disdain most moral or constitutional objections to the expansion of state power over individuals and their property, disbelieve in the capacity of people to solve problems through voluntary cooperation, and are offended by the sorts of social and economic order that arise—or are thought to arise—within commercial-market societies.

A crucial, albeit often implicit, presumption among members of the mainstream coalition is that “society” possesses the moral authority to institute among its members a proper distribution of well-being or at least the primary means for the attainment of well-being (e.g., liberty, opportunity, self-respect, and cash). This presumption reinforces the companion presupposition that the key task of political philosophy is to identify what is the proper or “just” distribution of happiness or the primary means for happiness. Much of the philosophical dispute between members of the coalition is about which distribution ought to reign or about whether individuals should be granted some modest dispensation from maximum submission to that reign.

The sorts of views I have mentioned are so pervasive and so deeply embedded among participants within this broad coalition that many of these participants cannot imagine any sensible or decent person dissenting from them or their apparent political implications. Within the orthodoxy everyone knows what is sacred—and what one must express contempt for—in order to signal one’s moral or intellectual virtue.

My second goal in this essay is to intersperse within my description of my libertarian project some personal reports about the journey of a libertarian heretic within an intellectual and institutional realm that has been largely governed by this orthodoxy. My third goal is to avoid succumbing to the temptation to don the badge of victimhood. In fact, I know that—unlike many of my fellow dissidents—I have been very lucky and my philosophical career has probably gained more than it has been set back by my dissent. Indeed, I want to emphasize that part of my luck has been to have chosen to journey within philosophy, where somewhat more openness to heterodox ideas and to the strength of arguments for those ideas has persisted than in many other disciplines.

10.1. STEPPING IN AGAINST THE CURRENT

Yet I paused as I started to write this section to wonder about whether I should risk at the very outset losing all intellectual credibility with many of my academic readers. That I have paused in this way is, of course, part of the story of the force of majority orthodox opinion within the academic world. What I have hesitated to say is that I came to libertarian views in my high school years largely through my reading of she who is most hated by academic philosophers, Ayn Rand. I was never comfortable with the tone that often characterizes Rand’s writing—its anger and eagerness to condemn. And I was equally uncomfortable with the often-cultish character of the “Objectivist” movement that she and her supporters sought to establish. I prided myself upon being—when I was eighteen years old—among a small group of young philosophy students who quite literally walked out of a meeting with Rand and her chief disciples at which we were being harangued for insufficient Objectivist orthodoxy.

Still, it was Rand's influence that kindled my belief in the importance and historical power of ideas and inclined me to a career in academic philosophy. That influence also played a major role in underwriting my generally realist, anti-determinist, anti-skeptical views in metaphysics and epistemology and my individualist and rights-oriented libertarian views in ethics and political philosophy. I never took a political philosophy course as an undergraduate at Union College or as a graduate student at the University of Rochester. Indeed, now that I think about it, I believe that no such course was offered at either institution. Nevertheless, after deciding not to write a dissertation on synthetic *a priori* truths, I chose to write a dissertation on natural rights.

After puttering around for a while (and teaching at the now very justly defunct Eisenhower College), I defended "A Theory of Natural Rights" at the end of 1972. The dissertation had three chapters. The first chapter argued that the rationality of each individual's pursuit of her own well-being is a basis for ascribing to each individual a right against interference with her (non-interfering) pursuit of her good. Another chapter argued that a plausible account of the creation of contractual rights needs to invoke a background natural right against being subject to the type of interference inflicted upon one by being induced to rely upon another's performance and suffering the non-performance by that other party. A third chapter argued that doctrines of distributive justice could not provide a satisfying account of our intuitions about the claims of justice. This is because, unlike genuine claims of justice, the claims supplied by doctrines of distributive justice are continuously subject to revision or revocation due to continuous and largely unpredictable changes in what has become available for allocation in accord with the favored principle of distributive justice.²

While I was working on that dissertation, I entered an increasingly tight job market and had my first adventure with ideological bias and my own good luck. I applied for a job at Eisenhower College—having already met and become friendly with the head of philosophy at that newly formed college. The head wanted me to be hired. However, most of the decision-making power was held by the director of humanities, who was determined to hire a Marxist. The head told me about this and, consequently, when I came for my job interview, I talked as much as I could—and entirely truthfully—about how much I had enjoyed giving a series of lectures on Marxism within a nineteenth-century philosophy course at Rochester. The director took the bait, manipulated the vote among the philosophy faculty to produce a tie between myself and the candidate favored by the majority of the philosophy faculty, and then told the academic vice president that the vote had gone overwhelmingly for me. Thus, I owed my first tenure-track job to unchecked (but not very astute) Marxist bias.

My good luck continued when I was fired from my position at Eisenhower and was unable to secure a teaching position for the 1974–1975 academic year but was accepted as a postdoctoral fellow in liberal arts at Harvard for the 1974–1975 academic year. One job interview I had prior to my year at Harvard is worth recounting.

For the first 90 percent of the interview, it was by far the best interview I have ever had. I offered great defenses of various positions advanced in my dissertation, the very smart and engaged interviewers raised great counterarguments, and I responded in ways that the interviewers found surprising and interesting. Then one of the interviewers said something like "Wait a minute, you actually believe the conclusions you have been defending." I said, "Yes." And it was like an iron curtain came down. We all instantly knew that nothing remained but to wrap up the interview as quickly as possible and say goodbye. I cannot recount the interviews I did not get because dossier readers normally presume that applicants do believe the views for which they argue.

Robert Nozick's *Anarchy, State, and Utopia* had been published earlier in 1974, and my main activity in the course of my fellowship year was spending most of an afternoon every couple of weeks talking to Nozick about ethics and political philosophy. For at least several years afterward I received and gratefully accepted very nice lecture invitations, which I only gradually realized were probably initially addressed to Nozick, who had turned them down and suggested me as a substitute. Nozick's *Anarchy, State, and Utopia* became the known expression of rights-oriented libertarian theory among academic political and legal theorists. For that reason, a good number of my subsequent essays have to some degree been cast as friendly amendments to or responses to critiques of *Anarchy, State, and Utopia*.³

During that fellowship year, I also became friendly with someone whom I will designate as Famous Left-Wing Philosopher (though FLWP was famous for more than left-wing views). FLWP invited me to give the libertarianism lectures in his political philosophy course. And when I went on the job market that year, both Nozick and FLWP wrote letters for me (along with my main Rochester sponsor, the great Kant scholar, Lewis White Beck). Those letters, I believe, got me a campus interview for a position at Tulane University. Though, I was later told, what ensured my getting the job offer was that the other candidate who came for a campus interview turned out to be crazy.

A few years after heading to Tulane, I attended a symposium at the American Philosophical Association meeting on Marx and the labor theory of value in which FLWP was a participant. All the speakers were concerned with which subtly different version of the labor theory was the most defensible or compelling. When I had the opportunity to direct a question to FLWP, I posed a general objection to the labor theory of value that, if correct, seemed to show that there was little point in exploring subtle variations on it. Here is a very close rendition of the exchange.

EM: Imagine a world full of the products of human labor, each of which has an exchange value. According to the labor theory, the ratio of the exchange value of any two of these objects will track and be explained by the ratio of the hours of labor that went into the production of those two objects. But suppose that God decides to destroy all of those products of human labor. However, before anyone else notices, God changes his mind and immediately produces an exact replica of each of the destroyed objects. The exchange value of each these replacements will be identical to the exchange value of the

replaced objects, as would be the ratio of the values of any two of those objects. Yet the exchange values of the replacements and the ratios among them would not track or be explained by the amount of labor needed to produce them. For God does not need to labor to produce whatever He decides to produce. So, why believe that the exchange values of the replaced objects—which were produced by labor—tracked and were explained by the amount of labor that went into their production?

FLWP: The exchange values of the replacements would not be the same.

EM: Why not?

FLWP: They just wouldn't be.

Sometime later at that meeting I ran into FLWP, who explained the answer he had given to me during the talk. FLWP said, "That's what I had to say."

10.2. FOUNDATIONS FOR A NEW AND IMPROVED RIGHTS-ORIENTED LIBERTARIAN THEORY

In this and the next two sections, I point to some important gaps or difficulties within rights-oriented libertarian doctrine and describe the responses that I have sought to formulate with respect to these gaps or difficulties. My ambition here is simply to say enough about these responses to indicate their relevance and possible soundness.

The standard, indeed canonical, first objection has been that rights-oriented libertarian theory has no noteworthy intellectual foundation. See, for example, Thomas Nagel's influential review essay of *Anarchy, State, and Utopia*, "Libertarianism without Foundations."⁴ I have sought to counter this reading of Nozick by fleshing out his invocation of "the separateness of persons" and arguing that this invocation better supports Nozick's affirmation of moral side constraints (and the moral rights correlative to those constraints) than Rawls's earlier invocation of "the separateness of persons" supports Rawls's contractarian project in *A Theory of Justice*.⁵ More broadly, I have offered various lines of support for the ascription to each person of a fundamental natural right to pursue her own ends in her own chosen ways (except in ways that preclude others from exercising the same right). These lines of support all tie the reasonableness of affirming such a fundamental right to a more basic yet individualist thesis that each person has reason to promote her own genuine well-being.⁶

That each person has reason to advance her own good is generally taken to be the least controversial proposition about practical reason. Hence, many moral and political theorists who seek to transcend this individualist thesis still feel the need to begin with it. Mill's notorious argument for everyone having reason to devote themselves to the general happiness begins with the claim that each has reason to devote herself to her own happiness. In his critique of classical utilitarianism, Rawls takes its initial premise to be that "the principle for an individual is to advance as far as possible his own welfare, his own system of ends."⁷ Rawls does not challenge this premise. Rather, he maintains that the utilitarian errs in thinking that this premise

supports “the principle for society [being] to advance as far as possible the welfare of the group . . . so that society may balance satisfactions and dissatisfactions between different individuals.”⁸ Moreover, Rawls’s own argument for his contractarian approach and the political principles that he takes to flow from that approach begins with the rational choice principle that “A person quite properly acts, at least when others are not affected, to achieve his own greatest good, to advance his own rational ends as far as possible.”⁹

Of course, the key question is, in what way and to what degree is each person’s proper pursuit of his own greatest good constrained or overridden *when others are (or might be) affected*? In *A Theory of Justice*, the propriety of each person’s pursuit of her own greatest good is markedly constrained—indeed, effectively overridden—by what Rawls takes to be considerations of fairness. These considerations severely limit what norms are eligible for consideration as principles of justice. As a consequence, rational individuals who are concerned about their respective greatest well-being will, nevertheless, all end up favoring principles that require all to contribute as much as possible to a fair balance among members of their society of the primary means for living well. The most distinctive of these principles—the well-known difference principle—requires the maximum feasible downward redistribution of income among members of that society. This principle may require the imposition of very large losses of income on some individuals to attain slight gains in income for others who are lower down on the income ladder.¹⁰ In this way, the difference principle is more demanding than the utilitarian principle, which Rawls rejects because it fails to respect the separateness of persons.

Rather than seek to transcend the individualist starting point that “A person quite properly acts, at least when others are not affected, to achieve his own greatest good, to advance his own rational ends as far as possible,” libertarian political theorists often seek to complete its articulation by identifying what *constraints* on the conduct of each person are responsive to *everyone else* having ends of her own to pursue, a life of her own to live. They seek to identify the basic interpersonal principles that are appropriate for society, understood as a mutually advantageous association of individuals who each have their own ends to pursue and their own lives to live.

I have approached this task by asking: What is the moral import for each individual of the reasonableness of *each other* person’s devotion to her own ends and projects? I argue that others also being individuals—with ends and projects of their own to pursue—is a consideration that bears on how one must or must not conduct oneself toward them. However, this import cannot be that each individual really has reason to promote the concatenation of everyone’s ends and projects that is ranked highest by some grand formula for ranking alternative overall social outcomes. The individualist starting point is anchored in the separate and incommensurable value of each person’s living well. And the separateness and incommensurability of the value of each person’s living well implies that there can be no sound formula for weighing or prioritizing the good of individuals against one another. (But see below for my comment about benevolence.)

Rather, the import for each individual of each other person having a good of her own to pursue is a basic constraint against that individual treating other persons as means that are morally available to that individual for the advancement of her ends. That all others have ends and projects of their own that they have reason to advance does not as such provide one with further ends and projects to pursue. Rather, it calls for circumspection in *how* one proceeds toward one's own good. Intuitively, it is because each individual is an end in herself in the sense of having her own flourishing as her ultimate end, that each individual is an end in herself in the sense of not being a morally available means for the ends of others. What each individual can reasonably demand of others is not that others bear the costs of contributing to the advancement of her ends, but rather that her endeavors—usually in voluntary cooperation with others—to realize her ends and projects not be derailed by her conscription into the service of others.

I pause to note here two crucial features of any sensible libertarian individualism. The first is the recognition that—at least for almost every individual—living well involves ends, projects, and commitments that inherently involve the well-being of others. Human beings' life-defining ends and projects almost always encompass the realization of the ends and projects of others who are within the ambit of their concerns. The realization of the ends and projects of others is almost always an important constituent of the life of a flourishing individual. Indeed, an openness to being moved by the good of others (i.e., a benevolent disposition) is almost always crucial to living well. Such an openness to the good of others provides people with reason to favor the survival of one thousand unknown people over the survival of one unknown person even though it would be a philosophical mistake to say that there is some formula for ranking alternative outcomes that declares the survival of the one thousand to be impersonally better than the survival of the one.

The second feature of any sensible libertarianism is that the exercise of freedom from conscription into the service of others' ends rarely takes the form of withdrawal into an isolated autarkic existence. Rather, it takes the form of chosen, mutually beneficial interaction and association. A society that is cognizant of individuals as separate and distinct beings with lives of their own to live is a multidimensional network of independent persons freely connecting in all sorts of discovered mutually beneficial ways, not a corps marshalled together by political force and directed toward some (supposed) common radiant end. Both of these features distinguish all forms of liberal individualism from its atomist caricature.

10.3. THE NATURAL RIGHT OF PROPERTY AND THE SELF-OWNERSHIP PROVISIO

The Natural Right of Property

Almost all rights-oriented libertarian theorists affirm a basic moral right of self-ownership—a right of discretionary control over one's own mental and physical

faculties and energy. I take this basic right to be part of the codification of an even more fundamental moral claim not to be precluded from living one's life in one's own chosen way. Libertarian theorists also maintain that individuals and voluntary associations can acquire strong property rights (i.e., rights over extra-personal objects, or aspects of such objects). How should one understand the relationship between self-ownership and ownership of extra-personal objects?

Locke held that valid rights over extra-personal objects are themselves self-ownership rights. One's self-ownership includes one's rights over one's own labor—one's productive capacities. And property rights originate with one's investment of some of one's labor in the transformation of previously unowned material. Since the transformed object cannot be taken from one without violating one's retained right over the invested labor, the investment of that labor yields a right to the transformed object.¹¹ I believe that sometimes initial property rights do arise in this way. However, in most cases of just initial acquisition and just acquisition through voluntary transfer, acquisitions of particular property rights are facilitated by conventions concerning what sorts of actions constitute just acquisitions of this or that sort of object.

We need such conventional specifications to flesh out the moral power of individuals to make things their own, to have things over which they may exercise discretionary control. And we need enhanced power to make things our own because almost every advancement of one's ends and projects requires discretionary control over some extra-personal material. Moreover, the key way to define spheres of action within which *each* may pursue her ends in her own chosen ways without precluding others from the like pursuit of their ends is to have rules of just acquisition under which people's acquisitions yield well-defined, nonconflicting, protected spheres of action.

I have argued that, beyond self-ownership, part of the proper codification of each person's fundamental claim to be allowed to pursue her own ends and projects in her own chosen way is a natural right of property. This right is a claim to others' compliance with the largely conventional rules constitutive of an effective and internally consistent practice of initial acquisition and transfer of extra-personal means of action. Of course, the particular rights that arise within such a practice are acquired, not natural, rights. However, the right to others' compliance with such a practice of property (should such a practice arise) is the background right of property that is embedded in classical liberal slogans about the natural rights of life, liberty, and property.

Many distinct sets of conventional rules are, in the abstract, equally eligible as practices of property, while many other distinct sets of rules are not eligible as practices of property because they would not serve a social order in which each is allowed (without interference) to pursue her own ends and projects. I argue that we each have rights to others' compliance with whatever eligible practice of property arises because that practice is the available concretization of the background natural right of property. Although the elaborate property structures of advanced commercial societies require complex sets of rules that cannot be *derived* from the

natural right of property, the specific obligations that we each have to abide by those rules depends on the practice constituted by those rules providing a determinate instantiation of that natural right.¹²

The Self-Ownership Proviso

Both Locke and Nozick endorse a proviso according to which individual or joint owners of property may not dispose of their property in ways that worsen the situation of others along a specified dimension or beyond a certain extent. However, both authors are notoriously unclear about the character or extent of the worsening that the proposed proviso forbids. Moreover, it is unclear what the underlying rationale for the proviso is and whether the proviso is an implication of or supplements or clashes with the proposed self-ownership and property rights. I have proposed a version of this proviso, the “self-ownership proviso,” the rationale for which is the right of self-ownership itself. The proviso is part of a further articulation of this core libertarian right.¹³

Advocates of self-ownership ordinarily hold that self-ownership can only be infringed by intruding or trespassing upon the self-owning individual. In contrast, the self-ownership proviso is based on the idea that self-ownership can be infringed by diminishing the opportunity of the self-owner to bring her faculties to bear on the extra-personal world in service to her ends. More specifically, an individual has a just complaint under the self-ownership proviso if others’ disposition of their property adds up to that individual on net having less opportunity to bring her faculties to bear in the service of her ends than she would have were there to be no property rights in extra-personal objects.

Imagine that Josh uses his vast supply of Saran Wrap to quickly encase all extra-personal objects that Bekah is otherwise apt to use and then warns Bekah to keep her hands off his property (i.e., his Saran Wrap). In such a case, Josh effectively encases *Bekah herself* and infringes upon her self-ownership even though he does not, strictly speaking, intrude or trespass upon her person. Rights-protective legal institutions would forbid such infringements. In contrast to this fanciful example, people’s acquisition of property rights and their exercise of those rights typically on net increase the opportunity for others—like Bekah—to pursue their good through the exercise of their productive faculties. Josh is much more likely to use his Saran Wrap to improve the packaging for goods that he puts up for sale, with the effect that Bekah has more opportunity to produce and sell goods of that sort to Josh, or to be employed to deliver the packaged goods to Josh’s customers, or to build or maintain the trucks that Josh’s expanding business requires.

All though the establishment and exercise of property rights may exclude some previously existing opportunities, the enormous expansion of economic activity that is facilitated by the establishment of those rights is, for all individuals, extremely likely to add more opportunity than it eliminates. On the basis of the empirical view that free-market economies are tides that strongly tend to raise all participants

willing to swim with them, libertarians hold that within such economies violations of the proviso will be rare, albeit not impossible.

10.4. SELF-OWNERSHIP, EGALITARIANISM, AND MARXISM

My lengthy two-part essay “Self-Ownership, Egalitarianism, and Marxism” integrated buttressing accounts of Nozick’s case for moral side constraints and his underappreciated arguments against all patterned or end-state doctrines of economic justice, a restatement of the case for and the implications of the self-ownership proviso, and a systematic critique of G. A. Cohen’s criticism of *Anarchy, State, and Utopia* in particular and libertarianism in general.¹⁴ The initial composition and presentation of this essay provides another nice episode in my life among the orthodox.

The paper was composed for a workshop presentation at a very prestigious law school at the invitation of a pretty famous political and legal theorist—henceforth, PFPLT. I showed up at PFPLT’s office ready to make some brief introductory remarks about the paper. But I was told to wait in the office while (it turned out) the participants in the workshop gathered in a nearby seminar room to agree among themselves on the key criticisms they would make about the paper. I was then admitted to the seminar room and—to my surprise—told that I would not have the opportunity to give any sort of precis of my paper because the remaining ninety minutes of the workshop would be devoted to the participants’ expressions of criticism of the paper.

My recollection is that I was allowed to respond after each participant’s criticism, and then we would go on to the next participant’s expression of some or all of the same criticisms. There were three recurrent criticisms (I do not recall any nonrecurrent criticisms). The first was that one of my conclusions was X but I had offered no argument for X. My response was that the reason I had not argued for X was that I had not concluded X. The second criticism was that throughout the essay I had presumed that concepts had some determinate meaning. The third criticism was that I thought, if some particular judgment was plausible and the judgment appeared to follow from the application of a given rule, this lent support to that rule. I pled guilty to the second and third charges but suggested that, since the participants were taking their comments to be intelligible to themselves and others, and they seemed to think the particular cases they were citing did support their conclusions, perhaps they shared my guilt. At the time, I thought, “OK, I can play this game, which I have seen played before.” However, my subsequent thought was that there were many smart people in that room and yet no one willing to go against the current in order to seriously discuss that essay.

After the workshop, I went to dinner with PFPLT, and here is an accurate rendition of a bit of our conversation:

EM: The methodological or meta-theoretical objections to my essay would apply equally to G. A. Cohen’s own writings—even though Cohen writes in defense of egalitarian socialism.

PFPLT: Yes.

EM: If Cohen had prepared a paper for and come to this workshop, would those methodological objections have been raised against him?

PFPLT (after a brief pause): No.

In sharp contrast, after the essay was published, Jerry Cohen added a day to a speaking engagement at Tulane so that the two of us could spend that whole day in friendly argument about my defenses of Nozick and of libertarianism against his critiques.

10.5. NON-ABSOLUTE RIGHTS, PUBLIC GOODS, AND THE STATE

Libertarian doctrine holds that moral rights are very stringent. However, rights are complex and the stringency of rights does not mean that every action that would seem to be a violation of basic rights—like the right to life, or to bodily integrity, or to do as one sees fit with one's property—should under all circumstances be construed as a violation. Libertarian theory needs to explain why, under special circumstances, actions that are morally forbidden under most circumstances may be permissible. Moreover, to maintain the primacy of moral rights across a broad range of cases, the explanation must not amount to saying that moral rights are merely one of many types of moral considerations that are to be weighed against one another in a social calculus about what is to be allowed or forbidden.

Non-Absolute Rights

It is clear that any doctrine that begins with the individualist thesis cannot hold that an individual is obligated to starve rather than pluck a loaf of bread from another's windowsill or is obligated to freeze to death in an unexpected blizzard rather than break into another's unoccupied mountain hut. I discuss certain of the dispensations that persons in dire straits (through no significant fault of their own) have from their usual rights-correlative obligations in "Non-Absolute Rights and Libertarian Taxation."¹⁵ However, an individual in dire straits can be morally at liberty to take what she needs to survive without having an enforceable right to what is needed and without others having correlative enforceable obligations to supply what is needed. Still, those with resources to spare have good reason to coordinate contributions to establish an adequate dire straits warehouse from which those otherwise in dire straits would be granted *rights* to draw. The granting of such rights to draw from a dire straits warehouse ensures that those in need will not be morally at liberty to take—but rather will remain obligated to respect—the legitimate holdings of others that have not been contributed to that dire straits warehouse.

Public Goods

Some of my dire straits discussion draws on the distinction between moral claims that are robustly protected by property rules and moral claims that are less robustly protected by liability rules. A claim is protected by a property rule if it may not be infringed without the consent of the right-holder even if the right-holder is duly compensated for the infringement. A claim is less stringently protected by a liability rule if it may be infringed without the consent of the right-holder as long as she is duly compensated. Someone in dire straits may be at liberty to take that needed loaf of bread without the owner's consent but still be required subsequently to make due compensation. Rights-oriented libertarian theorists typically take the prototypical form of rights to be claims protected by property rules. Certainly this is what Nozick has in mind in the famous opening line of *Anarchy, State, and Utopia*: "Individuals have rights, and there are things no person or group may do to them (without violating their rights)."¹⁶

However, Nozick's remarkably complex chapter on "Prohibition, Compensation, and Risk"¹⁷ takes the prototypical form of rights to be claims protected by liability rules. The boundaries that constitute a person's rights may be crossed if, but only if, the crossing is accompanied by due compensation. This implies that, if due compensation cannot be provided (e.g., if the crossing is a killing), the boundary involved must *not* be crossed without the right-holder's prior consent. In addition, if antecedent negotiation is the best way to identify what due (market) compensation would be, the boundary involved must *not* be crossed without the right-holder's prior consent. That is, the boundary must be *treated as* a right that is protected by a property rule.¹⁸ Since such difficulties in providing or determining due compensation generally apply to the boundaries associated with self-ownership and property rights, these boundaries must generally not be crossed (i.e., they must be treated as though they are protected by property rules).

I have argued that the intuitive force of moral rights—as claims that cannot be circumvented except with the subject's consent—is better captured by taking the prototypical form of rights to be moral claims protected by property rules. One can then flip Nozick's stance by holding that, under special circumstances (viz., consent to a boundary-crossing is not feasible and one can reliably specify and provide due compensation), a boundary may be treated as merely protected by a liability rule. In such a case, the boundary may be crossed as long as the crossing is accompanied by due compensation. This seems to explain why what is sometimes called "soft paternalism" is permissible.¹⁹ When you are about to step into the street unaware of the oncoming bus, time does not permit me to secure your consent before I grab hold of you and, furthermore, I have every reason to believe that being saved from the bus will duly compensate you for being grabbed.

What about the case in which (let us suppose) we are all about to go without the public good of defense of our rights—not because time does not allow enough of us to consent to pay for that good, but rather because too many people will attempt to free ride on others' consent to sharing the costs of producing the defense. Arguably—albeit, only arguably—this is another case in which consent to

pay is not feasible and we can reasonably envision a scheme of forced payments for which everyone will be duly compensated by the provision of the defense of rights that (one hopes!) will be financed by those forced payments. Thus, this may be another case in which the moral rights that protect people against those forced payments are to be treated as claims protected by a liability rule. This attenuation of the claims that protect people against those forced payments renders permissible taxation of those funds to finance defensive institutions.²⁰

Thus, there are three vectors that may converge to draw rights-oriented libertarianism away from free-market anarchism and toward the minimal state. The first is the need for an institution that monitors the effects of people's deployments of their individual or joint property rights, determines whether the self-ownership proviso has been violated, and identifies and enforces constraints on the disposition of property (if they are needed) to prevent such violations.²¹ The second is the need for an institution that determines what degree of dire straits would make it permissible for those in that degree of difficulty to appropriate others' property and facilitates the creation (if needed) of a dire straits warehouse.²² The third is the (arguable) need for enforcing contributions to finance the production of public goods, especially the public good of the defense of people's rights. Since coordination to avoid violations of the proviso and to create a dire straits warehouse may also encounter collective action problems, all three of these vectors may be instances of the permissible crossing of boundaries that—because of the infeasibility of eliciting consent—are only protected by liability rules.

10.6. CONCLUSION

I've said at the outset that the discipline of philosophy has retained more openness to heterodox contentions than other academic disciplines. I add here that my department at Tulane has been remarkably free of the anti-intellectual fads and prejudices to which philosophy itself now seems to be succumbing. However, even within such a department, orthodoxy takes its shots.

Here is one example: Some years ago, after being appointed department chair (by unanimous vote of the department), our newly ensconced, liberal egalitarian chair casually mentioned in a department meeting that for all his many prior years as director of graduate studies he had been "warning" incoming graduate students about me. I don't know exactly what he meant, since in the years before and after that announcement he repeatedly publicly proclaimed his high regard for the range and quality of my philosophical work. However, a couple of graduate students have since told me that they were informed that I was an ideologue who, presumably, either could not or would not competently or fairly present or consider alternative philosophical positions. Imagine, for a moment, the outrage if a conservative or libertarian director of graduate studies were for many years on ideological grounds to warn incoming students about courses taught by a liberal egalitarian or socialist colleague.

Luckily, I believe that many graduate students interested in political philosophy have been willing to judge for themselves. A good number have taken my courses, and those who have gone on to write dissertations with me have discovered that I do not expect my students to agree with me as much as many of my colleagues expect the agreement of their dissertation students. I must admit, however, that on a number of occasions I have myself questioned whether I really have always competently and fairly presented doctrines with which I disagree, for, on many occasions, excellent students from my history of political philosophy courses have stopped by to thank me for convincing them of the truth of Marxism.²³

NOTES

1. I speak of “rights-oriented” rather than “rights-based” libertarian theory to avoid the suggestion that the basic rights that are affirmed are simply taken as given.

2. A version of the first section was published as “Egoism and Rights,” in *The Personalist* 54(1) (Winter 1973): 5–33. The main argument of the second section was published as “Natural and Contractual Rights,” in *Ethics* 87(2) (January 1977): 153–59. The main argument of the third section was published as “Distributionism versus Rights,” in *Ethics* 86(2) (January 1976): 145–53.

3. For my most extensive account of arguments within *Anarchy, State, and Utopia*, see “The Political Philosophy of Robert Nozick,” *Stanford Encyclopedia of Philosophy*, last modified June 2018, <http://plato.stanford.edu/entries/nozick-political>.

4. Nagel, Thomas, “Libertarianism without Foundations,” in *Reading Nozick*, ed. Jeffrey Paul (Totowa, NJ: Rowman & Littlefield, 1981), 191–205.

5. See section 2 of Mack, “Political Philosophy” and the section on “Nozick on the Separateness of Persons, Moral Side Constraints, and Rights” in Eric Mack, *Libertarianism* (Cambridge: Polity Press, 2018), 41–55.

6. See Mack, Eric, “Prerogatives, Restrictions, and Rights,” *Social Philosophy and Policy* 22(1) (Winter 2005): 357–93; and “Individualism and Libertarian Rights,” in *Contemporary Debates in Political Philosophy*, eds. John Christman and Thomas Cristiano (Oxford: Blackwell, 2009), 121–36.

7. Rawls, John, *A Theory of Justice* (1st ed.) (Cambridge, MA: Harvard University Press, 1971), 23.

8. *Ibid.*, 23–24.

9. *Ibid.*, 23.

10. Even well into *A Theory of Justice*, Rawls asserts that “it is quite incredible that some citizens should be expected, on the basis of political principles, to accept lower prospects of life for the sake of others” (179). Rawls attempts to reconcile this stance with the difference principle by making the distribution of income that obtains if the difference principle is instituted the baseline for determining whether changes in income are gains or losses. Even if changes in income *look* like losses to some and gains to others, those apparent changes will not count as losses to some and gains to others if those changes are called for by the difference principle. See Nozick, *Anarchy, State, and Utopia*, 190–97.

11. See “Of Property” in Locke’s *Second Treatise of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1960).

12. Mack, Eric, "Self-Ownership and the Right of Property," *The Monist* 73(4) (October 1990): 519–43; and "The Natural Right of Property," *Social Philosophy and Policy* 27(1) (Winter 2010): 53–78.
13. Mack, Eric, "The Self-Ownership Proviso: A New and Improved Lockean Proviso," *Social Philosophy and Policy* 12(1) (Winter 1995): 186–218.
14. Mack, Eric, "Self-Ownership, Marxism, and Egalitarianism: Part I. Challenges to Historical Entitlement," *Politics, Philosophy, and Economics* 1(1) (February 2002): 119–46; "Part II. Challenges to the Self-Ownership Thesis," *Politics, Philosophy, and Economics* 1(2) (June 2002): 237–76; and Cohen, G. A., *Self-Ownership, Freedom, and Equality* (Cambridge: Cambridge University Press, 1995).
15. Mack, Eric, "Non-Absolute Rights and Libertarian Taxation," *Social Philosophy and Policy* 23(2) (Summer 2006): 109–41.
16. Nozick, *Anarchy, State, and Utopia*, ix.
17. *Ibid.*, 54–87.
18. See section 2.4 of Mack, "Political Philosophy."
19. A soft paternalist action is an interference that on net benefits its subject and would be agreed to by its subject if agreement was feasible.
20. Mack, Eric, "The Ethics of Taxation: Rights versus Public Goods?" in *Taxation and the Deficit Economy*, ed. D. Lee (San Francisco: Pacific Research Institute, 1986), 487–514; and "Nozickan Arguments for the More-Than-Minimal State," in *Cambridge Companion to Anarchy, State and Utopia*, eds. R. Bader and J. Meadowcroft (Cambridge: Cambridge University Press, 2011), 89–115.
21. Such constraints may require that property owners offer people jobs rather than require simple income transfers.
22. An individual can be subject to violations of the self-ownership proviso without being in dire straits and can be in dire straits without being subject to violations of the proviso.
23. I thank the editors of *Dissenting Philosophers* for their helpful comments on an earlier draft of this essay.

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11

Correcting the Strawmen

Why Most Evangelical Christians Are Political Conservatives

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Several years ago on ABC's *The View*, Star Parker and Michael Moore had an instructive exchange.¹ To justify state-regulated universal health care, Moore sought to marshal support from Jesus: Jesus claimed that if you care for the poorest among us, you do this to him. According to Moore, this rule proves that Jesus would be for universal health care. Star Parker's response was stunningly accurate: Jesus never intended such action to be forced on people by the state. Such acts were to be voluntary and from a freely given heart of compassion.

Subsequently, I published an opinion piece siding with Parker.² I claimed that Jesus would not be for government-mandated universal health care. The piece went viral on the internet and most people weighed in against me. In my view, this reaction signaled the fact that there is a lot of confusion about the biblical view of the state and its role in society, a view embraced by the vast majority of Evangelicals. And as Jonathan Haidt has demonstrated, over 90 percent of American college campuses are so one-sided in their faculty and staffs' commitment to secular leftism that they may rightly be accused of groupthink, indoctrination of students, and ignorance of opposing points of view.³ Nowhere is this more evident than in the ubiquitous strawmen presented as accurate representations of traditional, especially evangelical, Christian reasons for adopting a conservative ethical and political view of the state, along with advocacy of limited government.

The purpose of this chapter is to correct this situation. I recognize that many who read this chapter are not Christians, and my primary purpose is not to persuade the reader that the conservative evangelical view is true or rational. Rather, my goal is more limited. I want to help the reader understand *why* Evangelicals adopt this view. However, my secondary purpose is to present arguments for the conservative evangelical position. Since I have limited space, I cannot develop all of the arguments

in a manner they deserve. But if I can provide the reader with the sorts of rational support for this viewpoint, then the contours of a case will at least provide a sense of its epistemic justification. I hope this clarification and a precis of its intellectual credentials will set fire to the strawmen and facilitate a more civil presentation of the evangelical view on college campuses. With this in mind, I shall present a brief clarification of what an Evangelical and a political conservative are, and proceed to offer two lines of reasoning as to why most Evangelicals are—and should be—ethical and political conservatives. But before I launch into these issues, I want to summarize my own journey from being utterly uninterested in politics to becoming a dissident philosopher against secularized political groupthink—along with its cancel culture for opposing viewpoints—all around us.

MY JOURNEY FROM POLITICAL INDIFFERENCE TO DISSIDENCE

I was born and raised in a small town outside Kansas City, Missouri. Religion and politics were not all that important in my family, so up until my junior year in college, the same was true of me. During my high school years, my priorities were girls, sports, and science (in that order!). I received a scholarship to study chemistry at the University of Missouri (1966–1970), and I majored in physical chemistry. As far as I was concerned, the only ideas that mattered were those in the hard sciences, so the broader issues of life were not on my radar screen.

All of that changed in November 1968, when I converted to Christianity through the ministry of Campus Crusade for Christ. Suddenly, the broader world of ideas—especially those involving “the big questions” in religion, ethics, and politics—was opened up to me and I began to study and be engaged in these areas. It was the 1960s, and revolution, marches, and debates raged all over campus. As I engaged in these debates, it became evident to me that there was a general hostility to and misunderstanding of biblical Christianity and its views on the moral and political issues of the day. Christians were accused of believing America was a Christian nation and could do no wrong. It was widely claimed that Christianity was oppressive to women by denying a woman’s moral right to an abortion and by wanting women to all be stay-at-home mothers. Furthermore, Christians were supposedly intolerant bigots for “forcing” their sexual ethics on everyone else and being judgmental about the sexual revolution. None of this was true, but, sadly, this was the ubiquitous depiction of evangelical Christians on the university campus.

In the 1970s, I served as a campus minister with Campus Crusade for Christ at the Universities of Colorado and Vermont. I spent all my time engaging with unbelievers and working with young Christians. While at the University of Colorado, I one day met with a pretty shaken-up Christian student who had just gotten out of a large class in which the professor had announced that “Evangelicals are dumb, out-of-date, and easy to lead.” At the University of Vermont, a new convert to Christian-

ity told me that she had recently attended a class in which the topic was abortion. She had raised her hand to weigh in on the subject, but the teacher interrupted her and asked whether she was a Christian. When she said “yes,” the professor said that she was disqualified from class discussion because she was biased and naively embraced moral and political conservatism. I could multiply these stories like loaves and fish, but you get the point.

In the 1980s, I did my graduate work in philosophy, taking a course on John Rawls’s *A Theory of Justice* and another course under John Hospers on libertarianism and political philosophy. Having been exposed to both ends of the political spectrum, it became evident to me that (1) a biblical ethic/political philosophy was much closer to conservatism than to liberal secularism and (2) a strong, rational case could be made for a host of conservative positions. Of course, the word about this has just not gotten out. As an increasingly secular-progressive faculty has come to populate the universities of the West in the last two decades, the hostility toward—and the loathing, dismissing, and misunderstanding of the nature and basis of—an evangelical social ethic and political philosophy has strengthened the secular-leftist stranglehold on university campuses.

Last year a professor friend of mine delivered a guest lecture at a university that criticized affirmative action, only to be shouted down, threatened physically, and ushered off campus by campus security halfway through his speech. I have had the same thing happen to me several times. And with the growing acceptance of secular views on gender identity, marriage, diversity, social justice, white privilege, and more, the misunderstanding and ignorance of evangelical views about these matters is appalling. Needless to say, all of this hostility, leftist groupthink and indoctrination, and strawmen presentation of evangelical social ethics and political philosophy had turned me from political indifference to being a staunch dissident.

WHAT IS AN EVANGELICAL? WHAT IS A POLITICAL CONSERVATIVE?

As with many widely employed terms, “Evangelical” is hard to define. But evangelical theologian Roger Olson has done an adequate job for our purposes. According to Olson, an Evangelical is one who satisfies five characteristics: (1) biblicism (adherence to the supreme authority of the Bible regarding everything it teaches when properly interpreted); (2) conversionism (belief in the essential importance of radical conversion to Jesus Christ as Lord and Savior); (3) the centrality of the cross of Jesus and the forgiveness it provides in attempts to grow in character and spirituality; (4) persuasive, respectful evangelism and social action on behalf of the poor, oppressed, and powerless, including the unborn; and (5) a respect for but not slavish dependence on the history of Christian tradition and doctrine.⁴

When we turn to defining a political conservative, we also confront a variety of different notions. Ostensibly, one could define a political conservative as someone

who aligns with the Libertarian or Republican Party platforms. More fully, as Peter Lawler notes, the following is part of a widely understood characterization of “political conservatives,” and it is clearly the version most attractive to conservative Catholics and Evangelicals:

Natural-Law Conservatives: These thinkers combine a constitutional devotion to a free economy and civil rights with a concern for the preservation of the culture of life, beginning with the right to life and the family. They think that American constitutionalism, rightly understood, is part of the tradition of natural law that includes Aristotle, Thomas Aquinas, and John Locke. Their intellectual leaders are Princeton’s Robert George and Amherst’s Hadley Arkes. Many or most of these conservatives are Catholic, but their number increasingly includes Evangelical Protestants and Orthodox Jews.⁵

James W. Ceaser characterizes political conservatism as a coalition of similar views derived from the foundational principles of four different streams of thought, three of which are presented here:⁶

1. Traditionalism: Our history and culture—the “Anglo-Protestant heritage” that has been handed down to us—is the foundational principle by which good and bad are judged.
2. Neoconservatism: The foundational concept is natural right, which is a theoretical way of saying that the standard of right or good, so far as political or social action is concerned, is ascertainable by human reason, even if it may also have been established by divine law.
3. The religious right: Biblical faith as the standard of right and wrong. Faith as a foundational concept in the political realm does not aim to supply a complete standard of political right for all issues. It supports a more limited political-cultural project related to the interests or concerns of faith. Stated defensively, that project includes collective action designed to protect havens conducive to fostering a life committed to faith, which in practice has often meant undertaking efforts to counterbalance forces working in politics and culture that are indifferent or hostile to religion. But the project is misunderstood if only its defensive aspect is considered. There is a positive element as well, captured in an older idea rooted in Puritanism, that America has a role to play as an instrument in the service of the transcendent.

For some time now, social-science polling has shown a close relationship between political conservatism and evangelicalism. To cite two examples, first, a Pew Research Center poll published in 2021 discovered that the largest religious grouping of conservatives was evangelical Christians (38 percent), with the second highest being Catholics (21 percent). By contrast, 1 percent of conservatives were atheists and 1 percent were agnostics.⁷ Second, a related poll by the Pew Research Center published in February 2016 found that a significant majority of Evangelicals were political conservatives. For example, the Church of the Nazarene was 63 percent Republican/

Republican-leaning to 24 percent Democrat/Democrat-leaning, Southern Baptists were 64 percent to 26 percent, Lutheran Church–Missouri Synod members were 59 percent to 27 percent, and Assemblies of God were 57 percent to 27 percent.⁸

In a very insightful article on this topic by Amelia Thomson-DeVeaux, a number of polls are cited by Barna, the Pew Research Center, the Public Religion Research Institute, and others, taken over several years.⁹ Thomson-DeVeaux and the other research groups sought data to explain why “values voters” (identified as evangelical Christians) were political conservatives. Among the main reasons discovered were advancing the pro-life movement; preserving the traditional view regarding heterosexual sex and marriage; religious liberty; capitalism; and the preservation of historic, objective, biblically based moral values. As we will see, given my definition of an Evangelical, the biblical case for limited government, and the priorities of an evangelical/Catholic social ethic, there is a fuller set of reasons that Evangelicals are (and ought to be) political conservatives beyond the helpful factors identified by Thomson-DeVeaux.

A BIBLICAL CASE FOR LIMITED GOVERNMENT

In this section, I argue that, when properly interpreted, biblical teaching implies a minimal government with a specific function, to be outlined below. First, I present a biblical methodology for getting at scriptural teaching about the state. I apply that methodology to support the claim that Israel’s ethical policies in the Old Testament are better analogies for the church/covenant community than for the government. In this context, I clarify the role that “defining terms of address” plays in my discussion. Second, I distinguish negative and positive rights and argue that the best kinds of texts for unpacking biblical teaching about the state include four key New Testament texts and prophetic texts from the Old Testament that place obligations on pagan nations. I claim that these key texts depict the state as a protector of negative rights and not a provider of positive rights. Thus, the scriptures support a limited view of government and its function. Since Evangelicals take the Bible as authoritative, they should adopt the same view.

When we come to examine the scriptures to see whether there is a biblical view of the state, how should we go about the task? In my view, three principles should guide our investigation. The first principle regards Old Testament teaching. *One should avoid using commands about what Israel was or was not to do when those commands seem grounded in the theocratic nature of Israel.* Why? Because it is far from clear that Israel is a good analogy with the contemporary state or instead with the covenant community—the church. As a theocracy, Israel is not a good parallel to the church–state relationship as depicted in the New Testament and the one with which we live today, because the church is not called to create a theocracy or to relate to the secular state theocratically (e.g., by appealing to natural moral law rather than trying to impose biblical commandments on the state).¹⁰ However, it is arguably the

case that Israel is a parallel to the church so that, for example, principles of caring for the poor within Israel should be applied to the covenant community and not to the state. After all, when she was at her best, Israel was a voluntary covenant community.

If someone remarks that my assertion here is highly controversial, then my response is that this controversy is precisely my point. Because the issue of Israel is so controversial, Christians should try to find common—and more solid—ground on which to build our views of the state. We should avoid needless controversy if at all possible. Moreover, unless there are overriding reasons to the contrary, we have little epistemic justification to apply to the contemporary state a mandate given to Israel, precisely because the use of Israel as a parallel to the state is unclear and problematic.

Does the lack of parallel mean that Old Testament teaching addressed to the people of Israel is irrelevant to society today? Not at all. Old Testament moral teachings that have nothing to do with the special duties of the covenant community are relevant to society in general (e.g., murder is wrong, not because it violates the covenantal arrangement of God with Israel, but because it violates the image of God). More important, we should focus our attention on the obligations the Old Testament places on pagan nations (cf. Amos 1 and 2). These obligations would apply directly to contemporary nations such as the United States (see below).

In this regard, the hermeneutical notion of “defining terms of address” becomes relevant. When a biblical command or teaching addresses, say, someone (or some group) in Old Testament times, it may address the person as a human being, a worshipper of God, a member of Israel, or a member of Israel at a specific time and place (e.g., when they were about to enter the Promised Land). In each case, a person or group is addressed precisely within a certain defining context. Now if I share that defining term of address, the biblical teaching/command applies directly to me. So, if murder was forbidden for ancient Israel because it involved taking the life of an image-bearer of God for reasons other than war, self-defense, or a capital offense, then I must avoid murder since I share in those defining terms of address. By contrast, certain ceremonial commands given to the people of Israel do not have direct application to me since I do not share in their defining terms of address (though I may, with care, derive secondary applications).

Even though there are clear texts given to Old Testament Israel with which we share defining terms of address, many of the law’s teachings are addressed to Israel at a unique place in history. Moreover, in many cases it is hard to know whether a social obligation is due to the theocratic nature of Israel and its civil or ceremonial laws (e.g., a tithe-tax to provide for the priesthood) or whether it is a general principle of the state *per se*. Given this ambiguity, we should be very careful when applying Israel’s social obligations to the state. Generally speaking, applying Israel’s social obligations to the church is easier to justify since we share with the people of Israel the defining term of address “members of God’s covenant community.”

The second principle states that one must be careful to distinguish between positive and negative rights when trying to grasp the biblical view of the state’s obligations. A positive right is a right to have something given to the right-holder. If Smith

has a positive right to X (say, to health care), then, limiting our focus to the state's duties regarding rights, the state has an obligation to give X to Smith. In general, if someone has a positive right to something, then a duty is placed on others—in our case, the state—to provide that right to that person (or class of persons). Thus, the state has the moral right to impose on citizens the duty to provide that right to the right-holder. A negative right to X is a right to be protected from harm while one seeks to get X on one's own. It is a right not to be subjected to some action or state of affairs. If Smith has a negative right to X (say, to health care), then—again, within our limited focus—the state has an obligation to protect Smith from discrimination and unfair treatment in his attempt to get X on his own. We learn much if we approach key biblical texts about the state armed with the distinction between positive and negative rights.

The third principle is this: given principle one above (that it is risky and, in many cases, wrong to determine the state's nature and duties by applying to the secular state some teaching given to Israel), the best way to approach the development of a biblical view of the state is to examine two types of texts. The first type of text is Old Testament prophecy in which the prophets speak to (and usually against) pagan rulers and nations and explicitly state something about their obligations. Here we have biblical teaching about what rulers and nations outside the covenant community were to do to fulfill their proper function. The second type of text is New Testament passages on the state in general, of which there are four: Matthew 22:21, Romans 13:1–7, 1 Timothy 2:1–2, and 1 Peter 2:13–14.

Elsewhere I have provided fairly detailed exegeses of these texts.¹¹ Space considerations forbid me from providing that here. Suffice it to say that, when carefully examined, the texts show that the state is not to show compassion or provide positive rights for its citizens through its use of coercive power (e.g., taxation). These are matters of individual moral responsibility and obligation for the people of God (and various charities). Rather, the state is the protector of negative rights.

These points about the state, coercion, and positive/negative rights tie in quite nicely to the voluntary, noncoercive nature of Jesus's ethical teachings. It is widely agreed that two features are at the core of Jesus's ethical teachings—virtue ethics and the love commands. According to virtue ethics, the primary questions of ethical theory are “What is the good life of character and virtue? How do I learn to live such a life?” To count as a genuinely good act before God, an act must flow from good intentions grounded in a good character.

Besides virtue ethics as a general approach to ethics, the love commands of Matthew 22:37–39 and the agape-filled character expressive of those commands are at the heart of Jesus's ethical vision. Since love cannot be coerced but must be given freely, the good person is the one who voluntarily chooses to embody Jesus's love commands and to live according to their nature.

Forced, heartless conformity to external standards (think of the Pharisees) counts for very little in God's ethical economy (cf. Matthew 5:27–32). By contrast with the voluntary nature of compassion and genuine, character-grounded ethical action, the

state is coercive and forces conformity to its dictates. The coercive approach works well when the state is protecting negative rights, but it undercuts the state's ability to genuinely show compassion.

And when the state steps outside of its biblically mandated purpose by providing positive rights, it is primarily interested in results, not in the character of the individuals who produce those results. For example, through taxation, the state is concerned with garnishing the funds needed to engage in various social programs. It is the results of such taxation policies that matter to the state, not the moral intentions or character of those who give their tax dollars that support such programs. In Jesus's ethic, helping the poor by the coercive power of the state with no interest in moral intentions or character is of little ethical value. It follows that when the state steps outside its role of protecting against the violation of negative rights, the state will be incompetent and less effective than private or charitable alternatives.

But here is an objection: this "virtue-ethics argument against state action seems weak since it misconstrues the purpose of state action, which is a just result rather than a virtuous character."¹² This objection provides me with an occasion to clarify precisely what my virtue-ethics argument is. I am claiming that evangelical Christians will hold that because the state acts coercively and focuses on results—in this case, just results—irrespective of the character and intentions behind those acts, by its very nature government should be limited.

This is particularly true when the government goes beyond the preservation of negative rights and tries to show compassion or funds various social programs (that beg a number of substantive moral questions) in order to provide positive rights in a coercive manner and with a results-only perspective. The Evangelical will view these as examples of the government violating its proper nature/function and acting according to a false, leftist political philosophy. The reader may not agree with the claim that these examples are problematic, but this is what a biblically based Evangelical does and should believe.¹³

THE FOUNDATION AND HIERARCHICAL CHARACTER OF A CHRISTIAN SOCIAL ETHIC

The ontological foundation of a biblically based social ethic is the idea that human beings are made in the image of God. Thus, they have extremely high and equal dignity/value and as such should not be treated as mere means to an end.¹⁴ Of secondary importance is the Christian doctrine of the intrinsic value of a good—though fallen—creation made by a good God. Below, I lay out a precis of a biblically based Christian social ethics.¹⁵ I believe it will become clear that conservative political theory best secures this ethic. The points to follow are listed in order of importance. My primary purpose is not to defend these points, but to present them to clarify what constitutes a widely held evangelical (and, more generally, a theologically conservative Christian) social ethic as it relates to evangelical political theory.

Nevertheless, where I think it would be most helpful, I will present a brief defense of some of the principles or their ranking and provide endnotes for further research.

1. It is important to preach the Gospel and create a plausibility structure in society (a society's general framework for which ideas are plausible and worthy of consideration and which are not) for its reception as a rational, true message. The central calling of the church is to preach the Gospel and work for its receptivity.¹⁶ Among other things, while the church has often flourished under persecution and oppressive governments, nevertheless, freedom of speech and religion are high political and ethical values.¹⁷

A personal illustration may be useful here: I teach at Biola University in Southern California. Biola is an evangelical institution. In keeping with our theological beliefs, we do not hire people who support abortion or gay marriage. The state government is widely recognized as a secular-progressive, leftist one. As a result, a number of times in recent years, the state government has been very close to passing bills that would censure Biola or bring various punitive actions against the university. By contrast, conservative politicians (e.g., Republicans) are strongly in support of religious freedom. Indeed, the reason these attempts to censure or punish Biola have failed so far is due to the significant backlash raised by conservative politicians (and cultural leaders) around the country in support of the university.

2. We must protect the right to life and promote the high, intrinsic dignity of the human person. The right to life and to be treated with high, intrinsic dignity are fundamental, grounded in the image of God. Thus, creating a "culture of life" within which abortion, active euthanasia, and other violations of the sanctity of life are considered immoral is at the top of the church's political and ethical values. And human persons have much, much higher intrinsic value than do animals or the rest of creation.

It is well known that a rigorous case has been made against abortion and for the right to life.¹⁸ What is less known is the fundamental nature of the right to life for the rest of a well-ordered social ethic. According to Pope John Paul II:

It is impossible to further the common good without acknowledging and defending the right to life, upon which all the other inalienable rights of individuals are founded and from which they develop. A society lacks solid foundations when, on the one hand, it asserts values such as the dignity of the person, justice and peace, but then, on the other hand, radically acts to the contrary by allowing or tolerating a variety of ways in which human life is devalued and violated, especially where it is weak or marginalized. Only respect for life can be the foundation and guarantee of the most precious and essential goods of society, such as democracy and peace.¹⁹

A few years ago, I was helping to staff a pro-life booth at the University of Vermont. Suddenly, a female student walked up to the booth and started

yelling at me: “You Christians only care about human life in the womb. But once a child is born you couldn’t care less. You do nothing to help the poor and those on the margins of society. You are nothing but hypocrites.” From talking to pro-life activists, this claim is not all that uncommon. Besides the fact that it is simply wrong—Evangelicals give more money, time, and effort to care for the poor and needy than they do for the unborn²⁰—even if it were true, as John Paul II points out, there are reasons for Christians to make the right to life a top priority.

3. It is crucial for human flourishing and the preservation of a well-ordered society that we protect the flourishing and exclusivity of the traditional view of the family. Grounded in Trinitarian relationality among the persons of the Godhead, the image of God is meant and designed to flourish best when partaking of wise, loving, and Christ-honoring relationships with others. The natural family was designed by God to be grounded in the nature of image bearers and to be the ideal facilitator of the proper maturation of relational skills and character so as to promote human flourishing. Alternative depictions of the “family” are contrary to human nature and will, eventually, lead to a dysfunctional society constituted by people with disordered desires and behaviors.²¹

Ubiquitously, when I or other Christians I know have defended the natural family on secular university campuses, we are often interrupted during our talks and called intolerant bigots who don’t love and respect gay rights. Nothing could be further from the truth. Instead, we hold that the very best way for people to flourish as human beings is to follow biblical and natural moral law about human sexuality and the family. And to the degree that the Bible teaches that the state has a duty to preserve peace and order, if the natural family is, indeed, the best way to socialize flourishing human beings, then the state has an interest in strengthening the natural family.

To cite John Paul II once again:

The first and fundamental structure for “human ecology” is the family, in which man receives his first formative ideas about truth and goodness, and learns what it means to love and to be loved, and thus what it actually means to be a person. Here we mean the *family founded on marriage*, in which the mutual gift of self by husband and wife creates an environment in which children can be born and develop their potentialities, become aware of their dignity and prepare to face their unique and individual destiny. But it often happens that people are discouraged from creating the proper conditions for human reproduction and are led to consider themselves and their lives as a series of sensations to be experienced rather than as a work to be accomplished. The result is a lack of freedom, which causes a person to reject a commitment to enter into a stable relationship with another person and to bring children into the world, or which leads people to consider children as one of the many “things” which an individual can have or not have, according to taste, and which compete with other possibilities.

It is necessary to go back to seeing the family as the *sanctuary of life*. The family is indeed sacred: it is the place in which life—the gift of God—can be properly welcomed and protected against the many attacks to which it is exposed, and can develop in accordance with what constitutes authentic human growth. In the face of the so-called culture of death, the family is the heart of the culture of life.²²

4. We should encourage the dignity of work and promote a morally informed capitalism.²³ Work is a permanent feature of humankind's design, dignity, and destiny within a Judeo-Christian perspective. Work was initiated in the Garden of Eden prior to the Fall ("fill the earth and subdue it, and have dominion," Genesis 1:28; 2:15). Conservative evangelical scholars Lester DeKoster and John Taylor develop a representative view on these matters. Accordingly, DeKoster suggests, "Work is the form in which we make ourselves useful to others."²⁴ It is also a labor of love, as the Apostle Paul teaches. According to John Taylor, "Work is meant to be an act of love. Paul celebrates the work, labour, and endurance of the Thessalonians as the proper products, and therefore, evidence, of their faith, love, and hope in Jesus."²⁵ Furthermore, the dignity of work is affirmed from the examples of both Jesus and Paul as common laborers—one a builder (in Greek, *tektōn*, Mark 6:3), the other a tentmaker or leatherworker (Acts 18:3).

Yet what context best facilitates fulfillment of these ends? Evangelical economists Victor Claar and Robin Klay argue that a just and abundant society must sustain a balanced relationship among three important sectors of that society: (1) strong moral and cultural institutions, including churches; (2) political democracy; and (3) a relatively free market. Societies with such a foundation "respect the freedom of human agency and provide an especially fertile environment for human flourishing under God's care."²⁶ According to Claar, historical evidence readily exposes the failures of alternate economic systems with patterns of "inefficiency, restricted freedom of choice for groups and individuals, and relatively poor living standards."²⁷ Alternatively, Claar and Klay affirm that free markets are "one way in which God's providence works to sustain and bless humankind."²⁸

5. We ought to have compassion for the poor and vulnerable. Showing compassion for the poor and vulnerable in society was a priority in Jesus's ministry, and as a result, for his followers as well. But Jesus taught that it was the church's obligation to exhibit such compassion, not the state's (see above). Indeed, Jesus held that the church and state had separate callings and spheres of authority. This is a widely held interpretation of Jesus's assertion "Render to Caesar the things that are Caesar's, and to God the things that are God's" (Matthew 22:21).²⁹ Placed in its context, Jesus is not saying that the state is outside of God's providential authority. Rather, he is contrasting duties to the state and duties to serve God within the covenant community.

Given this widely held interpretation of Jesus's assertion, it follows that a believer could do things as a citizen and representative of the state (for example,

be a soldier) that he could not do as a representative of the church (the church cannot field an army, but believers can serve the state in this way). Conversely, the church should do certain things (show genuine compassion for the poor and vulnerable, a set of actions that entail they are voluntary) that it is not the state's job to do (as the state acts by the power of force).

6. We need to work toward the solidarity of the human family by promoting justice, peace, and love in society. Biblical justice is very different from contemporary social justice, which is neo-Marxist in origin and ideological commitment. I cannot go into detail about that here,³⁰ but a few words are in order.

It is widely acknowledged in the literature about diversity, social justice, and white privilege (DSW), whether pro or con, that it has neo-Marxist roots.³¹ A brief clarification of “neo-Marxism” should make this evident. Marx (and classical Marxism) saw the development of world history being driven, not by ideas (you may recall he supposedly turned Hegel on his head), but by material factors, viz., the circumstances and means/methods of economic production. These factors create two classes in constant warfare—the bourgeoisie (who own the means of economic production) and the proletariat (roughly, the working class). Marx did not treat individuals and their behavioral evaluation as individuals, but as members of classes. This has led to class (as well as race and sexual orientation) identity politics. Thus, the goodness or badness of an individual and his actions are solely due to his class, a profoundly unbiblical idea. This is the exact opposite of a biblical understanding. Thus, the claim is made today that only whites—or, perhaps, straight white males—can be racists. Those in the dominant class are by definition oppressors and victimizers; those outside the dominant class are innocent victims. This is neo-Marxist at its core.

Further, it is important to note that on this Marxist view, all ideas—ethical, philosophical, religious, artistic, and so on—are mere epiphenomena produced by the real driving force of cultural conflict and movement (the circumstances and methods of production)—all ideas except, of course, Marxist ones! One result of this is the dismissal of the ethical and religious ideas of the bourgeoisie as mere attempts to retain cultural hegemony by keeping the proletariat in its place (as Nietzsche put it, Christianity is Platonism for the masses). This dismissal finds its parallel in the DSW notion that any dominant class resistance to DSW is merely an intentional or unconscious attempt (since members of the dominant class are blind to race) to retain dominance. Accordingly, the intrinsic rationality of arguments raised by members of the dominant class may safely be ignored with impunity since those arguments are nothing but the expression of irrational causes that attempt to retain cultural dominance and power.

Beginning with the thought of Antonio Gramsci in the early twentieth century, Marxists saw that the West could not be destroyed by classical Marxist theory and its concomitant analysis of class struggle in terms of economic factors because, especially in America, there was a huge middle class that did not fit neatly into Marx's two-fold division of capitalist countries. So, Gramsci devel-

oped what has come to be known as “neo-Marxism.” It is Marxist because (1) it reduces the individual to a mere member of a class, (2) it dismisses ideas as mere attempts to gain or retain cultural dominance, and (3) it sees class struggle for power as the central moving force that drives history and the evolution of cultures (sin, connection to God, and ideas have little or no place in this scheme). It is “neo” because Gramsci cashed out the fundamental nature of class warfare, not in terms of economics, but in terms of dominance and power—the dominant class and those various groups who are victimized by the dominant class.

Against this secular worldview, suffice it to say that Evangelicals are against secular social justice for several reasons that should be evident, and, instead, seek to promote a more holistically healthy social order. As Adrian van Kaam and Susan Muto have noted, for the spiritually mature Christian, proper social action will seek to balance social justice (understood biblically), social peace, and harmony with the absence of social rage, and social mercy.³²

7. We must all care for God’s creation. There has been a great deal of confusion about the Bible’s teaching on care for creation.³³ Evangelicals understand that teaching to entail that we are to be stewards of creation and care for it since it is intrinsically good and, though fallen, the handiwork of God. Given the Fall, animals are now provided by God to be used as food. Moreover, given the law of double effect and the teleological (nonutilitarian) principle of proportionality it entails, care for creation is not an absolute obligation with the highest degree of incumbency. The principle of proportionality states that the moral rectitude of an action is a function of the preponderance of human value over disvalue that results through the action.

Even if the principle is stated in terms of the preponderance of value and disvalue in general, given the vastly more value embodied by human persons compared to the rest of creation, the same implications follow when cases of care for creation are evaluated. While care for creation is a divine obligation as such, any proposed ethical or political principle or plan to honor this obligation cannot be evaluated in an ethical vacuum. One must always consider the negative impact such a principle or plan will have on the lives of human persons. For example, providing jobs and a thriving economy within which humans flourish could easily take priority over certain programs designed to control pollution. Applying these notions should be done on a case-by-case basis. Informed Evangelicals should vote for policies that err on the side of providing for human needs while keeping an eye on the care of creation.

CONCLUSION

It is often claimed that the evangelical social ethic and its resultant political views presented in this chapter are a paradigmatic case of intolerance and should be rejected for that reason. To reflect adequately on tolerance, we need to get clear on

what the principle of tolerance is. Actually, it has been defined in different ways, but two senses can be distinguished.

According to the *classical sense* of the principle of tolerance, while a person holds that his own moral (or religious, political, etc.) views are true and those of his opponent are false, he still respects his opponent as a person with a right to make a case for his views. Thus, person A has a duty to tolerate a different moral view of person B, not in the sense of thinking B is morally correct, but quite the opposite: in spite of the disagreement, person A will continue to value and respect person B, to treat him with dignity, and to recognize his right to argue for and propagate his ideas and so forth. Strictly speaking, in the classical view, one tolerates persons, not their ideas. In this sense, even though someone disapproves of another's moral beliefs and practices, he will not inappropriately interfere with them. However, it is consistent with this view that a person judges his opponent's views to be wrong and dedicates himself to doing everything morally appropriate to counteract those views, such as using argument and persuasion.

The *modern version* of tolerance, popular in the general culture, goes beyond the classical version in claiming that one should not even judge that other people's viewpoints are wrong, morally or otherwise. On this view, it is intolerant simply to claim that another's beliefs, attitudes, or actions are morally or religiously incorrect and even harmful. Christians embrace the classical sense of tolerance and not the modern version, because the latter has two defects that make it completely unacceptable.

First, it is rationally impossible to apply consistently the modern version since advocates of it tolerate (do not claim to be wrong) only those who already agree with their modern version, but do not tolerate those who reject the modern version (such as those who, say, hold to politically incorrect views). But, then, these advocates tolerate (do not claim to be wrong) those who agree with them and do not tolerate (claim to be wrong) those who do not agree with them. Thus, the modern principle of tolerance is inconsistently applied. The principle implies that one should not judge anyone else to be wrong. But its proponents apply this mandate only to those with whom they agree. They judge people with whom they disagree (e.g., those with politically incorrect views) to be wrong and their views as not tolerable.

Second, the modern version is immoral because, if followed, it silences the protest of evil. Why? To protest evil, you first have to make (in the modern conception) the intolerant judgment that what you are protesting *is* evil. If you can't do that, then you have no grounds for protesting anything. Unfortunately, it is the modern version of tolerance that lulls some to sleep in thinking that tolerance requires us to accept DSW ideas and reject those of biblical Christianity.

My purpose in this chapter has been to foster civil and political dialog between Evangelicals and other biblically grounded Christians, on the one hand, and those who advocate different views, on the other. I believe that the principles I have offered are both true and rational, and while my primary objective has been to clarify this perspective, I have also provided a set of standard arguments usually offered for its support. Given the wide misunderstanding of evangelical political advocacy and

the ubiquitous strawmen proffered as accurate representations of evangelical political thought, I have attempted to make this thought intelligible. I hope this will facilitate rich and accurate conversations in the future.³⁴

NOTES

1. June 19, 2007.
2. Moreland, J. P., "Jesus' View of Healthcare," *Cape May County Herald*, July 10, 2007.
3. See Haidt, Jonathan, "Two Incompatible Sacred Values in American Universities," Hayek Lecture Series, sponsored by the Center for the History of Political Economy, the program in Philosophy, Politics, and Economics, and the program in American Values and Institutions at Duke University, Duke University, Durham, NC, October 16, 2016, <https://hope.econ.duke.edu/file/1885>.
4. Olson, Roger, *How to Be Evangelical without Being Conservative* (Grand Rapids, MI: Zondervan, 2008), 23–24.
5. Lawler, Peter Augustine, "The Confused Student's Guide to Conservatism," *Intercollegiate Review*, August 17, 2016, 1.
6. Ceaser, James W., "Four Heads and One Heart: The Modern Conservative Movement," APSA 2010 Annual Meeting Paper, posted July 9, 2010, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1643418. Ceaser's fourth stream is libertarianism, but I leave it out because his discussion of it fails to draw an important distinction between secular/economic and religious (especially Christian) libertarianism.
7. The poll can be found at <https://www.pewforum.org/religious-landscape-study/political-ideology/conservative/>.
8. The poll can be found at "U.S. Religious Groups and Their Political Leanings," Religious Landscape Study, *Pew Research Center*, February 23, 2016, <https://www.pewresearch.org/fact-tank/2016/02/23/u-s-religious-groups-and-their-political-leanings/>.
9. Thomson-DeVeaux, Amelia, "The Values That 'Values Voters' Care about Most Are Policies, Not Character Traits," *FiveThirtyEight*, November 20, 2017, <https://fivethirtyeight.com/features/the-values-that-values-voters-care-about-most-are-policies-not-character-traits/>.
10. For a helpful exposition of the nature and relevance of the Natural Moral Law, see Budziszewski, Jay, *What We Can't Not Know: A Guide* (revised and expanded ed.) (San Francisco: Ignatius Press, 2011).
11. Moreland, J. P., "A Biblical Case for Limited Government," *The Institute for Faith, Work and Economics*, Spring 2013, <http://tifwe.org/research/a-biblical-case-for-limited-government/>.
12. This objection is a direct quotation from an anonymous referee's report.
13. A referee also objected to my assertion that, in Jesus's ethic, helping the poor by the coercive power of the state with no interest in moral intentions or character is of little ethical value. He or she claimed that this assertion implies the inefficacy of state action. But this is not so. My argument is not fundamentally about the efficiency (or lack thereof) of state action when it provides positive rights and expresses compassion. Rather, my argument is that, in light of Jesus's ethic, the state is limited in its purpose (to protect negative rights) and its limited focus on efficiency is precisely why state action beyond the states' purpose/nature counts for very little, morally speaking; this fact reinforces the conservative view of limited government.

14. I have argued elsewhere that it is very difficult to generate a secularly based social ethic that enjoys any plausible ontological grounding. See Moreland, J. P., *The Recalcitrant Imago Dei: Human Persons and the Failure of Naturalism* (London: SCM Press, 2009), chapter six. I have also argued elsewhere that an appeal to emergent properties does not solve this problem. See Moreland, J. P., “Wielenberg and Emergence: Borrowed Capital on the Cheap,” in *God and Morality: What Is the Best Account of Objective Moral Values and Duties?*, ed. Adam Lloyd Johnson (New York: Routledge, 2020), 93–114.

15. My list has been adapted from United States Conference of Bishops, “Seven Themes of Catholic Social Teaching,” 2005, <http://www.usccb.org/beliefs-and-teachings/what-we-believe/catholic-social-teaching/seven-themes-of-catholic-social-teaching.cfm>. Evangelical ethicist Scott Rae has developed and defended these points in his *Moral Choices* (4th ed.) (Grand Rapids, MI: Zondervan, 2018). Some Christian ethicists, including Rae, do not see these principles as forming a hierarchy. Two things should be noted by my employment of this document. First, on these points, conservative evangelicals are in significant agreement with conservative Catholics, and since the Catholic statement is brief and clear, I use it as representative of conservative evangelicalism. Second, I have altered or adjusted the Catholic statement and some of the arguments for my presentation at key points here and there. The result is a representative presentation of a distinctively conservative evangelical view that overlaps at several points with Catholic social ethical teaching.

16. DeYoung, Kevin, and Greg Gilbert, *What Is the Mission of the Church?* (Wheaton, IL: Crossway, 2011).

17. See Goodrich, Luke, *Free to Believe* (Colorado Springs: Multnomah: 2019).

18. See Beckwith, Francis J., *Defending Life: A Moral and Legal Case against Abortion Choice* (New York: Cambridge University Press, 2007); Pearcey, Nancy, *Love Thy Body* (Grand Rapids, MI: Baker Books, 2018).

19. Pope John Paul II, *Evangelium Vitae* (March 25, 1995): 101, http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae_en.html.

20. See Warren, Roland, “Abortion and the Church: What Can We Do?” *CareNet*, December 22, 2015, <https://www.care-net.org/churches-blog/abortion-and-the-church-what-can-we-do>.

21. Gallagher, Maggie, *The Case for Marriage* (New York: Doubleday, 2001); Lee, Patrick, and Robert George, *Conjugal Union: What Marriage Is and Why It Matters* (New York: Cambridge University Press, 2014).

22. John Paul II, *Centesimus Annus*, May 1, 1991), 39, http://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_01051991_centesimus-annus.html.

23. See Richards, Jay, *Money, Greed and God: The Christian Case for Free Enterprise* (revised ed.) (San Francisco: HarperOne, 2019).

24. DeKoster, Lester, *Work: The Meaning of Your Life—A Christian Perspective* (Grand Rapids, MI: Christian’s Library Press, 2015), 1. Originally published in 1982.

25. Taylor, John, “Labour of Love: The Theology of Work in First and Second Thessalonians,” in *Work: Theological Foundations and Practical Implications*, ed. R. Keith Loftin and Trey Dimsdale (London: SCM Press, 2018), 64; Issler, Klaus, “Exploring the Pervasive References to Work in Jesus’ Parables,” *Journal of the Evangelical Theological Society* 57(2) (2014): 323–39.

26. Claar, Victor, and Robin Klay, *Economics in Christian Perspective: Theory, Policy and Life Choices* (Downers Grove, IL: InterVarsity, 2007), 24.

27. *Ibid.*, 28. History has shown that “Communism is incapable of providing high living standards using top-down directives” (35).

28. *Ibid.*, 47.
29. For an application of the notion of sphere sovereignty to the issue of caring for the poor, see Bradley, Anthony, “The Kingdom Today,” in *The Kingdom of God*, ed. Christopher Morgan and Robert Peterson (Wheaton, IL: Crossway, 2012), 239–42.
30. See DeYoung and Gilbert, *What Is the Mission of the Church?*, chapters six and seven; Williams, Thaddeus, *Twelve Questions Christians Should Ask about Social Justice* (Grand Rapids, MI: Zondervan, 2020).
31. To satisfy oneself of this, all one needs to do is google “Neo-Marxism and X,” where X may stand for racial diversity, social justice, or white privilege.
32. van Kaam, Adrian, and Susan Muto, *Formation of the Christian Heart: Formation Theology Volume Three* (Pittsburgh, PA: Epiphany Association, 2006), 181–87; Muto, Susan, *ECP Course Three, Lecture Ten: The Practice of Social Presence and the Risk of Its Erosion* (Pittsburgh, PA: Epiphany Association, July 2019), www.epiphanyacademyofformativenesspiruality.org.
33. Decades ago, Francis Schaeffer made clear what the Bible teaches on this topic and provided defeaters for several strawmen that misrepresented that teaching. See Schaeffer, Francis, and Udo Middelman, *Pollution and the Death of Man* (Wheaton, IL: Tyndale House, 1970).
34. I want to thank professors Francis J. Beckwith, Klaus Issler, Sean McDowell, Scott Rae, William Roth, and an anonymous referee for their suggestions that strengthened an earlier draft of this chapter.

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12

Left and Right

A Pox on Both Their Houses

Jan Narveson (University of Waterloo)

I had a pretty religious upbringing, my parents being quite strict Lutherans, and I being brought up in early childhood in a small town where such things really mattered. I remember all those Sundays when we were roused from bed and scrubbed in time for Sunday School and then church services. I don't, of course, remember a thing from the conceptual content of those occasions (such as it was), but I sure remember how I and my nearest brother fidgeted, tickled each other, and managed to avoid bursting out laughing. I also remember congregational singing and a wheezy organ playing tunes that I did quite like, perhaps doing something to kindle my lifelong love of and, for the past fifty years, active involvement in music.

When I was eleven, my family moved on to a much larger town—Moorhead, Minnesota—still pretty small compared to the city I live in now, but equipped with two institutions of “higher learning”—one a Lutheran college where my father took a job after many years of “lower school” teaching and superintending, the other a state-supported Teachers' College, at whose “lab school” I attended the middle grades. My siblings and I enjoyed the cultural environment provided by both of these colleges, and I increasingly felt that I was cut out for the academic life—and have followed through on it, thoroughly.

Moorhead's Trinity Lutheran Church was much larger and perhaps even more significant in the community than the one we attended in tiny Lake Park. The church had an ambitious, dynamic “Youth Pastor” who attempted to enlist me in the church. I was impressed, but resisted. Why? Well, by that time I was into reading, pretty extensively, the world's literatures, and I sensed that the tales told by Christian ministers had no monopoly on whatever religious truths there may be—which, I soon came to think, were none. Indeed, as I discovered, there were lots and lots of religions—depending on how you count, four thousand or so, plus ultra-minor

variants.¹ In fact, there are hundreds of different varieties of Christians alone. At the time I thought: *Hey, wait a minute! You don't mean to say that all of those other folks who don't share your beliefs are doomed to eternal torture for their supposed demerits? And that the demerits in question consist, somehow, of not believing the "right things"? That's not only preposterous but also downright immoral!*

Indeed, the very teachings of Christianity, especially its official stance of toleration, surely pointed the way to quite the opposite of what all of these otherwise well-meaning people believed. That, perhaps above all, motivated my departure from religious belief, the breach being complete sometime in my mid-teens.

In my sophomore year in high school, a newly acquired and ambitious "students' counsellor" induced me to take some examinations that earned me both admission to the University of Chicago and a Ford Foundation Scholarship, which not only paid my way at this prestigious and remarkable university but also apparently enabled me to avoid military service. Chicago was famous for its liberalism at the time, and I'm sure it was by design that I found myself quartered in a two-room suite with one Catholic and one Jewish roommate. I later moved to another suite that I shared with just one other student, also Jewish, whose love of classical music suited me better. (A side benefit of my contact with Jewish students was my acquisition of a few rudiments of Yiddish vocabulary—I was charmed by its assortment of piquant expressions, such as *verschlugginer*, *oy*, and *schmendrik*.) In that and succeeding years, I also honed my ecumenical attitude toward any and all religions, as well as, especially, the irreligion that in truth animated most of my classmates. A social environment of very smart and extremely diverse students was just the background for coming out as what perhaps could be called a "humanist."

"Humanism" is a nice name for lack of religion combined with a positive attitude toward the human species generally. There are humanist associations all over the place, substituting more or less rational discourse for myth-based preaching. There are a number of humanist journals, to one of which I have contributed a bit over the years (e.g., an article about Marx in which I show [so I claim] how all of his major theses are founded on fallacies).²

My background was very much a setup for an academic life. (It was certainly a "family thing": of five siblings, three earned PhDs, and two earned other postgraduate degrees.) When I went off to graduate school at the end of my undergraduate career, it literally never occurred to me to do anything else! If Harvard had rejected my application, perhaps I would have had to rethink things, but it didn't, so I didn't. And during my graduate school career, I also had the good fortune to receive a fellowship at Oxford in the United Kingdom, which I hugely enjoyed. Mind you, I also enjoyed Chicago and Harvard—I'm a born academic, as I say.

Before long, my academic career took me to Canada, about which I knew roughly as much as most Americans at the time (and since), viz., virtually nothing. However, the University of Waterloo made me an excellent offer, so off I went to Canada, where I have been ever since, retiring after forty-one years in 2004. I recently read the manuscript of a book in which a fellow academic author remarks, "I have the good

fortune to be an academic—the best job anyone could possibly have. We do what we love to do, we have enormous flexibility, and we are paid rather generously.”³ He didn’t need to add that we generally enjoy security in high degree as well: we walk the streets without fear of assault, and while others may dissent from our academic scribblings, we are in no danger of landing in jail for our sallies.

In my earlier academic career, I inclined toward the utilitarian view on moral philosophy, quite likely because of my early exposure to and subsequent rejection of religion. Utilitarianism, after all, wishes all people well, just as Christianity (at its best, anyway) teaches. At the time, though, utilitarianism made me a dissident of sorts. Few philosophers then (or since) would have given much credibility to that theory. I thought I had answers to the many objections that were commonly raised against it, and stated them as clearly as I could, in a much-neglected book that I thought, and still do think, was an improvement on its rivals.⁴ But in 1974 something happened to me that, I found, is pretty rare in academic philosophy: I was persuaded by argument of an alternative view! At an academic workshop at the University of Toronto, I heard a paper by David Gauthier (“Reason and Maximization”)⁵ that really caused me to think. *He must be wrong!* I thought. But after about six months thinking it through, I concluded that Gauthier was right and I was wrong. Contrary to what I had long thought, there well and truly is good reason why utilitarianism won’t do.

Morality is to be distinguished from what we may call the *general normative theory of life*: the rules the individual imposes, or at least intends or wants to impose, on himself, regarding the general, long-term conduct of life. Now, in such theory we rightly encounter variety: individuals differ hugely in their life interests. A wants to be a professional tennis player; B has a variety store down on the corner; C is a professor of entomology; and so on. But all of us, as Plato points out, are *people*, and, as such, we live in groups. It is by virtue of being such that there is a need for *morality* (i.e., *rules* concerning what we, in our general relations to each other [as opposed to our relations to our own interests and abilities] ought and ought not to do). Most moral philosophers of today make some such distinction—for example, Rawls talks of “comprehensive” theories as opposed to the more restricted subject matter of justice. But I think that most of them misidentify the basic terms of the distinction, fail to understand it, or fail to keep it properly in mind. I try not to make those mistakes.

I came to believe that a better account of morality in that restricted sense is provided along the lines of the “social contract,” the theory that morality is a sort of agreement among people that certain actions—the “wrong” ones—are to be avoided and others—the “right” ones—are to be encouraged. Gauthier later published a remarkable book (*Morals by Agreement*)⁶ expounding and defending the idea in detail. From it I learned a great deal, and I still regard him as the source of much wisdom.

But I didn’t go along with all of Gauthier’s ideas. In his account, there is an idea that he calls the “Lockean proviso”—by which he means not the implausible thesis of that name in Locke’s *Second Treatise*, according to which we may justly acquire what we work on so long as we leave “enough and as good for others,” but rather the more general thesis that we are *not to pursue our own utility at the expense of other people’s*—

that is, we are not to gain for ourselves *by* imposing costs on others, as when, for example, we murder them to take their wallets. We may compare Gauthier's formulation with the earlier proposal of Thomas Hobbes in his first law of nature: "that every man, ought to endeavour Peace, as farre as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps, and advantages of Warre."⁷ That is, *we are to keep the peace, and resort to violence (war) only when others aggress against us*. Gauthier's is a more refined version but comes, I hold, to the same thing: no gaining at others' expense, unless it is impossible to avoid it.

So why should we accept this general first principle? It is a *foundation* in what we may call the "substantive" sense—namely, that all further moral principles are applications of the fundamental principle to various areas of conduct. Examples from Hobbes including keeping our (specific) agreements, not punishing people to make them suffer for past wrongs but instead only to enable "good to come," and dealing equitably among people.

But what in turn is the reason for adopting that as our basic principle in the first place? Why should we be moral? This is a question about the *foundation* in a prior sense: What facts about people are such that they provide reason to adopt this and only this set of restrictions, and just how do these facts induce us to do so? Both Hobbes and Gauthier (along with other historical antecedents) have an analysis—Hobbes in real-world terms, and Gauthier in the abstract terminology of game theory. Yet, in Gauthier's account, the Lockean proviso is somehow a separate idea, not derived from the "morals by agreement" proclaimed in his title, and Hobbes says only that his first law is a principle of reason. Yet it seems to me clear that it (supposing, as I think, that Gauthier's "proviso" and Hobbes's "law" are the same thing) is indeed the output of the "universal agreement"—morals by agreement, or more precisely, morals by what amounts to a *contractual* agreement. The essence of this is that A gives up some of his natural liberty in return for the security and other benefits afforded by B giving up some of his. And if someone reneges, he becomes the object of social remonstrance and, if need be, even punishment. In short, morality is a human institution consisting of a very general "agreement" by means of which we avoid the horrors Hobbes depicts in his "natural situation of mankind" and Gauthier more abstractly characterizes as *suboptimality* (by which he means we come out worse than we would if we each constrained our pursuit of our own advantage).

Many philosophers over the course of a couple of millennia have advocated a "social contract," but, in most cases, the object of the agreement is *government*—that, for example, is how Hobbes views it. But I (and Gauthier and, in a sense, Rawls) don't accept that. It isn't just that few (if any) governments *are* actually founded on social agreements; rather, my claim is that governments, in principle, *cannot* be so founded. Instead, what is founded on such an "agreement" is morality, which I claim is encapsulated in that very "Lockean proviso" that Gauthier articulates. This remarkably simple principle generates, in my view, all of what are properly regarded as the "elements" of justice.⁸ It's unusual, though, for contemporaries to think Hobbes was right about that, as I do. We should also appreciate that there is much more to

morals than justice, and while the first law of nature allows for and even explains the rest, it does not provide its content, other than in the general sense that it calls for approving, and also promoting, the good of others. (I have spelled this out in various of my papers.)⁹

Unlike many of my contemporaries, I am, then, a foundationalist about moral theory (albeit in a fairly narrow sense of the term “moral”). That is, I claim that there are foundations for the field: a very few demonstrable general facts on which the rest of the field—taken together with whatever empirical observations are needed—is based. Morality in this sense is the general set of prescriptions and proscriptions for social behavior—that is, the behavior of every person in relation to all others—to be reinforced on all, by all.

Crucial to foundationalism is the insistence that none of the basic foundations can simply *be* the moral theory itself. That is circular, and hence pointless. We have to show that somehow the facts support the general view being proposed. Hobbes’s laws of nature illustrate the latter well: this is a one-membered set of what he proposes (and I agree) are the “first” principles of morals.

But what are the foundations of Hobbes’s law itself? We want to know how the propounding of that law is made plausible, or even inevitable, by the general facts assembled. Hobbes really has no *theory* about what makes the first law of nature tick—what makes it rationally believable. He does, however, think that it is rational, and apparently so obviously that he doesn’t really need to explain it any further. What is true of Hobbes in this respect is true, alas, in the case of most contemporary moral theorists as well. But noncircular foundations are needed, and I try to take up that challenge in my work.

That noncircular foundation is supplied by the “social contract.” Given the general facts about humans, and where our basic tendencies would take us if left unrestricted, we come to arrive at a program of such restrictions: “Here, I’ll refrain from doing this, *provided that* you do so as well!” The “this” in question is what Hobbes and Gauthier have right: it is “violence,” or more generally, *taking advantage*, extracting benefits from others that they don’t wish to supply. Instead, say we contractarians, we will agree to forego unwanted interventions into the lives of others. Either we simply refrain from interactions or else those interactions are *agreed-upon* interactions, to mutual benefit.

There are two features of foundationalism to call attention to. One is meta-ethical: We need to ask, “What is the project of this particular branch of inquiry—what is morals *all about*?” Equipped with a good idea about that, we are in a position to make some progress, as expounded above: what morals is “about” is *general interactions of people*. Morality is a set of general rules by which we all ought to engage in such interactions.

Once upon a time (way back when I was a graduate student!), the question was not, “Are there foundations of ethics?” but simply, “What are the foundations of ethics?” Few in my day doubted that morality *has* foundations, whereas today it is probably the standard view that it doesn’t. I think anti-foundationalism is a serious

mistake. If A thinks that *x* is right and B thinks that *x* is wrong, and there are no general ways to decide which, if either, is mistaken about this, then we are in for trouble. The anti-foundationalist effectively denies the possibility of rational resolution. In its “intuitionist” form, just about all the two can say to each other in the end is, “Well, look again!” (To which the reply is, of course, “No, *you* look again!”) We are “in trouble” because of Hobbes’s point: lacking a way to resolve our disputes, we fight. And when we fight, at least one of us loses (but actually we *both* do).

This is what leads to my dissatisfaction with “extreme” views, “right” or “left.” I hold that morality can and really must be *explicable*. Extremist options proceed by rhetoric, or by force. This frankly amounts to warfare, or at least chaos. After all, if different people have different views about what is absolutely basic in morals, what’s left but to fight? That is how Hobbes is correct. If each is governed simply by his or her own values, taking no special account of others’, then social humankind is reduced to chaos—to a “war of all against all.” Morality is the solution, the counteractive by means of which we enable each other and ourselves to do our various “things” in peace. It may well mean that some of our “things” must *go*, but it also means that what’s left is good—a life that goes reasonably well. Morality *enables* social life—for all.

Of course, it’s logically possible that people might agree even in the absence of any reason for believing what they agree about. Presumably most of us are taught from the cradle on that murder and theft and cheating are wrong; and few of us are moral philosophers. But the world is also replete with war, as well as a fair amount of murder and the like. Might it not help if we could explain to these people why what they do is wrong and why there is good reason not to behave thus?

At any rate, that is what we moral philosophers should, in my view, be attempting to do. We start with metaethics: morality is what is society’s “business” (i.e., what society should rationally require and forbid). (We can just talk of forbidding, since “requiring” is simply forbidding anything else than the thing in question. Liberty, in turn, is neither: the act is neither required nor forbidden, and we do it or not “as we please.”) Moral rules, then, are *forbiddings by society*. Next, we see that morality is indeed a social contract: it is what everyone expects of everyone else in return for one’s own contribution. Morals requires us to do what we may not like. But provided others do so as well, we all gain.

There is, I have argued, no satisfactory alternative to the social contract view. Each of us would like as much benefit as possible from our fellows, and they from us. But since we differ, enormously, in our interests, and since we are capable of enormous harm to each other, the point of agreement is *mutual nonviolence*: we each refrain from doing evils to each other. After we have agreed not to harm one another, we can then recognize that there is mutual benefit to be had, by agreement of particular people with particular other people: free exchange, which we can carry on even with people we do not especially love, and gift, for those whom we do love.

And what is living together absent violence and cooperating to mutual benefit? It is peace, and no more. Whatever else we want, we must want that others won’t prevent

us from doing it—which is what *peace* is. Other things besides people's actions may prevent us from doing what we want—our own inabilities, certainly, and often even assorted environmental shortcomings such as, say, a lack of resources. But at least other *people* aren't to intervene to prevent me from doing what I wish; nor, therefore, may I intervene to prevent them. We can't expect much, but we can expect *that*—indeed, we *do* expect it, on the basis of being peaceable ourselves. And because people are capable of so much evil, its absence is essential to all further human progress.

What *is* morally right, then, is being peaceable: doing only what does not render innocent others worse off. We are to be peaceable with all those who are themselves peaceable. Should we also be peaceable *only* with those people? That's much trickier. It is much too demanding of us that we must all be moral police in relation to all others. All that is fundamentally required of us is that we be peaceable ourselves, and that we support institutions that deal, insofar as they are effective, with would-be wrongdoers.

There is another dimension of morality, however, that the above account doesn't quite capture, though it paves the way to it. We can, in addition to being *non-harmful*, be positively *helpful*. We can do what benefits others. How much? And what others? Those are very much open questions. Insisting, as utilitarianism does, on somehow *maximizing* the net good that we do to all is going much too far—indeed, it is asking of us what is quite unreasonable. Suffice it to say that we may not break the peace in relation to person C just because C is not as charitable as we might like or to the people we might like him to be charitable to. We can abjure, we can preach, we can remonstrate—but we may not *compel*. To do that is to break the peace and thus violate the fundamental rule of morals.

The “laws” or precepts—which Hobbes also calls, somewhat ungrammatically, “virtues”—form a powerful, coherent, and rationally compelling set of moral rules. These are, consequently, also rules for good government: they too are to be concerned with the public peace, and thus the rights of everyone, as their basic job. And we can also infer from those rules the evils of *extremes*, such as of the “left” and the “right.” Extremes of the left, notably communism, collide with the liberties of those who produce what we all enjoy. Extremes of the right, such as Nazism, collide with the liberties of the middle and lower classes. And both of them collide with the political liberties of all.

It is said, too, that there are left and right *ideologies*. The “right” is generally, if not neatly, associated with “conservatism,” which is said to be “associated with the interests of the upper or dominant classes,” while the left is “for” the poor. Now, one would hope that everybody would be for the poor, and I would also hope—but it's a fainter hope—that everybody would be *for* the rich. Should we not want everyone to do well rather than badly, rich or poor? But there's a sense, or an implication, that whereas the rich can take care of themselves, the poor cannot. Maybe so—but the rich, like the poor, can suffer as well as enjoy.

Is there indeed an ideology here? If so, does it make any sense? Perhaps the most important, or at least common, idea here is that the favoring of the “poor” by the left is prompted by *egalitarianism*. But egalitarianism needs explaining, and the trouble

is that few try to explain it at all or to define it. In every empirically measurable respect, after all, people clearly are not “equal.” And if the claim is that the rich do not “deserve” their wealth, again, argument is needed. Many of the rich have ascended from poverty or at least quite ordinary levels of antecedent wealth: their parents were middle class, they had no unusual access to funds, and so on. What they did, in so many cases, was to seize favorable moments, exercise extraordinary capacities and business judgment, and work very, very hard. (Harder, if measured by the amount of time devoted to it, than anyone else.) Many of the very wealthy no doubt had wealthy parents. Many doubtless went to universities that generate many successful businesspeople. But how does this show that the wealthy, by and large, do not merit their wealth? Several of the very wealthy were in fact college dropouts (and of *Fortune* magazine’s “top ten,” some nine began at middle-class level or lower). It is easy to waste fortunes; easy to make bad business judgments; easy to accomplish very little despite all the favorable starting points. But for the most part, the very wealthy we know of have made good use of any money they may have inherited, good use of the connections, as well as the educations, they acquired in those schools. It is likely that there is “crony capitalism” in America, as in so many other places, and that is deplorable. Yet it hardly shows that the very wealthy, as a group, have no relevant claim to being where they are.

However—moving to the “right”—just as there was no real justification for the undoubted social advantages enjoyed by the aristocracy in the bad old days, so there is no justification for keeping the new “aristocracies” of our own day where they are, insofar as that is happening. Take the familiar view that the right is the party associated with the interests of the upper classes, while the left appeals to the lower economic or social classes, with the center-left for the middle class. So, the conservative right defends entrenched prerogatives, privileges, and powers, while the left attacks them. Yet long-standing traditions need criticism, not mindless support—certainly not support just because they are long standing. Everything needs criticism. Many things will come out of it well, even if many others will come out badly.

My fundamental complaint about the left and the right is the same: both branch basic beliefs that have no interpersonal credibility. Consider again the left. Its belief in “equality” is basically unexplained and undefended. People are not equal, and, especially, they do not contribute equally to a nation’s, or the world’s, wealth. It is incontestable that some do much more than others. And businesses, so long as they are honest—which, granted, not all of them are, though criminality is far from the norm among them—do not make their profits at the expense of the “poor.” On the contrary, it is the wealthy who make their money from enterprises that generally make the poor as well off as they are. (And that is far, far wealthier than it was a century, or even fifty years ago, despite the rantings of leftish writers of today.) Meanwhile, the claim that the rich have a duty to divide their earnings with those of lesser capability, or that those lesser somehow have a *right* to an equal share of the wealth created by that entrepreneurial activity, is without merit.

Turning to the right, there is not a single view but a multiplicity of “ideologies.” There is an appeal to the “old ways”—to customs and traditions. And while many customs and traditions are indeed charming, and the fact that they are adhered to by some group is an occasion for respect, still, that’s *all*. As soon as they begin insisting on making *their* tradition or custom into the law of the land, we once again have lost any means of rational resolution between one and another, or between the old and the new. “That’s the way it’s always been among our people” will not justify a member of that “people” coercing those among them who want to try something new. Again, suppose a “rightist” supports the furthering of some particular religion at the expense of all others? But a claim that one particular religion is the “right” one and all others are in sinful error does not admit of rational discussion, let alone rational resolution.

Or what else? Well, there is a sheer out-and-out power quest, old-fashioned nationalism in perhaps its main sense: “America First,” an insulting slogan in international contexts where, if anywhere, all really should be presumed, at least *prima facie*, to be equals. Obviously, a multiplicity of nations cannot be “first.” More seriously, the question is, why should their citizens *want* to be first rather than simply be free and as wealthy and as capable of pursuing their various good lives as possible? The desire to be first looks like an invitation to war, and certainly the invitation has been understood and accepted far too often.

When I propose a pox on both left and right, I may be thought to be implying that there is a “center” that is not subject to the same problem. But the fact, even if it could be made out, that a view is “between” two others hardly shows that it must be right (Aristotle’s theory that virtue is a mean has the same problem, as it stands). In any case, the claim being advanced here is different. What’s wrong with left and right, if we accept that they go in different directions, is that both are ready to overturn people’s liberty in the interests of their particular values. The right way to run a society, however, is for all to respect the liberties of all, so long as they are just that: liberties, not crusade-type rights to control the lives of others. In the liberal society, people of a multiplicity of cultures, languages, and values live together in the harmony of mutual forbearance and respect. (The reader is invited to take a few days’ vacation in Toronto or Los Angeles, for example, where a positively bewildering variety of ethnicities manage to thrive without [much] mutual trouble—and with a lot of mutual benefit!)

“Market” society exemplifies the same great virtue of respect for liberty. The salesman, the promoter of some new piece of technological wizardry, and on and on—these folks all need to sell to voluntarily acting people. They thus have to take “no” for an answer if “no” is what the ultimate consumer of their products (you and me) decides to say. Businessmen cannot push things down our throats. And if you do not think that *is* a virtue, consider the communist or Nazi eras for a bit! Both were huge evils, and if they were in some ways opposites, still, the root problem is the same: the suppression of individual people in the interests of a supposed “ideal”

that just happens to have the disadvantage that it is very much *not* ideal for a lot of people (including the many millions who met their deaths at the hands of the Nazis and the communists). The same is true of the many fanatics of the present time, who in the name of some religion or some ideology wreak havoc upon innocent people all over the world.

So, I defend my, and I think *our*, peaceable way as not so much a *middle* way as a *liberal* way. Liberalism asks only that your chosen way of life be compatible with the possibly different ways of others. Liberalism is the best we can do among a diverse set of minded individuals (and among their perhaps sizable like-minded groups). As Loren Lomasky puts it, “Unless there is some overriding reason to coerce others, there is an overriding reason *not* to coerce them.”¹⁰ The overriding-ness of that reason is what can unite us all, in the ways that we need to be united.

NOTES

1. This is Google’s estimate, of course, as of January 2020.
2. *Free Inquiry*, Spring 1983, 29–35.
3. I can’t reveal the source, since I was a blind referee.
4. *Morality and Utility* (Johns Hopkins University Press, 1968).
5. *Journal of Canadian Philosophy* 4(3) (March 1975): 411–33.
6. Oxford University Press, 1986.
7. *Leviathan*, ed. Edwin Curley (Indianapolis: Hackett, 1994), xiv.
8. Again, this is not original with me. Hobbes holds that all of the principles of morals, which he calls laws of nature, follow from his first law.
9. See, for example, my “Libertarianism” in *The Blackwell Guide to Ethical Theory*, ed. Hugh LaFollette (Oxford: Blackwell, 2000), 306–24.
10. Lomasky, Loren, *Rights Angles* (New York: Oxford University Press, 2016), 285 (emphasis in original).

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13

Away from Omelas

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Each alone, they go west or north, towards the mountains. They go on. They leave Omelas, they walk ahead into the darkness, and they do not come back. The place they go towards is a place even less imaginable to most of us than the city of happiness. I cannot describe it at all. It is possible that it does not exist. But they seem to know where they are going, the ones who walk away from Omelas.¹

13.1. HOW I NEVER REALLY BELONGED TO OMELAS

There are professors of philosophy who never thought or cared about philosophy until they studied it in a college course; then they figured out what they needed to do to get into graduate school; and there they prepared for an academic appointment, just as if they were preparing for any profession or job. But that was not my path.

I began to love philosophy when I was fourteen years old. I know the date, because I know what occasioned it. In that year, I went through the ceremony of confirmation at my Catholic parish. My parents were “nominal Catholics” who never went to church, prayed, or talked about religious matters around the home; the ceremony for me was not embedded in a way of life. The hundred or so students who went through the ceremony were sarcastic and irreverent, though they hid this fact from the adults who were supervising. The disparity between what I sensed the ceremony was supposed to be and the attitude of the confirmands (including me) who went through it was very disturbing to me. So, afterward, I tried to remedy the disparity. My teachers had explained confirmation by saying that it made someone a “soldier of Christ.” I reasoned that, as a soldier of Christ, I should know something about Christ, and therefore I resolved to study the Bible.

My study of the Bible turned me away from Catholicism, and, independently, toward philosophy. On the one hand, I was overwhelmed by the Beatitudes and the Sermon on the Mount. Yet I saw that Jesus asked for an earnest, total commitment from his followers. It followed, I thought, that the religion that I saw in the confirmation ceremony, apparently of mere ritual and external observance, was a false form of Christianity. But then the Catholic Church, which deliberately proposed that sort of ritual and apparently found it satisfactory, was also false. So, the first act of this newly commissioned “soldier of Christ” was to leave the army, abandon the nominal religion in which I was raised, and eventually, after some twists and turns, become in practice an atheist.

On the other hand, I was deeply affected by the so-called “wisdom books”—Proverbs, Ecclesiastes, and Ecclesiasticus (Sirach). I loved their profundity and the greatness of spirit that they expressed (“To everything there is a season,” “There is nothing new under the sun”). In those books, something called “wisdom” was repeatedly praised as the highest good, “more precious than gold” (Proverbs 16:16), while folly was warned against as a disaster. Whatever this “wisdom” was, then, I wanted to have it as well. I wanted to know about it and gain it. Why was I drawn to these passages? Why was I so captivated by the wisdom they esteemed? I do not know. But I do know that the effect was heartfelt, interior, and lasting.

Not long after, I read somewhere that “philosophy” meant “love of wisdom.” I thought: *So that is what I am. I am a philosopher.* It seemed that I needed to find out how to continue as a philosopher and live as a philosopher. Yet how should I do this?

At that time, I would go to my town library once a week to borrow books. I grew up in Hicksville, in a small farmhouse in which my father was born and which his father had built. My paternal grandfather was one of three brothers who immigrated from Ukraine: each built his own house when he arrived, and each was a potato farmer. My neighborhood in Hicksville had been potato fields when I was born but developed into warehouses and factories by the time I was a teenager.

In one of those trips to the library, I discovered there was a section devoted to philosophy. But this seemed puzzling. Could this marvelous love of wisdom be contained in these books on a shelf, in my town, in a library in Hicksville? And if these books did contain wisdom, why were they not marked out in any special way from anything else, but instead placed on just one shelf among many?

And then which among these books should I begin with? I do not know why, perhaps because there were many books by him, or they seemed more recent than most, or I had encountered his name in my reading about science, but I picked first a book by Bertrand Russell, one of his treatises in which he attempts a logical construction of the external world from sense data. I did not fully follow or accept the construction, but that we could be acquainted with nothing other than sense data seemed clear to me; also that, on a correct understanding, a macroscopic object was nothing more than a congeries of sense data.

Soon after, I was sitting at the kitchen table early in the morning when my mother came downstairs to ask whether she could make me something for break-

fast. As I looked at her, I said to myself, *she is nothing but a congeries of sense-data*. And at that time something died within me: my mother as I understood her previously had ceased to exist. Later I would joke, “Bertrand Russell murdered my mother.” Such was the first wisdom I attained. It would take me many years to regain a child’s grasp of his mother.

Over the next couple of years, I read books on the history of philosophy by picking philosophers who had seemed appealing to me in another book I found, Will Durant’s *The Story of Philosophy*. Henri Bergson interested me, because his account of sense experience was an alternative to Russell’s; also, his theory of “creative evolution” seemed a potential model for combining philosophy with the science that I loved. After Bergson, because of my love of nature and backpacking trips, I turned to the Transcendentalists. I loved Thoreau’s search for simplicity of life. I would take Emerson’s essays with me on walks in the woods and would, for instance, stand for long periods before a tree, trying to recreate for myself the direct intuition of nature that’s I thought Emerson had enjoyed.

The capstone to this admittedly strange induction into philosophy was my senior year honors English course at Hicksville High School. My teacher, Neil O’ Doherty, had studied the neo-scholastic philosophy of Gilson and Maritain in college, and took advantage of the bright kids in that course to discuss Thomism, using mimeographed notes on form and matter, act and potency, and essence and existence.

I could tell a hundred stories about that class, so I will tell only one. O’ Doherty claimed that it was possible to prove the existence of God. Naturally, we students were skeptical and asked him to explain this proof to us. It was not possible for him to explain it to us briefly, he said. Several years before, when he was teaching the brightest group of students he ever had, he formed a seminar after school, and worked through the proof with them. “All of you think you can move from here to there,” O’ Doherty said, pointing to spots on the floor, “but a first step in the proof is to show that it is impossible for you to move yourself. This alone took several weeks to establish with these students—and they were my best ever.” Even at the end of a year of study, he said, the brightest students were barely in a position to judge its cogency; it would be too tiresome to teach a similar seminar now. My curiosity piqued, after school once I approached O’ Doherty privately and asked for a book to study on my own, in which I could find this proof. “I’ll lend it to you only if you agree to read it,” he said, handing me Reginald Garrigou-Lagrange’s *God’s Existence and His Nature*, a difficult tome running to some nine hundred pages. I did my best to work through it: What could I conclude at the end except that, for all I knew, the proof was sound?

When I arrived at Harvard College the next year and took classes in Emerson Hall, with its impressive statue of Emerson on the first floor, I learned that Emerson was no longer regarded as a philosopher, that no one even read him, and that hardly anyone had even heard of him. Bergson certainly no one had heard of. Russell was indeed taught, of course; he was in fact, we were told, “the father of analytic philosophy.” Emerson Hall itself was inscribed with a line from Psalm 8, “What is man that thou art mindful of him?”—an echo of the voice I heard in the “wisdom

books”—and yet philosophy was not regarded as the heir of a tradition of the pursuit of wisdom, which began in ancient Israel or classical Athens.

So, I regarded myself as an alien in Omelas from the start. That my instruction would be in its way parochial—yes. That possibly my professors were limited though they were purported not to be—I was alerted to that. That philosophy was not conceived of as a search for wisdom—of course. But then what was philosophy, and was my home after all best found there? Not philosophy as conceptual analysis, or as a janitor tidying up after the natural sciences, or a philosophy that by becoming “naturalized” converted itself into natural science. But what then?

13.2. A BRIEF SOJOURN IN OMELAS

A college is meant to form you; it will do that job, whether you want it to do so or not. What this implies as regards philosophy is that students might be wise to choose a college in advance for the way they will be formed philosophically. I went to Harvard only because the college in general was reputed to be the best. How its philosophy department conceived of philosophy, I had not a clue in advance. Oddly enough, though, I had a friend in philosophy who attended for a more astute reason: his father in Louisiana was a fundamentalist preacher who believed nonetheless that W. V. Quine was the best philosopher of the age, and he wanted his son to study with Quine.

This preacher was correct about Quine’s prominence, but I wonder whether he understood sufficiently the problem that Quine posed for philosophy. If Quine was correct, then philosophers had nothing to do, because they had no subject matter of their own. Philosophers since Descartes (it was presumed that philosophy prior to Descartes had been discredited) had something to do, because they took themselves to be investigating the soul or some reality akin to the soul (such as the “mind” or the “transcendental psychology” of Kant), or because they took themselves to be studying essences or some reality akin to essences (such as “concepts” or even “logical frameworks”). But if Quine’s insistence on naturalism was sound, then there was nothing like the soul to study. People refer blithely to his “rejection of the analytic/synthetic distinction”—and yet if Quine was correct to reject it, then there would seem to be nothing left besides the soul, no ostensible products of a soul’s activity or objects of a soul’s perception, for philosophers to study. Quine’s argument for the indeterminacy of translation was meant additionally to show that even the meanings we think we attach to words have no separate reality.

I attended Harvard College when Quine’s legacy was being assessed, and it was generally believed that he was right. Quine’s chief apostle was Burton Dreben. Dreben looked something like Woody Allen and spoke with a Boston accent that could have been Brooklyn. He was mysterious because he published nothing, and he hardly taught. He was hired into a tenured position without a PhD (he would get upset if anyone referred to him as “Doctor”) on the basis apparently of a single

paper. Adding to the mystery, he was sympathetic with the Jewish Rabbinical tradition and was himself fascinated by religious seriousness. People thought of him as a kind of rabbi in philosophy.

Dreben was powerful for interpreting the later Wittgenstein and J. L. Austin as pointing to the same conclusions as Quine, though in different ways. Austin was without peer, he thought, in showing that someone who paid careful attention to “what we would say” when using language appropriately would never even be inclined to use language in ways that would lead to assertions that would seem distinctively “philosophical.” Wittgenstein, however, was a master of philosophical self-knowledge, of our self-deceits and lazy simplifications, which we wanted to cling to anyway, out of something akin to a compulsive mental illness, even when they had been punctured. Dreben understood his obligation as a Harvard professor, then, to be to convince the better students that philosophy was impossible and to persuade them to make a career instead in a beneficial profession such as medicine—or, if it had to be in the academy, in mathematics or a hard science.

In my first years of college, I was captivated by the philosophy of science of Hilary Putnam, who was then in his realist phase. Putnam at the time attempted to give a benign reading of Quine. Quine’s holism, he argued, implied that there was no sharp distinction between “facts” and “values.” I welcomed this conclusion as showing how sensitivity to “value” could be a guiding ideal of philosophers. But I wanted to know more about Quine, and so I started studying him seriously. My work in Putnam’s classes had attracted Dreben’s attention. Dreben invited me to study Austin’s “Other Minds” and Wittgenstein’s *Investigations* with him, and I quickly fell under his spell. I lost faith in the possibility of philosophy, took most of my remaining courses in science, and became a researcher in a psychology laboratory. In the spirit of Dreben, I contemplated going to graduate school in clinical psychology, to help others.

Hilary Putnam viewed my change as a collapse and a squandering of talent. He would not criticize his colleague directly. Rather, in my senior year, just before I was to leave to study philosophy at the University of Edinburgh on a Marshall Scholarship, he took me out to lunch at the Harvard Faculty Club and presented me with a copy of Saul Kripke’s *Naming and Necessity*, inscribing the book with a saying from Goethe, *Alles grosse bildet*—“Everything great builds up”; everything great edifies. By implication, against Dreben’s influence: what works merely to tear down, no matter how it may appear, is not truly great.

I do not wish to give the impression that my attraction to Dreben’s view was purely an intellectual matter. Nothing in philosophy ever is. My change in allegiance from Putnam to Dreben coincided with a religious conversion. I cannot go into the details here. It is enough to say that in college I became an “evangelical” Protestant, highly influenced by C. S. Lewis. There are different stripes of such Protestantism, of course. But a common shared theme is that mediators between God and man hinder rather than aid our approach to God. On this instinct, Protestants have tended to oppose teaching authority in the church and a robust understanding of the sacraments. In my case, because I loved and studied the natural sciences so much, the

same instinct took the form of wanting to tear down and destroy any mediating structures in the realm of thought between God and the world (as described by the natural sciences, which I loved). I once said to Dreben, in defense of my conversion, that I embraced an austere ontology—I believed only in the world that existed according to the natural sciences, which he accepted too, and additionally God. Nothing else existed for me as a possible object of study. On this view, obviously, Quine, Austin, and the later Wittgenstein were helpful allies.

Also, after my conversion I sensed that a good life and wisdom must consist in a kind of simplicity. I loved, for instance, the late tales of Tolstoy, about the choices for good or evil of simple peasants and artisans. Wittgenstein seemed to me profoundly right for abandoning a fellowship in Cambridge to teach schoolchildren in rural Norway. That true wisdom consisted in showing, not saying—living a simple but good life, which spoke for itself—seemed very likely to me.

13.3. HOW I TURNED AWAY FROM OMELAS

My conversion from a practical atheism to Christianity had implications for my personal life, which I want to trace out briefly, because for me they were inseparable from philosophy. Truth found in philosophy or religion should lead to commensurate action, which will lead then to additional illumination.

I became a Christian at the same time as my girlfriend, Ruth Van Kooy, and we therefore resolved to live chastely, in accordance with what we understood to be the teachings of Christ. We believed that genuine love never comes to an end and that we loved each other; therefore, we wanted to enter into that relationship that we understood to be permanent and irrevocable, which is marriage. So, we got married at the end of our junior year in college. This act itself changed how we thought about the good. We began to be aware, dimly at first, but more clearly as time went on, of such truths as that we are meant to live in families; that maturity involves taking responsibility for others; that it is not good to prolong adolescence endlessly; and that a false consciousness of autonomy arises when one does.

We became convinced that birth control was contrary to the good of family life; therefore, we stopped using it. The new consciousness that we acquired as a result no doubt played some role in our embrace shortly thereafter of Roman Catholicism, soon after our arrival in Edinburgh. We had our first child in Edinburgh, and we would go on to have three other children before I attained my doctorate at Harvard. We briefly flirted with daycare once but, upon reflection, resolved that a mother's raising of her young children was so great a good for the children that it warranted extraordinary sacrifices, even the embrace of a challenging material austerity, if necessary.

I sensed I did not really fit in Omelas when I found myself, in graduate school, married to a stay-at-home mom and raising with her several young children. My fellow grad students seemed blind to the importance of families and their needs.

For example, they thought the tax rate was too low, and they believed that people who opposed tax hikes were promoting their own interests over the common good. But these students were not spending the bulk of their money raising future citizens. Or consider one female grad student who once, when we were discussing abortion, asked how I could possibly evince any position on the matter, when, as a man, I knew nothing about the implications of being pregnant. A strange challenge: I pointed out that I already had committed myself, four times, to twenty-plus years of solicitude and care for a child.

My teachers were hardly better. Rawls, for instance, had raised suspicions in his *Theory of Justice* about the family as a source of societal inequalities. The one concrete topic that seemed to raise his passion, besides unrestricted campaign contributions, was society's allowing wealth to be transmitted from parents to offspring—a provision that precisely made sense of the work of parents for the next generation and allowed families an authoritative place in society distinct from the state.

When I applied for jobs, the chair of philosophy at a prominent Catholic institution told me that they were impressed by my application but, alas, were not going to grant me a campus visit. They were a prominently male department, he explained, and of course, given my knowledge of “Catholic Social Thought,” I would understand and concede that it would be right for them to assist women by hiring a woman this time. I was dumbfounded, as the interests of the woman I was married to, who wanted me to get that job, and who was dependent on me for her support, apparently counted as nothing to him, or indeed the notion of a “living wage” (he knew of my situation).

As a new professor at Clark University, I could only afford to buy the least expensive house on the market in one of the poorest neighborhoods of Worcester. My university's system of compensation was based on the expectation that one's salary would be only half of a household's income. When I complained once on a faculty listserv that I was not paid enough even to buy sneakers for my children, a sociologist colleague, who lived comfortably in the well-off neighborhood on the west side of town, sent me in the mail, to mock me, a box of old sneakers. He sent along with the sneakers a screed about why I should be ashamed to complain as if I were a really poor person—this when, I was aware, I qualified for food stamps and was eligible for free medical treatment at the hospital, given how little I earned for a household of six persons.

Meanwhile, my children's friends, whose mothers were on welfare, wore very expensive Nike sneakers and enjoyed the latest video games. Their basic living expenses were paid by the state, so their absentee fathers, with more disposable income than I, could purchase for them what were unaffordable luxuries for me. I wondered why money should be taken out of my salary, which I needed to support and educate my children, to pay for someone else's children, literally down the street, whose parents had shirked that responsibility.

I was repeatedly denied raises at my university despite an exemplary record. When a member of the budget committee who was an economist heard about my

complaints—and he was probably paid double what I was—he commented that it was irrational for me to think that salaries could be independent of market forces. What did I think when I chose to become a philosopher rather than an economist?

That my liberal colleagues who lived on the wealthy west side, supporting one or two children at most on two salaries—that they could not comprehend my position, or that of the poor in general, I did not find surprising. But their smugness and attitude of moral superiority irked me. From my experience, it was clear that the pathway out of poverty, for the children in our neighborhood, was an intact family and a culture of education. By a culture of education, I mean simple things like parents requiring their children to read every day, and not letting them just hang out on the streets until after dark. As a rule, a father's presence is indispensable for ensuring such a culture. And yet my colleagues supported welfare policies that demonstrably undermined the family. And it was an ideological first principle for them, on a par with a religion, that all cultures were the same—to think otherwise was “racism”—even while in contradiction they embraced identity politics.

This was the blight of the academy, which perhaps only someone alienated from Omelas sees clearly: liberal professors living in upscale neighborhoods, their universities sometimes like fortresses in the midst of suffering communities, oblivious to the role of the family and religion in a flourishing society, advocating policies that served their own interests and their own conception of “autonomy” while assuaging their guilt with false and harmful ideologies that, in the upshot, proved to be destructive of the poor.

What caused the blight? It was a “procedural liberalism,” I thought, which failed to nourish its own necessary resources in religion, the family, and mediating institutions. In the face of it, to serve Omelas, slaving away to publish insignificant articles on recondite subjects in journals that no one would ever read, would be irresponsible. But the patient development of a solid foundation for an alternative liberalism, closer to what I conceived to be embraced by the American Founders, through an Aristotelian account of social bonds—that seemed like a sufficiently worthy project.

13.4. HOW I DISCOVERED THE DARK TRUTH ABOUT OMELAS

In Le Guin's short story, the fair city of Omelas depends for its well-being simply on the neglect of only one small child in a dungeon, hidden from sight, and generally unknown. I came to see, at first in graduate school but more clearly over time, that the Omelas in which I dwelt, in contrast, kills millions of its children, with the approval of its highest defenders of justice, and these killings are covered up and justified by its leading institutions, especially its universities. I went to college thinking naively that the point of discovering the truth was to live our lives by it, once it was found. By the time I left graduate school, it seemed to me that my peers and even

teachers, in the matters that affected them most, were inclined rather to tailor their convictions to what they wanted.

My girlfriend in college and later fiancée and wife, Ruth, had this same understanding of the claim of truth. Not long after we met, we had a debate over lunch about abortion. She was in favor of a woman's "choice," and, more to test the argument than anything else, I took the opposite side. My philosophical friend from Louisiana was there and joined my side. Perhaps he himself spoke from long-standing conviction; I suspect given his background that he did. In any case, here was our argument: the burden of proof fell on anyone who thought it was wrong to kill a newly born baby to explain why it was not wrong to kill that same being prior to birth. As it was wrong to kill the baby because it was a human being, then, whatever reason one gave to discharge the burden of proof would commit one, correspondingly, to a definition of a human being—but could one accept that definition? For example, if someone wished to maintain that the reason why the one killing was wrong, and the other not, was that the newborn breathed while the preborn did not, then this person had thereby committed himself to the view that, by definition, human beings were actually breathing. The upshot was that anyone who ceased to breathe, or could not breathe, was not a human being—say, someone who had just been rescued from drowning, or someone on a respirator—and this could not be admitted. We went through several criteria in this way in our lunchtime discussion. Ruth did indeed first offer breathing versus not-breathing as the relevant difference, and she immediately saw its absurdity. Then she said, "The preborn depends on another for its life, while the newborn does not." It followed, we pointed out, that Siamese twins who shared a vital organ were not human beings, which was absurd. "Then it's that the preborn depends on the life of *this one person in particular*, the mother, while the born child does not," she next said. But then, we countered, if a mother were alone on a desert island breastfeeding her baby, the baby would not be a human being—also absurd. Ruth was stumped, and from that time both of us became "pro-life," in the relatively superficial (although admittedly decisive) sense that this view had prevailed in argument.

As already mentioned, a few years later, when we went to Edinburgh for the Marshall, I became Catholic along with Ruth, who was then my wife. As our convictions were "pro-life" before we became Catholic, it was clear to us that our being pro-life after our conversion was not because we were Catholic.

One week a member of Parliament came to the Dominican Chaplaincy at the University of Edinburgh to give a talk on legislation he had proposed to make certain late-term abortions illegal. The legislation seemed reasonable enough to us for humane reasons, but it also seemed reasonable on the terms of "pro-choice" advocates themselves, since surely everyone had concerns in conscience about the standing of late-term abortion. But the MP was at first blocked from speaking: pro-choice students who opposed him stood up *en bloc* as he began to speak and shouted him down. Then they walked out and kept ringing the loud doorbell from the outside, to drown him out. Finally, a Dominican disabled the doorbell, and the man had a

chance to make his case. This was in 1980, the first display I had ever seen of what was later to become commonplace—that is, the bullying of political correctness. We had never seen anything like it and were astounded. This movement of intolerance, still growing, had its origins in the irrationality of the pro-choice position and continues to be fueled by that fundamental irrationality. At the time I was reading widely in eighteenth-century philosophy, and there sounded in my mind a maxim that was frequently cited then: “If reason is against a man, the man is against reason.”

Ruth’s pro-life convictions changed from being based in reason solely to deeply impassioned after we had our first child in Edinburgh, and I was drawn along with her as if by magnetic induction. How could it have been otherwise for her? What bizarre trickery of thought, and self-violence, would have been necessary to block it? A woman conceives a child she wishes to bear, or does not wish not to bear, and, from the moment she knows that she is pregnant, she takes great care that her unborn child is healthy. She takes the right vitamins, stops drinking alcohol, delights in hearing the child’s heartbeat, looks forward to the ultrasound. She does all of these things and has such concern, for the being who exists *then*, not prospectively, for a someone who will exist later. She is right to do so; therefore, this being is worthy of such treatment. But then all beings similarly situated are worthy of such treatment. That this would be the right way to treat such a being is clearly independent of what she thinks or wishes, as also of what any third party thinks or wishes. If everything within her speaks to the protection of this being within her, then why should this care not extend also to that being carried by any mother? And if someone loved such a woman and identified with her, then why would not that person’s affection, too, share in that same extension of concern?

Everything that we experienced in the academy in Edinburgh and then at Harvard confirmed for us the irrationality of the pro-choice position. When we studied the Supreme Court’s decision in *Roe v. Wade*, we saw the patent errors even in its opening sentences: if authorities were divided about when human life begins (which was not true anyway), then ordinary prudence would imply erring on the side of safety. Moreover, the court was indeed taking a position on when a human being’s life began, contrary to what it said: it could not have found that a putative right to privacy was decisive in the matter, unless it had first found, at least implicitly, that abortion was “private,” on the grounds that no second human being was present. As undergraduates at Harvard we had been presented with many exercises in which we were meant to identify the errors in someone’s reasoning, and we were good at it. Here were some obvious errors in critical reasoning; they were even pointed out by judges and legal scholars, and yet no one cared, clearly, because it was the result that was ultimately desired.

I became deeply convinced that the injustice I was seeing before me was the parallel in our time of slavery in the past and even the Holocaust. All involved not disputes about how to treat justly those who were already acknowledged to be equals, but rather injustices that arose from drawing the boundary of the human community at some place other than the boundary of the natural kind, *human beings*. Not long

after I arrived at Harvard for graduate school, Hilary Putnam, noticing my deep concern over legal abortion, took me to lunch again at the Faculty Club. "Of course," he said, "it cannot be decided from the Original Position whether fetuses should be protected, since it is undetermined whether the deliberators in the Original Position represent fetuses or not." In his mind, I think, he concluded from this eminently true observation that the status of the unborn was decidable only within what Rawls would call a "comprehensive conception" and that, therefore, the rightness or wrongness of abortion had to be left unresolved by the machinery of justice in a society. Yet I thought, interiorly, that something similar might have been said in Berlin in 1939 or Richmond in 1835; therefore, Rawls's theory was insufficient as an account of justice. But what I said to Putnam was that *Roe* did not after all leave the matter unresolved, that legal abortion presupposed already a "comprehensive conception," and an indefensible one at that.

Indeed, later I discovered when reading *A Theory of Justice* that in part III Rawls was perplexed by the question of how someone counted as a "subject of justice." The criterion that seemed most plausible to him then was that it was enough to have the potential to develop rational powers—which a preborn would have as well as a born child. But that was 1971, and *Roe v. Wade* was 1973, and after *Roe* (I don't think it was coincidence) Rawls embraced his full-blown "Kantian constructivism," marked most notably by a complete rejection of the idea that a theory of justice may be judged by whether it corresponds to some preexisting reality.

Many personal conversations convinced me of the self-interested irrationality of my interlocutors on abortion and, therefore, the need to distance myself from the conception of political society they tended to affirm. After a long afternoon's discussion, one friend conceded that my view had apparently decisive, reasonable force: "But I cannot agree that abortion is wrong," he said, showing remarkable honesty, "because then I would have to give up sex, and I don't want to give up sex." Another friend, now a prominent professor, said something along the lines of "I cannot answer Pakaluk's arguments, but I don't need to, because abortion is a necessary condition for women's equality." Another time, after a long discussion with a fellow graduate student about abortion, we came to one of those dead ends in argument, when it was obvious to both of us that there was no more to say, because every expedient in argument he had adopted had been shown to be fruitless or misguided. I said, "And yet you still support legal abortion?" "Yes, I will," he said. "But you are being unprincipled," I said. Looking me squarely in the eye, he said, "Yes I am."

And then I observed that the sole reading material that would be assigned on the subject in ethics classes, if abortion was even considered at all, was Judith Jarvis Thompson's "A Defense of Abortion," riddled with bad arguments and leading to an unattractive and indefensible conclusion. When I expressed my disgust at the practice to a fellow graduate student (now also a prominent professor)—someone who quietly tended to agree with me—she said, "It may not be such a bad thing, Michael: I had a student who told me that if this is the best they can do, then their position must be bankrupt."

13.5. HOW I KEPT MYSELF AND MY FAMILY ALIVE AS I WALKED AWAY FROM OMELAS

Pro-life theists who are furthermore Catholic, who care deeply about the natural family, and who reject political liberalism and Great Society solutions to social ills may take one of two approaches: either they regard it as their obligation to speak up clearly for what they believe to be the truth when the public good is at stake, and take their chances, or they try to “fly under the radar,” supposing that they will be more effective in the end by assuredly surviving and, they think, working to change the *status quo* from within. You may guess from what I have written above what approach I took. Readers may therefore examine, if they wish, how I have expressed myself throughout my career in dozens of articles, several books, and hundreds of opinion pieces. It would be foolish to recapitulate that work here.

But I want to conclude with the curious story of how I became an expert in classical philosophy and with an assessment of whether I ever did find that wisdom I originally sought. To tell the former, I must resume the account of my philosophical development from the point when I was a Wittgensteinian skeptic under Dreben’s influence, arriving in Edinburgh.

I had deep scruples about accepting the generous Marshall Scholarship to study philosophy, as I had become convinced that philosophy was impossible. When I arrived in Edinburgh, therefore, I resolved two things: First, I would study ancient Greek, because at least a language is real, and I would have made good use of my time by acquiring a genuine skill; second, I would study David Hume, entombed right there next to Calton Hill in Edinburgh, because certainly skepticism was real (after all, I was a skeptic), and Hume’s arguments seemed the strongest among the skeptics.

But at the Dominican Chaplaincy, after I became Catholic, I also studied Thomas Aquinas in seminars with the Dominicans. The first topic we looked at was Thomas’s angelology. Thomas begins his treatise (*Summa Theologiae*, Part I, qq. 50–64) by arguing that a cosmos without angels would be disfigured because of the unsightly gap that would ensue between finite embodied rational beings (like us) and the infinite non-embodied rational being who is God. There was a place for finite non-embodied beings, and yet they would have been overlooked. My sparse Christian-naturalist universe was subject to this criticism, of course, but that would be merely a negative point against it. The positive point was the breathtaking and philosophically ingenious account of angels and their ordering with which Thomas filled that gap. I had not encountered anything like it and was so overwhelmed that, to start, I read the *Summa contra Gentiles* within a week. I quickly grasped the power and reach of the Aristotelian-Thomistic tradition, and from that point on I nourished the secret conviction that “real” philosophy was to be found in that tradition.

In my study of Hume, influenced by Kemp Smith’s interpretation, I focused on Hume’s naturalism, not his skepticism. I could show, I thought, that Hume’s constructive naturalism was riddled with contradictions and impossibilities. I concluded from this that philosophers who admired him for his naturalism were themselves

operating from an ungrounded philosophical faith, rather than any well-grounded rational conviction. I then came to see that Quine was a kind of Hume in my own time—so that, curiously, this careful work on Hume cured me of the grip that naturalism had previously had on me from the influence of Quine.

Back at Harvard, I wanted at first to write my dissertation on natural law. John Finnis's famous work came out at the time, but I could not embrace it. I was studying carefully at the time the *Prima Secundae* of the *Summa Theologiae*, on human action and law, with two other graduate students (Michael Waldstein and Kevin Flannery), and it was clear to me that Finnis, in contrast, was not building his account soundly. His philosophical outlook derived from a Kantian approach to practical reason, not the realist, Aristotelian approach of Thomas. But how exactly one should build seemed too difficult a problem for me; I did not have the necessary training. Therefore, I looked for a different topic, and one that a Harvard professor might be more qualified to supervise anyway.

I settled on civic friendship, an important theme in classical thought, I knew, but neglected within liberal theory. I thought that through its study I could probe how a shared, substantive conception of the good was necessary for a flourishing society. Rawls agreed to supervise the dissertation, as he was interested in the topic himself. (I suspect now it was because he regarded his own notion of "public reason," which he was developing then, to be a kind of civic friendliness suitable for a liberal society.)

But as I started to work on civic friendship, it became clear that I needed first to study friendship and, if so, that I needed to study the *locus classicus*, Aristotle on friendship. Therefore, I had to become more serious about the Greek and classical studies that I had begun in Edinburgh. Sarah Broadie joined the thesis committee (she was at Yale at the time), and the dissertation ended up being squarely within Aristotelian scholarship.

Quine once saw me working in the philosophy library on what he correctly took to be my dissertation and asked what the topic was. When I said it was on Aristotle, he was puzzled. He paused, put his finger to his chin, looked up at the ceiling briefly, and then turned to me and said, "Well, Davidson wrote on the *Philebus*." That was the only way he could make sense of the choice.

On the basis of the dissertation, John Ackrill invited me to write the Clarendon Aristotle volume on *Nicomachean Ethics* VIII and IX, and thenceforth I was established as an "ancient philosopher." Ancient philosophy is a good place. To do well in it, one must integrate, for a single effect, high levels of skill in a diversity of domains—philology, logical analysis, interpretation, aesthetic sensibility—drawing on work in multiple languages (Greek, Latin, German, French, and Italian, especially), attempting to build upon a two-thousand-year-old tradition that embodies extremely high standards. The area features some of the most sublime products of human intelligence, foundational for Western civilization, such as Plato's *Republic* and Aristotle's *Ethics*. And through studying such texts one enjoys a certain freedom from the tyranny of contemporary philosophical fashion. Ancient philosophy looks deceptively distant, as though it were purely antiquarian, and yet because the matters

it considers are truly timeless, the insights that its students glean from it are always near to breaking out and making a direct claim on us now.

But have I yet found that wisdom that I originally sought? I will simply state my view without explaining it. With Socrates, I believe that true wisdom is only with God, and yet I believe God has shown his wisdom to us in Christ and shares it with us through discipleship to Christ. The best human account of that wisdom is in St. Thomas, and the best construction of truth corresponding to this wisdom for human thought and action is in Aristotle.

But for now I continue on my journey, leaving Omelas and heading I think to a different city, the *civitas Dei*. As for this other city, *I cannot describe it at all. It is possible that it does not exist.* And yet I seem to know the way.

NOTE

1. The concluding lines of Ursula K. Le Guin's "The Ones Who Walk Away from Omelas," from *The Wind's Twelve Quarters: Short Stories* (New York: Harper Perennial, 2004), 262.

REFERENCE

Le Guin, Ursula K. "The Ones Who Walk Away from Omelas." *The Wind's Twelve Quarters: Short Stories*, 254–62. New York: Harper Perennial, 2004.

14

The Curious Case of the Double Dissident

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14.1. INTRODUCTION

Taboos are not just about politics, morality, and religion. Even empirical statements can be taboo. Defend them publicly, and you will be personally attacked and called names. Worse, it is enough just to say *in a private setting* that you are *not sure that a taboo statement is false*, and you can still be vilified. A good example is the case of then Harvard law student Stephanie Grace, who in 2010 wrote the following in an email to a few of her friends:

I just hate leaving things where I feel I misstated my position. I absolutely do not rule out the possibility that African Americans are, on average, genetically predisposed to be less intelligent . . .

I think it is bad science to disagree with a conclusion in your heart, and then try (unsuccessfully, so far at least) to find data that will confirm what you want to be true . . .

Please don't pull a Larry Summers on me.¹

Predictably, someone did pull a Larry Summers on her by publicizing her *private* email. A pandemonium ensued. Martha Minow, dean of the Harvard Law School, wrote in a public letter, with no justification, that Grace “suggested that black people are genetically inferior to white people” (see the link in note 1). It is quite clear that Grace did not do that. She did not commit herself to either side in the debate about the origins of racial differences in IQ.

Philosopher Brian Leiter claimed on his widely read law blog that Grace (a law student who was about to go on the job market) was “all-too-willing . . . to

entertain the most vicious racist stereotypes as possibilities,” and he also raised the question of whether the beleaguered student was, as he put it, “a right-wing racist and neanderthal.”²

Although Grace in the end apologized under tremendous pressure, she actually did nothing wrong. What she said was entirely reasonable—namely, given the lack of sufficient evidence about causes of group differences in IQ, she was simply not in the position to rule out the possibility that genes were involved in the explanation. Yet this whole situation showed that you can violate a taboo not only by defending the “offensive” empirical hypothesis but also by merely admitting (in private!) that you don’t have compelling reasons to dismiss it. Therefore, if you want to avoid being attacked, you are apparently left with only two choices: either a loud rejection of the taboo hypothesis or silence. Agnosticism is not an option.

I have written about this and other controversial issues myself, and I was also occasionally labeled a fascist, sexist, racist, homophobe, and so forth. Some (nicer) people said they didn’t understand how someone whom they didn’t see as a bad person could end up holding such reprehensible opinions. Indeed, how?

This essay tries to answer that question, obviously from a biased personal perspective. It is only one story, but, if convincing, it could perhaps illustrate how views that many come to regard as offensive can actually be the product of a long and arduous process of back-and-forth deliberation, rather than *a priori* prejudice.

First, I have to clear up a possible problem with the word “dissident” in the title. Christopher Hitchens said that the word *dissident* “can’t be self-conferred because it is really a title of honor that has to be won or earned.”³ He is wrong. The meaning of *dissident*, according to most dictionaries, seems to be purely descriptive, for it refers simply to “a person who opposes official policy” (Oxford) or a person “disagreeing especially with an established religious or political system, organization, or belief” (Merriam-Webster).⁴ There is nothing in itself honorific about “opposing official policy” or “disagreeing with an established system or belief.” Obviously, official policy and established belief may be reasonable, while opposition could be misconceived. Moreover, I knew some dissidents in communist Yugoslavia who were, in terms of their politics, creepier than most politicians from the ruling party. One of those dissidents was later convicted of war crimes (and some others probably should have been as well).

For better or worse, I was myself something of a political dissident during much of my academic career. There were two phases, with different contexts but also with some interesting similarities. The first phase extended throughout the 1980s when I published a dozen articles against the official Marxist ideology in Yugoslavia. The second period of my dissidence began after I moved abroad and wound up publicly defending “wrong” views on some politically controversial topics—“wrong” in the sense that my views went against the opinion that was (and still is) dominant in the academic community in the West.

14.2. THE EASTERN FRONT

Brigadier Fitzroy Maclean was the head of a World War II British mission that was sent to Yugoslavia in 1943 to evaluate whether Yugoslav partisans under Tito's leadership should receive British military support. Maclean met Churchill in Cairo and reported favorably about the partisans' war effort. But he was also worried and warned Churchill that "Tito and the other leaders of the Movement were openly and avowedly Communist and that the system which they would establish would inevitably be on Soviet lines."⁵ This gave rise to the following brief exchange:

"Do you intend," [Churchill] asked, "to make Yugoslavia your home after the war?"

"No, Sir," I replied.

"Neither do I," he said. "And, that being so, the less you and I worry about the form of Government they set up, the better. That is for them to decide."⁶

Well, I didn't intend to make Yugoslavia my home either, but a few years after the war my poor soul was, without my consent, put into a body of a baby boy who was born in that country (which, indeed, as Maclean had anticipated, soon became a one-party communist state and stayed that way for around half a century). Although Churchill said, "That is for them to decide," surely he must have been aware that "they" would hardly have an opportunity to decide anything important for a very long time.

In elementary school I was told about the greatness of President Tito, and I dutifully believed it. But the first seed of doubt was planted when I was eleven or twelve, and my brother and I received as a gift a wonderful children's encyclopedia in English. And there, in volume five of that *Golden Book Encyclopedia* (on page 418), we were amazed to see that Tito was listed under the entry "Dictators," together with Hitler and Stalin! Our Tito, a dictator? No way. We asked our father for an explanation, and his answer only increased our puzzlement. Although he was at the time a member of the Yugoslav Communist Party and moreover had fought on the side of the partisans during the war, he said detachedly, "Well, this is how many people in the West do see Tito." The fact that he didn't immediately and resolutely dismiss or condemn the description of Tito as a dictator made a huge impression on us. Our confusion was not resolved, but a mental note was made: there's more to all this than meets the eye.

Soon I started to wonder about other things. Why were there elections in Yugoslavia at all, given that there was only one political party? And why was there only one party? I once raised that second question in front of my parents' friends, and one of them tried to get rid of me by giving the following answer: "You have to understand that virtually all people in Yugoslavia believe in communism. That's why there can be no other parties." I thought I had a killer counterargument against this explanation, so I pushed on: "All right, but even if all people believe in communism,

why wouldn't we call the existing party Communist Party A and then create another communist party—say, Communist Party B—with a slightly different program? That way people could have a choice between two communist parties and elections would make sense." I was very satisfied with my response and expected that others would find it impressive as well. But my adult "opponent" retorted without batting an eye: "This wouldn't work, kid. You see, if besides the existing communist party (Communist Party A) a new option were introduced, your Communist Party B, what would happen is that everyone would instantly switch to this new party—and then we would again be left with only one party!" We all laughed because this man, himself a party member, clearly implied that everyone was unhappy with the existing communist party and that even all its current members would find any other party immediately preferable.

At the end of high school I fell in love with philosophy, and this is what I wanted to study at university. But not too much Marxism, please! I was already immensely bored with Marxist explanations that some of our school teachers gave for all kinds of phenomena, from history to economics, law, and politics. It's not, of course, that at the time I could have given better alternative accounts of all these things. I couldn't. It's just that I found the proposed Marxist explanations insipid, repetitive, intellectually unexciting, and tiresome. This was not my cup of (not infrequently Russian) tea.

After collecting information about the department of philosophy at the University of Zagreb (my hometown at the time), I concluded, foolishly as it turned out, that studying philosophy there would involve a tolerably low dose of Marxism. The first year was OK mainly because it was dominated by non-ideologically driven content like ancient philosophy and logic, although even in these subjects there were some warning signs (e.g., one of the readings for the introductory logic course was Lenin's *Philosophical Notebooks*).

After the first year, the presence of Marxism increased. Most of my philosophy professors belonged to the so-called Praxis group, which started in 1964 with the founding of the Croatian (and heavily Marxist) philosophical journal *Praxis*. They presented their own work as being among the most important contributions to contemporary philosophy. Strangely enough, they managed to convince a lot of students. And while in our classes there was never any mention of the main critics of Marxism such as Böhm-Bawerk, Aron, Popper, Hayek, or von Mises, it was ensured that a ridiculous amount of Marxist literature was published in Croatian or Serbian translation, and many of these titles were assigned as required or recommended readings to students. Special praise was constantly showered on the philosophers Ernst Bloch and György Lukács despite the fact that they had both been hardline Stalinists during much of their careers. Mainly thanks to the campaigning of the Praxis group, Bloch and Lukács, of all people, were awarded honorary doctorates from the University of Zagreb in 1969.

Soon after graduation I was hired by my department to teach various topics in Anglo-American philosophy, an area of philosophy that was until then seriously neglected in course offerings. It took a lot of time to prepare for classes because I had

learned almost nothing about that area during my studies. But rather than complain, I was extremely happy that I got a teaching position at a university, my dream job.

Being disillusioned with the Yugoslav political system, I didn't have any interest in politics at that time. My plan was to isolate myself in the ivory tower (hopefully until retirement), focus completely on my research and teaching about esoteric philosophical issues, not allowing myself to be bothered too much by what was happening in the drab socialist world around me. But the plan quickly went off the rails.

Before long, new laws about education were introduced, according to which teachers were obligated to "adopt a Marxist approach in explaining natural and social phenomena." Also, a new mandatory subject, "Basics of Marxism," was introduced for all students in high schools and universities. My department was in charge of training a huge number of high school teachers to teach the new subject, and several of my department colleagues started teaching it at our university and elsewhere. The expansion of Marxism became suffocating. Since my own department obviously became a vehicle of the intensified ideological indoctrination, I decided I could no longer stay silent.

At the very beginning of the 1980s I published two articles in which I criticized the introductory course on Marxism being mandatory and exposed the utter absurdity of legally forcing teachers to adopt a Marxist point of view. Paraphrasing Clausewitz's well-known statement about war and politics, I described Marxism with such heavy-handed government support as "a continuation of philosophy by other means." I was surprised that no one had raised these criticisms before because they were low-hanging fruit. The arguments to be made were so simple, obvious, and compelling (or at any rate they should have been) that they were practically writing themselves. Pure common sense.⁷ And not much courage was needed, either. Although the communist regime in Yugoslavia was a bit erratic, it didn't seem very likely that a philosopher would land in serious trouble just because he complained about the silly new arrangement according to which any teacher defending a non-Marxist approach *to any issue* would be breaking a law and would consequently have to be punished.

Once I made these pretty obvious points against the government's "Marxism protection program," it was hard not to continue further. Now I wanted to go beyond the claim that Marxism should not be privileged and argue that it is actually bad philosophy. This is what I tried to do in detail in a long article that was published in a Belgrade philosophical journal in 1984.

Did those in power find the anti-Marxist article published in a philosophy journal a huge cause for alarm? Hardly. Nevertheless, there was some grumbling. I found out in April 2021 that in the top-secret files of the Yugoslav state security from the 1980s I was listed among "internal enemies" of the regime. And back in 1983 in a leaked communist party report about "ideological deviations" I could read that I was advocating "the most reactionary philosophy in the world." Cool! A few months later, in a long interview published in *Borba*, the official newspaper of the Yugoslav Communist Party, a leading agitprop official (also known as "KGB," because these

letters corresponded to his slightly modified initials) attacked several intellectuals by name (including me) and complained that no one had told this “trash” (as he called us) what it needed to hear—namely, “You, scum, we have had enough of your nonsense!” This was followed by a threat: “It seems that with the waning of revolutionary enthusiasm these rats have crept out of their holes, but now we are waiting for the plague to beat them to death.” Fortunately, when in a few years the plague (i.e., the Yugoslav wars) did indeed arrive, we the “rats” survived because KGB’s comrades were no longer in power in Croatia.

Upon publication, my essay on Marxism was read by Ljubo Sirc, a Slovenian free-market economist and classical liberal who was teaching at the University of Glasgow. Since I devoted a lot of space to the criticism of Marx’s economic views (the labor theory of value and the theory of surplus value), Sirc found the essay interesting and offered to publish it in an English translation as a booklet in a new series of which he was the editor (Friedrich Hayek was a member of the advisory board). The first book that appeared in the series, in 1984, was *Market or Plan?* by Milton Friedman. Clearly, this was an offer only a fool could refuse.

The booklet, consisting of my essay and a short commentary by Italian economist Domenico Settembrini, came out at the beginning of 1985.⁸ There was also a book launch in London, which I attended. *The Times* of London published a nice article by Roger Scruton in which he praised the book and said, among other things, “Recently a Yugoslav philosophy journal carried a devastating critique of Marxism, and the author, Neven Sesardić of Zagreb University, *has yet to be arrested.*”

Scruton apparently thought that I would soon be arrested, which didn’t happen, nor did I expect it to happen. It didn’t seem to me that at that time in Yugoslavia merely publishing an anti-Marxist philosophical treatise would be a jailable offense. Yet there were somewhat aggravating circumstances in my case. First, several political refugees from different parts of Yugoslavia showed up at my book launch in London—mainly Serbs and Croats with irreconcilable political differences and yet all of them united in their lasting hate of Tito’s communist regime. I talked to leaders of some of these organizations and socialized with some of them afterwards. The Yugoslav secret police were not only following closely the activities of these “enemies” but also in the business of assassinating some of them in Germany, France, the United Kingdom, and elsewhere. An especially gruesome murder was the liquidation of Stjepan Đureković, a completely nonviolent Croatian dissident, which happened in Munich less than two years before my visit to London.

Second, Sirc had been sentenced to death in a show trial in Slovenia in 1947, avowedly as a spy and foreign agent, but the real reason was that he joined the short-lived parliamentary opposition to the communists after the war. (One of the ironies of his condemnation was that he had actually fought on the side of Tito’s partisans.) Anyway, his death sentence was commuted to a twenty-year prison sentence, and after having served seven years (much of it in solitary confinement), Sirc escaped to Italy and eventually ended up in the United Kingdom. So, having an anti-communist book published abroad by an émigré, a convicted “enemy of the people,” and

still a very persistent and outspoken opponent of the Yugoslav regime, could have exacerbated my situation somewhat. Or at least it seemed so. But in fact upon my return home, I was never asked to explain anything about this affair.

My next project was to show that the Yugoslav Praxis philosophy was hugely overrated. The Praxis philosophers fancied themselves as political dissidents and, in Marx's famous phrase, "ruthless critics of everything existing." In reality, however, their ideas deviated very little from the official ideology of the Yugoslav Communist Party. The conflict between them and the political establishment was like a quarrel within a family. The massive support and sympathy they received from their academic colleagues abroad was largely based on the mistaken belief that the Praxis philosophers were genuine democrats and opponents of every repression. But domestically (and hidden from their foreign sympathizers by a language barrier) they uncritically supported Yugoslav socialism as well as the political program of the ruling party. They vehemently denied that they had ever advocated the idea of a multiparty system in Yugoslavia, which was clearly the only road to democratization.¹⁰

I also pointed out in the mid-1980s that despite presenting themselves as uncompromising opponents of any nationalism, some actions of the Praxis philosophers showed distinct signs of *Serbian* nationalism. A few years later, my diagnosis was infamously confirmed when, during the Yugoslav wars, three leading members of the Praxis group took up top positions in the highly nationalist Serbian movement under Milošević and Karadžić, both of them soon to be indicted for war crimes. (Milošević died in the Hague before he could be convicted.) This finally opened the eyes of most Praxis fans in the West, many of whom took this as a reason to break off all relations with their former Yugoslav comrades.

I would like to believe that the criticisms of Marxism I published during the 1980s made an impact and changed some (or maybe many?) people's minds. And, indeed, at the end of that decade people in Croatia did abandon Marxism in droves. But I am afraid I cannot take much credit for this, if any. In essence, the massive change of heart was brought about mostly by political events (the breakdown of communism), rather than being a trickle-down effect of philosophical arguments. Even after the fall of the Berlin Wall, when at dusk the owl of Minerva started flapping its wings more energetically, it didn't appear that its noise attracted a lot of attention.

14.3. THE WESTERN FRONT

In 1989, I went to Germany as a postdoc and stayed there around three years on two research fellowships. After a brief return to Croatia in 1992–1994, I again moved abroad and spent the remaining two decades of my academic career teaching at universities in the United States, Japan, England, and Hong Kong.

I had to work harder than before to build up my resumé and stay competitive in a tough international job market in philosophy. Yet at the beginning I was not sure which topics I should focus on. After initial enthusiasm about physicalism (the topic

of my dissertation), I noticed that most issues discussed in my field (the philosophy of science) left me cold. What was wrong with me?

Maybe nothing, I concluded with relief after having learned—through an unexpected channel—that when a newly appointed editor-in-chief of a top philosophy of science journal talked to “folks” about what they’d like to see in the journal, many replied that it would be great if the journal could be made more interesting. Wow, philosophers of science were saying that they found the content of one of their flagship journals not sufficiently interesting, and possibly even boring!

Hence this was not just my problem. To explain my quandary, though, let me first quote from a short article from 1998 in which David Papineau, the editor-in-chief of the *British Journal for the Philosophy of Science*, nicely described the dilemma about choosing a research topic and how philosophers could increase the chances of their papers being accepted for publication:

I now know that the best way to get published is to adopt a *narrow focus*, and make some *specific point* within a body of widely agreed assumptions. Of course, the point must not only be correct, but also of *some* significance. Still, the natural *threshold is not high*. As long as those working in the relevant area will benefit from the point, it is difficult to argue against publication. By contrast, more ambitious pieces, which seek to present some new perspective, or *undermine some larger orthodoxy*, are less likely to be accepted.¹¹

Although this advice made a lot of sense, it did not resonate with me. I hope this will not sound arrogant, but my idea of the “love of wisdom” did not include adopting a narrow research focus and aiming for results with a low threshold of significance. On the contrary, I did dream of challenging some larger orthodoxy,¹² and I thought it would be great if I could find arguments against an orthodoxy that is about a problem with real-world implications, rather than a view about an abstruse issue in pure philosophy.

Wasn’t this dream unrealistic? I certainly wondered about that myself. Yet I kept looking and eventually I found out that there were indeed challengeable orthodoxies, and that, moreover, they were hidden in plain sight.

Consider the following questions:

1. Should the institution of marriage be open only to heterosexual couples?
2. Is racial profiling sometimes justified?
3. Is the gender imbalance in philosophy and STEM disciplines the result of processes that do *not* include systematic discrimination against women?
4. Is the black–white gap in IQ partly caused by genetic differences?

Currently it is orthodoxy in philosophy, as well as in many other academic disciplines, to answer all of these questions with “No.” It is not just that the huge majority answers each of these questions in the negative. Rather, the affirmative answer is met not only with (cognitive) disagreement but often also with that famous “incredulous stare” coupled with moral condemnation. Therefore, if one agrees with the answer

“Yes” in any of these cases, one will often have a reason to keep silent or sometimes even find it prudent to say aloud “No.” Why risk being called a racist, sexist, or homophobe? After all, these labels do have serious consequences.

Now if there is this kind of political pressure in academia not to defend certain views, then these views will get defended less often. Consequently, it is to be expected that some good arguments for these views will remain underdeveloped, unpublished, or even undiscovered. The opposite will happen with the “encouraged” views. Even bad arguments for the orthodoxy will be tolerated or treated leniently, as they would indicate that their authors at least had their hearts (though not necessarily their brains) in the right place.

As a result of such a situation, the probability will rise of there being some as-yet unknown good arguments for “Yes” waiting to be brought to light. Under the circumstances, there wouldn’t be much competition among scholars to explore or defend these arguments, let alone publish them. Therefore, this would present a good opportunity for not-too-timid researchers to try and make a significant scholarly contribution. As E. O. Wilson once said, “When you walk on the edge of a volcano, there are few others competing with you, and you have great chances for important discoveries.”¹³

It happens that, with respect to each of these four questions, I have myself either defended in print the “Yes” answer or argued that this answer didn’t receive a fair hearing and that it is much more plausible than most people in academia have thought. However, I didn’t adopt this view in a calculating manner (i.e., hoping that in this way I would be more likely to stumble on a good new argument). My choice of these topics was determined by curiosity and my strong aversion to any sort of ideologically imposed orthodoxy, which I acquired during my fights on “the Eastern Front” (described in section 2). Besides my own aversion, I think that, due to my previous experience, it may also have been easier for me to detect the influence of ideology on scholarly debates. Not that this was very difficult to do, of course; it’s just that I was probably more attuned to this phenomenon and was less likely to miss it.

I started detecting an influence of political ideology on discussions in the philosophy of science in the mid-1980s when I first read the debate between Arthur Jensen and Richard Lewontin about race, IQ, and heritability. I couldn’t immediately make up my mind about who was right. However, I noticed something odd about that discussion: while Lewontin was claiming that Jensen’s defense of hereditarianism was motivated by his (allegedly reprehensible) political views, it was actually Lewontin, rather than Jensen, who was often inserting his own politics into discussions about purely empirical issues. I was intrigued.

After studying the debate in more depth, I came to the conclusion that Lewontin’s main criticisms of Jensen were flimsy and unconvincing. Moreover, it seemed to me that the weaknesses of Lewontin’s arguments were not so difficult to recognize. Yet philosophers of science at the time virtually all sided with Lewontin. Many of the leading figures in the field fell under his influence when they were invited to spend time in his lab at Harvard. Tellingly, a prominent philosopher of science told me that

he decided to decline Lewontin's invitation to Harvard because he was afraid that otherwise he might also be impacted by this "guru effect" and that, like his other colleagues, he would be unable to preserve his full independence of mind.

The pro-Lewontin bias in the philosophy of science was expressed in various ways. A striking illustration is how I ran into unexpected troubles (twice) because I had cited the following negative comment about Lewontin from a letter that Ernst Mayr, one of the leading evolutionary biologists of the twentieth century, sent to Cambridge geneticist A. W. F. Edwards in 2003:

Thank you for your letter of 20 Aug [2003] and your reprint about Lewontin's trickery. I had already some years ago called attention to Lewontin's misleading claims. I suggest Lewontin's book *The Triple Helix*. The unwary reader will not discover how totally biased his presentation is. All evidence opposed to his claims is simply omitted! And if you present the truth you are denounced as a Nazi or Fascist!¹⁴

By the time of my communication with Edwards, Mayr had already passed away.

In one case the editor removed this citation from my submission (which had already been accepted for publication), arguing that it was just an unnecessary repetition of the point already made earlier. I disagreed strongly because I thought that quoting such strong negative words from someone like Mayr might jolt at least some philosophers of science out of their uncritical admiration for their biologist hero. I tried to explain to the editor that, contrary to what he was saying, "given both Mayr's stature and also his strong presence in the philosophy of biology discussions, at the very least his opinion about Lewontin would surely be of great historical interest to most readers." To no avail.

In the case of another publication of mine, an editor again insisted on taking out the Mayr citation, this time arguing that keeping it in my text would cross the limit of what "we consider can safely be put forward as a published contribution to the debate." I was puzzled and asked why including it would make the whole thing "unsafe" to publish, but I didn't receive an answer. Mayr was censored again.

During the 2000s I put out a few papers and a book¹⁵ in which I explained why I rejected "the received view" in philosophy of science about the nature–nurture issue. The fact that these writings were accepted for publication in good venues was, I thought, a sign that my arguments had some merit. Particularly because hereditarianism (which I defended) was, and unfortunately still is, often automatically associated with racism and is dismissed.

Arguably, I had a lot of luck too. For example, the editor of the series in which my book was published was a very easygoing, humorous, and atypically nonpolitical guy. His duty as the editor after the extensive peer review (seven referee reports on the initial draft of my manuscript) was to check for possible problems in the final version of my submission. But when I met him at a philosophy of science conference in 2002 he told me that, when I submitted the final draft, he didn't intend to interfere with anything in the text as long as I didn't write something like "XY has a small dick" (XY being one of the philosophers I criticized). And I didn't.

Unorthodox positions on sensitive issues do not always remain undefended in philosophy just because of the fear of backlash. Rather, some philosophers may be quite willing to advocate these views but they decide not to simply because they have good reasons to believe that such articles, even when well argued, might be practically impossible to publish.

A case in point: In the 2000s I thought that there was a clear need for some opposition to the complete dominance of social constructivism in the philosophical literature about race. Yet the orthodoxy had hardened so much that it seemed that such an article had little chance of passing peer review (particularly if it would also touch upon the most controversial question of whether some observed psychological differences between races might be partly due to genetic differences). In a 2008 *Stanford Encyclopedia of Philosophy* (SEP) entry about race,¹⁶ it was suggested that “the biological conception of race is philosophically and scientifically dead.” With such an authoritative source declaring the debate more or less closed, the prospect of bringing back to life what was widely regarded as a (doubly) dead hypothesis (which was also often associated with racism) looked rather gloomy.

Yet, when I received a personal invitation to submit an article for possible publication in *The Monist’s* issue about race, I accepted it because I knew that the editors were aware of my heterodox opinion on race and I supposed that they were OK with it. But my submission was soon rejected (with only a generic explanation), and I was left with an article in which I invested a lot of effort and that was, to all appearances, unpublishable. The unexpected happened, though, and the next submission—to a more prominent journal—was successful. (Incidentally, this turned out to be my most-cited article.)

Another case involves my paper on racial profiling. I had been thinking about writing on that issue for a long time, but particularly at the peak of the Black Lives Matter (BLM) movement, when I thought that bringing clarity to this topic was of paramount importance. However, the support for BLM among my philosopher colleagues was so great that I concluded that trying to publish something critical of this movement in a good philosophy journal would very probably be a waste of time. Therefore, the project did not really get off the ground.

Things changed in September of 2016 when I received an email from philosopher Guillaume Attia, who invited me to write an essay about BLM for his online philosophical journal *The Critique*,¹⁷ which had been launched in 2014. In a short span of time the journal had managed to attract several good contributors and a fair amount of interest among readers. I was still afraid that my submission would be rejected in the end for purely ideological reasons. Was Attia (who was black) really ready to publish something that was bound to invite the ire of BLM as well as its many impassioned supporters in academia? I had to ask him directly, which I did:

I worry that I might invest a lot of time and effort in preparing an essay, only to learn in the end that the editors were expecting something quite different or that they did not like the particular approach to the topic. Is there anything that you could add to your very useful instructions that could make that kind of misunderstanding less likely?

To which Attia promptly responded as follows:

Not to worry. I give a lot of liberty to my writers to write what they want to write about without coercion or pressure to change the topic entirely . . . I am also a firm defender of my writers' freedom of expression. I am not afraid to publish ideas that are deemed "controversial" or "offensive," so I am not one to commission an article then reject it upon submission because the stuff that has been written is sacrilege for one ideological position or another.

Wow. He earned my considerable respect with this attitude. Since I really couldn't get stronger reassurance, I immediately started working on the paper and in several months submitted it. But there was no response from Attia, except a short message to the effect that he was recovering from an illness and that he would reply soon. But he never did. No new articles have appeared in *The Critique* since February 2017. Everything stopped. I am afraid that Attia may have died or something terrible happened. I do hope I am wrong.

But what was I supposed to do with the wretched article? As far as I could see, a single realistic option remained. Among good philosophy journals, to my knowledge, only one has been systematically open to accepting politically controversial articles: the Israeli journal *Philosophia*. I submitted the paper there, and thankfully after a short time it was accepted for publication, practically as it was. *Mazel tov!*

For a long time, the greatest taboo in academia has been questions about racial differences in psychology. But of late the topic of sex differences has been quickly catching up. Some of these issues are addressed in an article about women in philosophy that my then colleague Rafael De Clercq and I wrote together. Around that time our discipline had become obsessed with the sense of guilt springing from the belief that women are systematically treated unfairly in philosophy and that something urgently needs to be done about this. It is, of course, well known that the proportion of women in philosophy has been constantly and substantially below 50 percent. Philosophers started with that fact and jumped to the conclusion that the underrepresentation of women was the result of discrimination. Hastily and without much reflection, various measures were proposed and implemented in order to fight the alleged discrimination: changing hiring procedures, sensitivity training, the SEP urging its writers to make an effort to cite more female authors, an inordinate amount of attention devoted to feminism (e.g., in the SEP), formation of climate committees, and so forth. It was as if a doctor had started treating someone without first ascertaining that the person needed medical attention.

Three pieces of evidence offered in support of the discrimination hypothesis were (1) the low percentage of women in philosophy, (2) the implicit association test (IAT), and (3) so-called "stereotype threat." Rafael and I argued not only that points 1–3 did not support a conclusion of discrimination but also that there was further evidence to the contrary that was usually ignored. The low percentage of women in our field was a mere statistical fact that could be the result of different causal scenarios, with discrimination being only one of the several possibilities.

Therefore, the widely accepted inference that female underrepresentation is in itself an indication of discrimination was blatantly fallacious. We also tried to show that the arguments relying on IAT and stereotype threat were seriously flawed because the studies of these two phenomena were known to be riddled with so many methodological problems that they could not be used as evidence in support of the discrimination hypothesis.

All in all, there was something surreal about this excessive concern for merely possible (but unproved) bias against women in philosophy. Since virtually everyone in the discipline strongly condemned the supposedly massive anti-woman bias, the question arose as to who these numerous “sexists” and “bigots” could be. A widely accepted answer has been that there is implicit bias in philosophy. According to this view, even those who *sincerely* condemn discrimination actually discriminate unconsciously. So, many were happy to demonstrate their concern for the plight of women in philosophy by accepting their own responsibility for the situation, even though there was actually no good evidence for that. It was virtue signaling with a vengeance!

After completing our paper and not receiving strong objections from a number of colleagues (including some who disagreed with our central claim), we were ready to stick our necks out in public. As far as we knew, no one before us, except Andrew Irvine,¹⁸ had publicly criticized the discrimination hypothesis in the philosophy context.

Things did not start well. We received two desk rejections, and one of them was especially discouraging. It was from a philosophy journal with a conservative editor-in-chief, which we had hoped would make it a more hospitable environment for a submission that challenged leftist pieties. Additionally, the editor’s way of explaining the rejection was particularly disappointing. Almost two months after our submission, he wrote in a personal email, “We tend not to publish papers which might not be of interest to the wider philosophical community.” This explanation did not make much sense to us. At the time, it was hard to think of an issue of more interest to the philosophical community than the question of women’s underrepresentation in philosophy. Everybody was talking about it! Hence, we could not rule out the possibility that the real reason for rejection was that even conservative philosophers were uneasy about publishing that kind of paper.

Concluding that the chances of placing our article in a philosophy journal were probably much lower than we had initially thought, we submitted it to *Academic Questions*, a journal published by the National Association of Scholars (NAS), which is widely perceived as a conservative organization. It was accepted.¹⁹ It is possible that the choice of publication venue may have dampened the impact of our article because the fact that it did not appear in a regular academic journal likely made it look partisan and perhaps even biased. There was considerable irony here, for it was precisely because of the bias in mainstream philosophy that we were forced to cast our net more widely in the attempt to find a home for our paper, but then after our article finally saw the light of day it may have been regarded as biased just because it was not published in any of the mainstream journals (to which we stopped submitting because we saw *them* as biased). It was a Catch-22.

In 2007, I published an article in Croatian²⁰ in which I tried to show that the victory of gay marriage was won either by ignoring the strongest arguments against it or by addressing them in their strawman version. Two reactions to that article show how high the emotions run in this debate. A few months after publication, I unexpectedly received the following email from a very distinguished philosopher whose work I respect a lot but with whom I have seldom been in contact:

Neven, I have to say that my heart sank when I saw the title of the piece on your website in which you criticize arguments that defend gay marriage. Of course I couldn't find out what your arguments are, since the paper is in Croatian. But still, I'm worried . . . Since I think that gay marriage would make our society better, I wish you hadn't devoted your considerable talents to debunking the arguments that are out there.

I was very surprised that my article alarmed this philosopher so much, especially given that, on his own admission, he didn't know at all what my arguments were. Furthermore, from the article's abstract (in English) it was quite clear that I didn't even argue against gay marriage but only tried to show that the opposition to it was dismissed without properly addressing the main reasons for resisting it. Finally, his belief that "gay marriage would make our society better" was hardly dispositive, since obviously many people disagreed with that judgment.

A few years later, I received a very different email from a scholar who said he had found my article "quite stimulating" after he had created a rough but, to some extent, usable English translation with the help of Google Translate. He had a Harvard PhD and ended his message (from his Harvard email address!) thusly:

I would appreciate it if you would keep to yourself my admiration of your work. I am sure that you understand this regrettable necessity (at least until I get tenure!).

Regrettable, indeed, but also understandable. This was not the only case wherein someone I didn't know approached me to express support but asked me to keep it confidential.

Some ten years ago I started thinking about writing an article that would catalog examples of famous analytic philosophers supporting communist totalitarianism and other extreme leftist ideas. I soon discovered that there were many more such examples than I had originally thought. The final result of my research was not an article but a book of more than 250 pages,²¹ despite the fact that there remained a lot of material that had to be left out.

Concerning the public reactions of philosophers to that book, it seems that "it fell still-born from the press" (to use Hume's famous words). Why is that? One obvious possibility is that the book was not particularly good or interesting. Another explanation has been suggested by a very distinguished philosopher (himself a leftist, and possibly not of a very moderate variety), who read the manuscript before publication and correctly predicted that it would have little philosophical impact:

In the face of the undoubted truth that a huge majority of the “professional” philosophical community is antecedently left-wing, so to speak, [it] will shout down anybody who questions their orthodoxy. But given that undoubted truth, I wonder who you are writing it for. *It is inevitable that nearly all philosophers will shout it down without thinking*, and not many non-philosophers are going to be that interested. [emphasis added]

There was one minor victory, though. In the book I criticized the principal editor of the SEP, Edward Zalta, who in his article about Frege had written the following:

Unfortunately, his last years saw him become politically conservative and right-wing. His diary for a brief period in 1924 show[s] sympathies for fascism and anti-Semitism.

I argued that the use of the word “unfortunately,” which here implied condemning someone merely because he became politically conservative and right wing, was clearly very biased politically. Surely, I continued, it is hard to imagine that an SEP article about a famous philosopher could contain a similar sentence but with the following left-right inversion: “Unfortunately, X’s last years saw him become politically progressive and left-wing.”

Three months after the publication of my book, Zalta’s article was quietly revised and it now reads:

Unfortunately, [Frege’s] last years saw him become **more than just** politically conservative and right-wing—his diary for a brief period in 1924 show[s] sympathies for fascism and anti-Semitism. [The words in bold were added in the version of March 2017, and two separate sentences from the previous version were now collapsed into one.]²²

14.4. CONCLUSION

What was the main difference between my battles on two different fronts? On the Eastern front, the fight was against a system that was ultimately protected by an undemocratic government and its instruments of oppression. On the brighter side of this struggle, a dissident occasionally earned some respect even from some members of the Communist Party, who were aware that their power was devoid of any political legitimacy. Besides, a number of colleagues at the university, outside of ideologically more rigid departments like philosophy and sociology, found ways to express their support or appreciation, and show that they were on the side of heterodoxy. And this was very rewarding.

On the Western front, by contrast, it is precisely within the ivory tower, among one’s own colleagues, that—when opposing an opinion close to the heart of the majority—one will frequently “feel the gradient of collective alarm and disapproval like a deepening chill as one approaches the forbidden area,” as Linda Gottfredson memorably put it.²³ This kind of strong disapprobation will be more or less inevitable,

and it will often be followed by personal attacks and character assassination. Or, to put it in Seussian terms, you as a dissenter will not necessarily be accused of being as awful as the small-hearted and unreformed Grinch, but you will definitely be seen as someone who rudely disrupts the harmony and contentedness of the liberal Whoville.

How can you solve this problem? I recommend retirement.²⁴

NOTES

1. "Full Text of Stephanie Grace's Email," Boston.com, April 30, 2010, archive.boston.com/news/local/massachusetts/articles/2010/04/30/042010_original_email_harvard_law.

2. Leiter, Brian, "The Racist Email by the Harvard 3L," *Brian Leiter's Law School Reports*, May 1, 2010, <https://leiterlawschool.typepad.com/leiter/2010/05/the-racist-email-by-the-harvard-3l.html>.

3. Hitchens, Christopher, *Hitch 22: A Memoir* (New York: Twelve, 2010), 334.

4. "Dissident," *Merriam-Webster.com Dictionary*, Merriam-Webster, <https://www.merriam-webster.com/dictionary/dissident> (accessed 19 December 2019); "Dissident," *Concise Oxford English Dictionary*, 11th edition (Oxford: Oxford University Press, 2004), 417.

5. Maclean, Fitzroy, *Eastern Approaches* (London: Jonathan Cape, 1949), 402.

6. *Ibid.*, 402–3.

7. Nevertheless, the first of these articles, which was published in a philosophy journal, was barely accepted for publication, with only a one-vote majority. (There was a fear that it could create problems for the journal.)

8. Sesardić, Neven, and Domenico Settembrini, *Marxian Utopia?* (London: CRCE, 1985).

9. Scruton, Roger, "A Magnet That Just Pulls the Wool," *The Times*, February 16, 1985. Emphasis added.

10. As Albert Camus nicely put it, "The first thing to define totalitarian society, whether of the Right or of the Left, is the single party . . . This is why the only society capable of evolution and liberalization, the only one that deserves both our critical and our active support is the society that involves a plurality of parties as a part of its structure." Camus, Albert, *Resistance, Rebellion, and Death* (New York: Alfred A. Knopf, 1961), 161.

11. Papineau, David, "Editorial," *British Journal for the Philosophy of Science* 49(4) (1998), iii. Emphasis added.

12. Papineau obviously had in mind a philosophical orthodoxy that did not have roots in political ideology. And so did I, for at the time when I left Croatia I was not aware of how heavily philosophers suffered from leftist political bias.

13. Quoted in Segerstråle, Ullica, *Defenders of the Truth: The Battle for Science in the Socio-biology Debate and Beyond* (Oxford: Oxford University Press, 2000), 302.

14. Unpublished letter, courtesy of A. W. F. Edwards.

15. Sesardić, Neven, *Making Sense of Heritability* (Cambridge: Cambridge University Press, 2005).

16. James, Michael, "Race," in *Stanford Encyclopedia of Philosophy*, ed. Edward Zalta. May 28, 2008. <http://web.archive.org/web/20100712121700/https://plato.stanford.edu/entries/race>.

17. See <http://www.thecritique.com>.

18. Irvine, Andrew D., "Jack and Jill and Employment Equity," *Dialogue* 35(2) (1996): 255–92.

19. Sesardić, Neven, and Rafael De Clercq, “Women in Philosophy: Problems with the Discrimination Hypothesis,” *National Association of Scholars*, 2014, www.nas.org/articles/women_in_philosophy_problems_with_the_discrimination_hypothesis.

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21. Sesardić, N., *When Reason Goes on Holiday* (New York: Encounter Books, 2016).

22. Zalta, E. N., “Gottlob Frege,” *Stanford Encyclopedia of Philosophy* (1995/2017), <https://plato.stanford.edu/entries/frege/>.

23. Gottfredson, Linda S., “Egalitarian Fiction and Collective Fraud,” *Society* 31(3) (1994), 56.

24. I would like to thank Tomislav Bracanović, Nathan Cofnas, Rafael De Clercq, Zvezdana Dukić, Lena Sesardić, Matej Sušnik, Omri Tal, Jared Warren, and two editors of this book (T. Allan Hillman and Tully Borland) for their very useful comments on earlier drafts of this paper.

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15

The Humbling of an Impatient Cosmopolitan

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In high school and early college, I thought of myself as a Democratic Socialist. After taking time away from school, I came back as a centrist Democrat. By the time I entered graduate school I was self-identifying as a Republican, and during my time as an academic, I have been looking for a home somewhere among the increasingly fraught and fractured right.

This essay is neither an outline nor a defense of my political philosophy. Rather, it is an account of some of the experiences and realizations that made me ask different kinds of questions and motivated me to find a political philosophy that dissented from the left.

15.1. A JOURNEY TO HUMILITY

When I dropped out of college, I didn't think I would learn anything from working somewhere. Sure, I'd pick up some "know-how" at something I wasn't interested in. But all my real learning would take place in the books I'd be consuming.

Besides, I already understood the world of business. As profit-making machines motivated by greed, businesses exploited their workers, capitalism created highly unstable conditions of boom and bust, and the whole system basically promoted an ethos of selfish lawlessness. There was, to my mind, an inescapable ugliness in raw consumerism. I hadn't made any sort of comprehensive study of these defects in comparison to defects of other systems. Such a comparison would have missed the point: the defects I could see were certainly not *necessary*, so it was perfectly legitimate for me to conclude that America could do better.

I held a number of different jobs: I worked as a waiter in a diner, as a salesclerk in a pornography store, as a bartender, as a clerk in a small antique store, as an office assistant for a small legal defense firm focused on DUIs and drug-related cases, and then as a records analyst for a magazine distribution company.

There wasn't a single moment when my mind changed about the world of business. But there were certain themes that slowly began to change me. I had begun with an assumption that the world of business was constituted by organizations that were similar to one another, and that each of these in turn was defined by a fixed number of well-defined jobs. Every business was a coherent, well-demarcated social machine.

In the small businesses I worked at, however, that was not the case. There couldn't be well-defined jobs in the antique store because the challenges the store was facing were constantly changing in ways that no one expected. What kind of antiques could be found that month? Could we find our best customer the sort of vase she wanted? Should we try selling china online through eBay, or would that be pointless since large online antique china dealers were well established? Was it time to relocate the store to a better location given that a competitor was opening down the street? Could anyone work overtime next weekend to organize an estate sale? One day I'd be with customers. The next day I'd be working on a computer program to track inventory. The next day I'd be carrying furniture from an estate. The next day I'd be trying to figure out how we could pay for a \$130 increase in payroll taxes. Then I'd be mopping up from a leak. And it wasn't as if I was the only one caught in the daily whirlwind. The owner of the store was working very hard to keep the place afloat. I have vivid memories of tears coming to her eyes when it was time to pay me and there wasn't enough money in the account.

The antique store was an extreme case, but a version of this same story played out at every job. Each little business was constantly besieged by a level of complexity, change, and even chaos that could never be mastered or contained, only responded to. Any attempt to have set, predefined job roles would be futile. The only way for these little organizations to survive was to have some number of employees just coming to work and putting out the fires of the day.

That was my first humbling: I had believed that businesses were well-defined machines responding to a well-defined, straightforward reality. While successful businesses may make it appear that way (much in the way a professional golfer makes golf appear easy), I learned that such ease is an illusion. I had grossly and egregiously underestimated the level of complexity that organizations must face and had in no way appreciated why 50 percent of all small business fail in the first year, and why 90 percent fail within ten.

This was closely related to my second humbling. I had always been a star student. In my own mind, certainly, I was the smartest one in the room. And even though I didn't expect to be honored for being a great employee at the places I worked, I assumed that, of course, everyone would see how intelligent I was and would, of course, want to consult me when difficulties had to be figured out.

But what quickly became apparent to everyone who worked with me, and what even gradually dawned on me, was that I didn't really know anything about what was going on. It was not that I was talking over people's heads, using terms far too sophisticated for them to understand. It was not that I was exercising long trains of deduction that they couldn't follow. The truth was more brutal than that. I literally didn't know the world. I didn't have a repertoire for recognizing key aspects of the realm I was in, and I didn't know which concepts I should be applying in the first place.

And that realization didn't take place simply by me feeling inadequate: it also happened by confronting people who *did* know things I did not. At every place I worked, there was some trusted and respected "go-to" person who was in the know. It wasn't necessarily the person at the top or with the most impressive title. But every business had some key employee to whom everyone turned when there were problems. At the magazine distribution company, I constantly heard "ask Angie." Angie didn't have impressive degrees. I have no idea whether she was a reader. But she was a savant of a sort. She had a kind of genius. I doubt there could be a test for her skills. She could, however, straightaway assess your competency and instantly judge good ideas and bad ones, and she knew every code and solution and combination. She was incredibly impressive.

What's more, the Angie phenomenon kept happening. Indeed, it slowly dawned on me that every business had to have at least one go-to person—at least one Angie. In fact, I began to think that every human organization able to persist through time must have someone of this type of genius, and that however much intellectual success I may find in X, that in no way meant that I would know, or be smart in, Y.

These are lessons I am still being taught. I am chair of a small department of only twelve faculty—and yet I would say I understand maybe 10 percent of what takes place here. Every day I am confronted with dozens of emergencies, odd twists and turns, unexpected hiccups, and fires that have to be put out that I didn't even know were burning. My small department faces such different issues than larger ones; my humanities department functions so differently than STEM ones do. Few generalizations apply. There are no obvious weapons that can be used for all of our battles, and yet we are always campaigning.

So it is that I no longer talk about "business" and am incredibly wary of generalizing about "capitalism." I talk about specific businesses or make qualified claims about specific groups of specific kinds of business. I no longer talk about a "system." I think instead of the plight of individual entrepreneurs and fragile organizations doing all they can to manage the unexpected. When I drive down a street, I certainly don't see ugliness or greed. Even if the aesthetics are shabby, I feel a sense of sympathy and common cause. And I'm overcome with a deep sense of respect whenever I see panicked employees frantically asking, "Does anyone know where Angie is? Where do we keep her number? Can you get hold of her right now?"

15.2. THE COSTS OF REGULATION

Once I became aware of how difficult it was just to keep a business (or any organization, for that matter) running, I also became far more aware of the immense difficulties and costs involved in regulating or controlling such organizations. When I was younger, I imagined that when, say, \$100,000 was taken from a rich person or corporation to be redistributed, \$100,000 (or at least something very close to that amount) would go to those who needed it most. But this is not the case: there are three different costs which will cut into that tax.

First, there is what we might call the *transmission* costs of moving that money. Obviously, these include the costs of hiring people to move the money from private accounts to government accounts. But, additionally, you will need to hire a significant number of people who can search for the money since the very rich will pay very smart people to hide it in very clever ways. Moreover, there is the well-known phenomenon of people simply producing less of whatever will be taxed—reasoning that since it will simply be taken away from them, they shouldn't bother in the first place. Third, you will need an entire infrastructure of people who have the capacity to distribute the funds in an efficient way to those who genuinely need it.

There is nothing mysterious here. These sorts of transmission costs are well known, and in my youth I was completely confident that these costs were well worth paying. What I didn't realize until I worked in several small businesses, however, was that even when a taxing authority did locate money, it could easily happen that upstanding citizens could sincerely believe that they were being taxed erroneously. The sheer complexity of tax and legal codes, coupled with the sheer complexity of the world, opened my eyes to the almost infinite number of ways even well-intentioned people may disagree on whether, and how, a law or tax code might apply. What happens in such situations? Someone has to deal with that complexity. So, there must be legal experts paid to lawfully prosecute those who are contesting. Moreover, that contest itself presumes a court of law, which will in turn require paying judges and arbitrators to resolve the dispute. Beyond transmission costs, in other words, there is what we might call *adjudication* costs. These are not just monetary but also psychological since business owners—especially those who end up in such conflicts because they couldn't afford full-time compliance officers—now find themselves ensnared in a high-stakes, stressful, foreign realm.

But these considerations still grossly underestimate the overall cost. While transmission and adjudication costs are large, they pale in comparison to what I'll call the *sociological* costs of regulating. Taken together, the transmitters and adjudicators will form a bloc that, over time, sees itself as a *distinct unit* in the social order with its unique shared interest. Understandably, like those in any organization, these people will develop an *esprit de corp*, act on behalf of their own shared interests, habituate themselves to a cultivation of these interests, and create a unique subculture conducive to their point of view. Regulation never enforces itself through a neutral and frictionless machine. It is always conducted by community-forming humans who,

battling together and sticking up for one another, will eventually take themselves to be offering a unique and indispensable contribution that deserves a “seat at the table” whenever important allocations are being made.

I’ve here used the example of money collection because it is the most familiar and discussed—but the point I’m making is broader. I’m not really talking about money or taxes at all. Any collective initiative aimed at regulating citizens’ actions will involve some version of these three costs. In fact, this is one of the great lessons I have learned during my time as an employee in higher education. Pick any initiative, or any attempt to regulate campus life—from technology initiatives to inclusion initiatives to assessment initiatives—the topic doesn’t matter. In all these cases, there will be transmission costs since you first must hire people to advocate for and carry out the initiative. Second, you will have adjudicative costs: great time and energy will be devoted to identifying students, staff, and faculty who could be improved by the initiative, and then navigating those who, even in good faith, insist that they need no such improvement. And, third, you will have the sociological costs that arise from creating a “unit” on campus that sees itself as a distinct group apart from the rest—a unit with that all the others in the university must jockey and negotiate with.

These are the costs of any collective initiative. None of them are sufficient, by themselves, to justify the conclusion that a given initiative should be dropped. There can be goods from regulation that are so great that these costs *are* worth paying. Indeed, I don’t consider myself a political libertarian precisely because I believe there are social goods well worth these regulative costs. In an antagonistic geopolitical world, I firmly believe that the United States needs an industrial policy. And I also believe that social tranquility requires governments to support safety nets of various kinds. Besides, capitalism itself drives regulation since very large businesses themselves will push for the creation of stable, regulated environments in which they can make secure investments (not to mention seeking profit through rent-seeking when that strategy would maximize returns to shareholders). The question isn’t whether there should be regulations at all, but instead which ones there should be.

But none of this changes my broader point: if you are in the habit of backing regulating initiatives without factoring in all the costs—the costs of transmission, adjudication, and sociology—you are taking a *monumental* risk. Indeed, when we are talking about how regulating initiatives will play out in a political community, the risks take on an altogether different character. A political community is always constituted by rulers and the ruled—and creating a sociological group that thinks of itself as a distinct regulating clique in this kind of environment has all sorts of ramifications.

Admittedly, some of these ramifications are not worrisome—indeed, they are so common that it would be foolish to fret over them. Every political community produces rulers and minor officials who think of themselves as some sort of elevated class. And everywhere, and at all times, some number of those in the upper echelons of such a hierarchy will be tempted to adopt annoying and petty vices: some will make their lives less stressful by being opaque in a self-serving way; some will indulge

in the pleasurable rewards of arrogance. Virtue is a rare and difficult achievement, and it would be unreasonable to expect otherwise in a ruling class. Moreover, it seems inevitable that those within this group will cultivate elitist traits to distinguish themselves. There will be an emergent “court culture” sociology: power will be associated with certain values, certain ways of life, and certain ways of talking that designate membership. There is nothing unusual about any of this—all governing classes, of any place or time, will exhibit such traits. Such developments are simply baked into the cake of intra-communal relations that make up a political realm.

But what is not inevitable is the turn from the democratic way of handling the divide between rulers and ruled—with citizens warily supporting and yet constantly contesting and testing the mettle of the ruling group—and what strikes me as the blatantly oligarchic way of openly embracing, protecting, and then strategically enforcing the divide. Looking back over the years, I now see that, in many ways, I’ve been reacting against and responding to different aspects of what I believe is an oligarchic mindset making its way into the fabric of post-WWII liberal democracies.

15.3. FOR THE GOOD OF WHOM?

When I started college in 1992, I sincerely believed that, for those on the left, “human rights” played a special role as an ideal in ethical deliberations. By acknowledging rights, I took it that we were witness to more than a mere pedestrian weighing of pros and cons. When declaring a human rights violation, this was no mere acknowledgement that people were being harmed; on the contrary, it was a declaration that something had happened to these victims that required and obligated the rest of us do something about it. In my mind, this was not only an ethical ideal but also a key principle underlying a commitment to democratic equality.

But events kept taking place that made me increasingly skeptical about whether anyone, on the right or left, really thought about rights in this way. Two events stand out.

First, the failure of any liberal democracy to intervene in the 1994 Rwandan Civil War in any meaningful way made a powerful impression. I wasn’t naïve; I knew full-well that flawed, real-world decision makers and countries often fell short of high ideals. But the response to Rwanda clearly wasn’t that sort of typical shortcoming: for it is one thing for countries to fall somewhat short of perfection; it is an altogether different thing for there to be no response at all. It was particularly astonishing to me because the response needed was so miniscule. The UN official on the ground wasn’t requesting tanks, planes, or advanced military technology. Instead, he was requesting only that foreign states send a few hundred troops to help stop the massacre.

Second, in response to comments I had made in class, one of my undergraduate professors recommended that I read the *Black Book of Communism*.¹ I began wondering why I had heard so much about the human rights violations perpetrated by fascists and so little about those perpetuated by communists. The universality of human rights required that all such violations were worth discussing and highlighting equally.

Neither of these two events led to any sort of “liberal mugged by reality” conversion experience (not even actually being mugged at gunpoint in 1994 did that). But both left me feeling unsettled and unnerved, perhaps vaguely worried that something was off-kilter with the entire framework through which I was interpreting the actions and aspirations of political communities.

There were many other events that increased my wariness, but I suppose the final straw was watching, and then reflecting upon, the response of the left to the 2003 invasion of Iraq. During his reign, Saddam Hussein murdered (often in grotesque and demeaning ways) something in the neighborhood of 200,000 of his own citizens, started a strategically bizarre war with Iran in which around 500,000 people lost their lives, and then also irrationally invaded Kuwait, which led to another 25,000 deaths. With Hussein’s former actions in mind, I was disheartened by the role that human rights played in debates about the US invasion and occupation of Iraq. It was clear to me that the human rights of the 700,000 people who died under Hussein (much like the rights of the 90,000 massacred in Rwanda) counted for little or nothing in the discussions about actual actions taken. By contrast, the rights violations that warranted criticism of the United States in international arenas, or that justified criticism of the Bush administration in domestic settings, clearly counted for a great deal. My conviction that moral leaders accepted the universality of human rights; that they acknowledged an obligation generated by human rights violations; that they were sincerely motivated to prevent future genocides no matter where they occurred, slowly dissipated like morning fog.

This isn’t to say that I jettisoned the notion of human rights in my own thinking. But I had become intensely aware that, whenever leaders consider taking action, even the staunchest advocates of rights rank violations, factor in the financial and political costs of acting, and weigh the trade-offs of ending a given violation vis-à-vis those associated with other possible actions. Now I could understand why the human rights violations perpetrated by American soldiers at Abu Ghraib counted for far more than those perpetrated by the Ba’ath Party during the Al-Anfal campaign: the former were more useful to the media and those who wanted the Bush administration weakened. Now I could make sense of why those who sincerely feared the rise of contemporary fascists more than communists highlighted violations of rights by Hitler rather than Stalin or Mao: academics believed that lessons of the former were more relevant for contemporary actions. Grasped in terms of a costless principle, perhaps those divergent commitments seem inconsistent. But in the realm of practical principles, there is no inconsistency: operationalized human rights are items in the straightforward benefit/cost calculations of a particular actor in a time and place who will rationally prefer the near, cheap, and safe over the distant, expensive, and risky.

Over time, such thoughts led me to mull over different kinds of questions. In the face of a human rights violation, who, exactly, should be the one to act? Why should that community act on *these* particular violations as opposed to others? Who, specifically, would benefit from these actions? Who, in particular, would be harmed? As far as I could tell, those were the actual questions being asked by decision makers

across the political spectrum. And so I, too, began to ask: When my own political community acts, whose good, in particular, should be promoted?

I confess that, all throughout my time as an undergraduate, the gravity of that question hadn't much troubled me. From a young age, I had been intensely interested in science, and I had been brought up in church hearing that Christ had died for the sins of everyone. Perhaps that is why I so readily defaulted to thinking about people in nontribal, ahistorical, and universal terms. My concern for the poor and downtrodden knew no boundaries, and neither did my appreciation of others. Why not appreciate the poetry of Rilke as well as that of Indian mystics? Why not love the food of Italy but also cultivate a taste for the cuisine of Japan? Humans everywhere contributed things of value to the world, so surely humans everywhere had value and deserved to have their good promoted as much as anyone else.

Yet just as the efficacy of universal rights talk seemed increasingly hollow to me, so, too, did this appreciative humanism seem less and less relevant to civic decision making and political action.

Obviously, one can appreciate many kinds of art, but on a limited budget you cannot visit every museum—so you must look for different criteria to rank them. One may appreciate all sorts of music, but your ears cannot listen to everything, so you must find new reasons to pick which albums you will buy. Your closet cannot house all clothing styles, so you will have to determine in a distinct way which pieces will be placed in your closet. The question of whether one appreciates something is a yes/no question of a certain sort, but the question of why one appreciates some specific thing more than some other specific thing requires a completely different sort of explanation. Answering this latter question is no mere application of appreciation; it involves finding entirely new reasons. Until one articulates those reasons, deciding among particular options is impossible.

To me—as an individual psychology existing in a particular body, who was trying to make specific choices concerning museums, music, and clothes on a graduate student budget—this was perfectly obvious. Why, then, hadn't it struck me as equally obvious that my particular political community, existing in its own specific historical time and place, would need to make civic decisions in much the same way? I certainly appreciated the struggles of different citizens across the globe and sincerely valued those caught up in them—but why hadn't I been thinking about the distinct criteria and reasons that should be used to rank those struggles when it came to my own community deciding to embark on one specific course of action instead of another?

In fact, when I thought about “my particular community,” what was it, exactly, that I even had in mind? Around the time I first started pondering this question, a friend recommended that I read David Hackett Fischer's *Albion's Seed*,² which concluded that early American colonists comprised four very distinct cultural groups by documenting twenty-six different customs and typical ways of valuing things that distinguished them. I couldn't help but wonder whether there were such “folkways”

that also marked me as a member of some culture. The answer wasn't clear. I had been born in Colorado but had lived in seven different cities in very different regions of America. How was I to integrate all of those divergent experiences? Was I related to America in anything like the same way that my psychology was related to the body in which I was born? Or was I to think of myself as quite removed from all such communal attachments? But to where, exactly, would I be removing myself? Surely, I was a member of a particular "body politic" in some sense. But which body? And in which sense?

Along with such questions, memories bubbled up from the past that made me feel alienated from my earlier high school and undergraduate attitudes. For example, I remembered how, when driving across Montana, intently listening to NPR or music or books on tape, I had never stopped to visit the Crow or Northern Cheyenne Indian reservations I repeatedly passed by on I-90. I recalled a time when I was hustling down a busy city street to meet with a representative from Oxfam International, carefully stepping over sleeping panhandlers on my way. I recalled an episode from my time as a computer programmer at a city government when a fellow worker exclaimed, "I can't believe I spent all those years participating in model UN competitions only to end up here!"—and I had unthinkingly blurted out, "Oh, I *know*!!!" with such force that we both started laughing. There were many more such memories.

I didn't feel ashamed of those former reactions. It wasn't as if I didn't care about those around me, too caught up in distant causes to recognize the plight of those before me. I had always had a great deal of sympathy for those who were struggling, and my political views reflected my commitment to fight on their behalf and to be part of a common cause.

But now, as a graduate student grappling with my past sensibilities, I was confused. It seemed that when I had attempted to sympathize with everyone, in a deep way I had avoided empathizing with any community in particular. In the past, feeling such empathy for one group would have struck me as abandoning some other group. In the past, that would have seemed prejudicial. In the past, that would have seemed unprincipled.

It no longer looked that way. By not casting my lot with anyone, it increasingly seemed as if I had been the prejudiced one—biased toward whoever might be powerful enough to affect nearly everyone. By not identifying with any one way of life, it seemed that I was the one who had been unprincipled—having no principle of action to replace a costless, universal appreciation. It was as if I had been going through life much like a well-meaning Roman administrator visiting far-flung territories of a vast empire. I was unfailingly considerate and sincerely believed that "we" could do better. But it was as if, unconsciously, I simply took it for granted that I was a representative of some remote sovereign that, from distant commanding heights, could wield power to make things right. My reflections presumed a view of communities as so many potential constituencies, never settling on an answer to the question "for the good of whom?"

15.4. THE BIMODAL EDUCATION

This long period of confusion didn't bother me, and so the fact that I didn't know how to think about "my community" didn't worry me. After all, I was a philosophy student, and philosophy seemed the natural home for someone pondering these sorts of questions. However, it dismayed me how little I had ever been encouraged to think about such questions. In fact, once I began teaching my own classes, this increasingly struck me as downright incredible. Over the years, I had probably been taught genetics in different science classes five or six times. Again and again and again, I learned about the processes by which organisms inherit genes that express themselves in those organisms' lives. How was it, then, that I had never really been instructed on the ways in which political communities inherit their cultures, constitutions, and civic lives? How could I have attended good public schools all of my life, but never have been asked directly (let alone repeatedly) to think about the nature of this "public" thing and my relation to it?

My dozen years as an academic have helped me formulate an answer to this question. Even though those working within higher education may not think of it this way, education often functions as a kind of gatekeeping device, determining who will make it into some stratum of the middle class. This isn't only because it dispenses knowledge and provides skills thought necessary for many good jobs. It's also because school acts as a socializing gauntlet. Through explicit directives and implicit suggestions, students learn that they'll need to be a certain kind of citizen, with a certain kind of character and outlook, if they are to be taken seriously by members of the status group to which they wish to belong.

Although overly simplified, it's useful to contrast two basic forms that such a civic education might take. In one form of education, you will learn the *refined* versions of the things with which you are already familiar in your community. You will confront deeper and more systematic versions of what you heretofore only believed in a shallow and scattered way. You will use words like "clarifying" and "edifying" to describe your education. By contrast, here is a rather different form of education: you will learn that the community with which you are familiar is broken. You will come to understand that it needs to be *rejected* and *transcended*. To describe this sort of education, you will use words like "disorienting" and "destabilizing." These are two paradigmatic extremes: every real-world instructor, class, and institution offers some blend of the two. Nevertheless, my own experience has been that most faculty in American higher education strongly prefer the latter mode. What is driving this preference?

Many campuses do seem to feature a small group of self-identifying revolutionaries who believe that all hierarchies should be leveled, and who don't believe that positive ideals should be posited until after all structures have been destabilized. But the more common motive is the belief that familiar America is not merely flawed but is instead in some profound way hopelessly unjust. Educators make students feel that fixing America by degrees, or only in certain respects, or only in

certain ways, would be a waste of time. Indeed, such piecemeal approaches would only be suitable for those who do not have the aptitude to appreciate the injustice of a fundamentally rotten “system.”

By itself, that message would leave students feeling gloomy, sad, and anxious. Moreover, it would seem to inspire little more than paralysis and a shrug of the shoulders. It could lead to retreat. It could lead to quietism. But this is not what happens precisely because students are not simply given the “whole system is rotten to the core” message but also offered a positive vision: the ennobling path of upward mobility to transnational, *global* citizenship. Since there is no such thing as global government, what being a global “citizen” ends up meaning is thinking and acting as a global-oriented human—that is, having a certain type of character and outlook. This is someone who has a passion for global travel (and who gripes about mere intranational trips), who fights for global causes (and who sees local fights as pointless feuds in the backwater), and who takes pride in a transnational cosmopolitan identity (and who thinks of developing one’s identity in terms of a particular place as provincial). As far as their civic education goes, then, we offer students a bimodal directive: we habituate them to recognize the injustice and provincialism of the familiar, and then simultaneously inspire them with the glories and excitement of the international.

Now it is worth stressing that education has always had a strain like this. The conflicts between “town and gown,” between those living a life in a specific place, and those using their mind to transcend the particular, stretch back throughout the history of academies. But the new, global version of that old and timeworn contrast has a distinctly different valence. First, whereas the “gown” of the academy traditionally involved accepting a life of genteel poverty, every bright and ambitious undergraduate quickly perceives that the ideal of global citizenship can only be operationalized as part of a lifestyle of affluence. Cosmopolitanism simply *cannot* be lived for households making \$58,000 a year in rural America. This is a social philosophy that cannot be lived or experienced by the working class except as a reminder of how they have failed, as a reminder of what they are not. In a social context, “global citizenship” must be operationalized as an ethos of preferring the things of wealth over those available to the lower classes.

In times past, perhaps such a preference for experiences that only wealth provides might have been coupled with a desire to become ever more enriched in one’s own culture: once proper means were available, successful citizens could enjoy, and become patrons of, the best version of what the familiar norms prescribed as ends worth pursuing for their own sake. But, remember, our students are trained to view such aristocratic sensibilities with relentless suspicion. The customs of their nation are irredeemable, unjust, and shallow. So, unless they can somehow find satisfaction in flying around the world to indulge in bits of scattered culture, the bimodal education leaves students with only one overarching and long-term sense of purpose: to use their wealth and power to fight against what is familiar.

15.5. DEMOCRACY AND PHILOSOPHY

What kind of political attitude will such a character espouse? What good faith and sincerely held outlook does the successful (or aspiring) globalist adopt when he or she enters the realm of dispute and contestation?

I think the answer is insatiable and implacable *impatience*. When I was a high school and undergraduate student, I see now that I was expressing one (almost comically stereotypical) version of such impatience. I was aspiring to be the sort of person who would (somehow) rise above the tedious back-and-forth of politics and instead champion the universalism of science and humanism. But that isn't a political attitude as much as it is a way of bypassing politics. Within the political realm, and especially among those within the regulating clique, this impatience takes on a distinct trajectory: a preference for nondemocratic processes that too readily accommodate domination.

Signs of this proclivity among those in our political institutions are hard to miss. When some issue or symbol is deemed unjust, no one with political aspirations waits to convince the bulk of citizens that the community should take action: you just make a name for yourself by ripping the thing down. And even if, on some incredibly rare occasion, the inconspicuous people outside the ruling clique are allowed to vote on a truly contentious and transformative issue, the impatient elites will dismiss the vote as illegitimate if the outcome is an impediment to their transformative goals. Moreover, regardless of whether you agree or disagree with any specific decision, it is no coincidence that so many fundamental social and political decisions—decisions about who we are as a people, what it means to live in a country, what the most basic priorities of government should be—are now made by judges rather than voters. But at least such judicial decisions are written down, put in argumentative form, and then put out for public consideration. The way in which legislative power has moved from Congress (which even at its best was only somewhat democratically accountable) to the far less accountable, far less transparent, technocratic structures of the administrative state is perhaps the most antidemocratic, antirepublican development of all. Incredibly, in some elite quarters, there is now even open encouragement for unelected and unaccountable officials to take matters into their own hands and act as an imperial praetorian guard, using formidable police and surveillance powers to intervene in politics and attack leaders who might thwart preferred policies.

Of course, like everyone else outside the corridors of power, I am only one more helpless observer watching how these grand and distant political dramas play out on the national stage. But, closer to home, in my everyday struggles as a department chair, I'm witness to this political impatience flowing into the administrative veins of higher education. In fact, while I cannot predict exactly how it will play out, or when it will happen, I see no way of avoiding the pessimistic conclusion that political impatience in higher education will be the death knell for the academic study of philosophy.

The obvious problem, of course, is that philosophy as traditionally understood takes time and energy away from the primary political goal of fundamental social transformation. When impatient students arrive on campus, they already have a philosophy. Their concern is to figure out how to be agents of change from a position of elite power, not to probe the merits of their (or anyone else's) philosophy. What's the point of thinking about the world when the point is to change it?

But that problem, all by itself, won't kill academic philosophy, for the discipline can still (and now increasingly does) sell itself as helping the cause. Philosophy can shed its "dusty-book" image and downplay all the old and canonical questions of ethics, metaphysics, and epistemology. Philosophy can emphasize that it helps students to think critically (especially about those who would get in the way of progress) and consistently (about their own views). Philosophy can thus signal that it (just like the English, history, and special studies departments) has transformed itself in order to do its part in promoting progressive social transformation.

It is here, in the impatient race to prove that philosophy is a bona fide member of the politicized humanities team, that the gravest threat lies. Consider the bureaucratic incentives set up by this transformation. Unlike the sciences, which can bring in funds from large government and corporate contracts, humanities departments depend almost solely on administrative decisions about distribution. Imagine how the constellation of humanities departments will appear to those in positions of senior leadership. Even the most well-intentioned administrator will look out and see a large number of humanities professors (1) who all say they are working for the shared end of social justice and global citizenship, (2) who all say they have no loyalty to idiosyncratic disciplinary norms that might stand in the way of this goal, and (3) who are expensive given that they oversee (comparatively) fewer and fewer majors.

What will happen? All the distinct humanities departments will be collapsed into one large "Department of the Humanities," led by a provost or chair devoted to the common political goal they all espouse. And when times are tough, and belts need to be tightened, I can guarantee that it will be *this* non-revenue-generating Department of Humanities that will be hit first. Indeed, it's easy to imagine a world in which universities consist of nothing but independently funded science research centers that will have no use for the humanities, perhaps aside from requiring their students to take a few such classes to document their political and social capital.

In this environment, philosophers will be on particularly thin ice. The social science faculty may be polite to you in committee meetings, but as soon as you leave the room, they'll whisper that the humanities folks don't really know how to measure whether their students are making sufficient progress toward the shared political goal. Of course, when under pressure, you will give PowerPoint presentations featuring Raphael's *The School of Athens*, and you'll reiterate the old chestnuts: you will insist that by offering philosophy classes you are helping students to challenge assumptions, to develop critical thinking skills, and to communicate clearly and effectively. But in the new Department of the Humanities such claims will fall on

deaf ears. These are, after all, the same arguments that *all* the humanities professors are making. But, worse, it won't be clear to anyone that philosophy promotes transformative justice and globalism in any efficient way. Is it really clear that pondering obscure metaphysical doctrines is a *uniquely* good preparation for global citizenship? How will your work compare to that of your colleagues publishing on “the school-to-prison pipeline”? How will your interactions with students stack up against faculty who take their students to China each year?

That will be the cruel irony. The most impatient academics dismiss canonical questions as shackles and impediments—but they will discover that this tradition was the only bulwark and barricade against organizational efficiency. They will eventually realize that being part of a long tradition of questions provided an independent norm, a slowly changing thread that made philosophical inquiry distinct, made it unusual, made it renowned, gave it a cachet and respect, and allowed it to be defined as its own thing. It gave people outside of the academy a self-sufficient tradition that they could consider and appreciate on its own terms.

Philosophy will, I suppose, survive in some sense or another. Particularly influential bureaucrats and power brokers may occasionally deign to invite a philosopher to do some conceptual janitorial work. At least part-time. On a short-term contractual basis. And I think that people at the very top of every organizational structure will continue to confront the fact that the first principles by which they guide their decisions are being chosen vis-à-vis different, alternative first principles. That is, elites at the top will naturally reflect on the principles they should be drawing on when exercising their power. Perhaps, every once in a while, such a figure will even be a philosopher—a modern-day Marcus Aurelius.

Maybe there will also be a third type: people who turn to philosophy as a last resort—as a refuge for those who have fallen afoul of the political regime. The philosopher will be an outlaw and outcast.

NOTES

1. Courtois, Stéphane, et al., *The Black Book of Communism: Crimes, Terror, Repression*, Jonathan Murphy and Mark Kramer (trans.) (Cambridge, MA: Harvard University Press, 1999).
2. Fischer, David Hackett, *Albion's Seed: Four British Folkways in America* (Oxford: Oxford University Press, 1989).

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From Democrat to Dissident

William F. Vallicella (Gold Canyon, Arizona)

Like many conservatives, I didn't start out as one. My background is working class, my parents were Democrats, and so was I until the age of forty-one. My father was a welder, my mother a telephone operator. I came of age in the 1960s. One of my political heroes was John F. Kennedy, "the intrepid skipper of the PT 109," as I described him in a bit of fifth-grade hagiography. I supported the civil rights movement. Musically, my heroes were Bob Dylan and Joan Baez. I took up the guitar at thirteen and soon sported a Dylan-style cap and harmonica rack. I thrilled to "Blowin' in the Wind" and such other of Dylan's civil rights anthems as "Oxford Town" and "Only a Pawn in Their Game." The latter two are, respectively, about the federally ordered desegregation of the University of Mississippi and consequent matriculation of James Meredith, and about the murder of Medgar Evers. A teenager open to the *Zeitgeist*, I read the left-wing press, including the new left's *Ramparts* at the time when David Horowitz was a coeditor. This was of course before he had his second thoughts.

In the 1960s, the left acquired power and moral authority when it fought the good fight against racism and segregation. The civil rights battles were fought and won, to the extent that they could be won by such legislative action as the Civil Rights Act of 1964 and the Voting Rights Act of 1965. The liberals of those days should be given credit for forcing America to live up to the ideals enshrined in her founding documents. But power is intoxicating, and the activists who came into power in those years of ferment naturally desired to hold onto it and expand it. The power proved to be not only intoxicating but also corrupting. To maintain their power, as wrongs were righted, leftists needed to find and sometimes invent additional wrongs and additional threats to the nation's moral legitimacy. The fight for equal rights became a demand for unequal concessions as the party of JFK liberals became the

destructive leftists they are today. The quest for racial justice gradually became a race hustle. Affirmative action in its original sense soon gave way to reverse discrimination, race-norming, minority set-asides, identity politics, and the betrayal of Martin Luther King Jr.'s dream that people be judged "not by the color of their skin but by the content of their character." *E pluribus unum* was replaced by tribalism and multiculturalism. The liberals whose touchstone was toleration became illiberal and culturally Marxist. Despite the febrile complaints of some leftists, "cultural Marxism" is a useful term that picks out a genuine cultural phenomenon, besides collecting "wokeness," identity politics, tribalism, social justice, and political correctness under its umbrella. But what is cultural Marxism?

16.1. CULTURAL MARXISM

For Karl Marx, the history of all hitherto existing societies is the history of class conflict. In market societies the two main classes in conflict are the bourgeoisie and the proletariat, which stand to each other as oppressor and oppressed. This is not a conflict that can be mediated: it can be overcome only by the defeat of the oppressors. Herein lies an important difference between (classical) liberalism and Marxist leftism.¹ For the latter, politics is war, not a process of bargaining and accommodation based on mutually accepted norms between parties with common interests and a desire to coexist peacefully. Failing to appreciate that leftists embrace what could be called the converse Clausewitz principle—namely, that politics is war conducted by other means—puts classical liberals and conservatives at a disadvantage. They cannot bring themselves to believe that their political opponents are enemies who will do anything to win and are impervious to charges of "double standards" and "hypocrisy." These conservatives allow their virtues to hobble them in their fight with enemies who reject conservative values but use them Alinsky-style against conservatives (as Saul Alinsky says, "Make the enemy live up to its own book of rules"²). Conservatives are at a second disadvantage in that they are political part-timers who understand that the political is a limited sphere, whereas leftists are full-time agitators beholden to the totalitarian conceit that the political exhausts the real. The left is totalitarian in that "to realize its agenda the left must invade and dominate the sphere of private life."³ And this they do increasingly.

Cultural Marxism—retaining both the oppressor-oppressed motif and the belief in the intractability of social conflict—moves beyond classical or economic Marxism, not only by jettisoning the discredited labor theory of value but also by widening the class of the oppressed to include blacks and other "people of color," women, male and female homosexuals, bisexuals, transsexuals, Muslims, immigrants legal and illegal, and others deemed to be victims of oppression. Correspondingly, cultural Marxism widens the class of oppressors to include potentially all whites, males, heterosexuals, and religionists (Christians mainly⁴), regardless of their economic status. Thus, within the ambit of cultural Marxism, a working-class heterosexual Christian

American southern white male ends up among the oppressors regardless of any apparent beliefs or actions to the contrary. Such are Hillary Clinton's deplorables and irredeemables, and those about whom Barack Obama said, "They get bitter, they cling to guns or religion or antipathy to people who aren't like them or anti-immigrant sentiment or anti-trade sentiment as a way to explain their frustrations."⁵

Classical Marxism viewed conflict as class conflict and isolated the ruling class as the root of evil, eradication of which would allow man fully to realize himself and free himself from alienation. While retaining the idea of irreconcilable conflict, cultural Marxism replaces or perhaps supplements the ruling economic class with "the patriarchy" or the "white male oligarchy," or more abstractly with the hidden dark powers of "institutional racism" and "white supremacy," which work behind the scenes to engender racial and gender conflict. But then, as Horowitz notes, the original Marxist goal of a classless society—a conceptually coherent though unachievable project—is replaced with the incoherent goal of a raceless or gender-free society. And then you get such absurdities as now beset us among the *bien-pensant*—namely, babies being "assigned" their genders at birth and biological boys who "identify" as girls competing in, and winning, female sporting events. The deep metaphysical error here is obvious to us of the Coalition of the Sane—namely, the mistake of thinking that all of reality is a matter of social production and construction. The error is already in Marx, who sees man as malleable, without a fixed nature, and self-producing by means of the economic relations into which he enters.

As liberalism gave way to cultural Marxism, people such as myself, whose idealism was tempered by moderation and common sense, became conservatives of a sort. The change in me was more relational than real, with the real change being the liberals' lurch to the left. The change was brought about by my growing realization that the culturally Marxist left was mounting an assault on just about everything I care about as a philosopher and as a citizen: truth, logic, language, religion, open inquiry, free speech, limited government, individual liberties, and reality itself. As a lover of learning I was appalled by the left's attack on the traditional values of the university, and as a citizen I was disgusted by the assault on the values and principles of the American founding. An encounter with a real-live Marxist helped wean me from my adolescent fascination with the left.

16.2. THE LEFTIST ILLUSIONS OF A RED-DIAPER BABY I ONCE KNEW

In graduate school I was friends for a time with a New Yorker who, for the purposes of this memoir, I will refer to as "Saul Peckstein." A red-diaper baby, he was brought up on communism the way I was brought up on Roman Catholicism. Invited up to his room one day, I was taken aback by three huge posters on his wall, of Marx, Lenin, and Stalin. Now there is a distinctive quality of personal warmth that many Jews display, the quality conveyed when we say of so-and-so that he or she is a

mensch. It is a sort of humanity, hard to describe, in my experience not as prevalent among non-Jews. Peckstein had it. But he was nonetheless able to live comfortably under the gaze of a mass murderer and his philosophical progenitors. The crimes of Stalin, having been revealed by Krushchev in 1956, were well known to all by the mid-1970s, the time of my encounter with Peckstein.

One day we were walking across campus when he said to me, "Don't you think we could run this place?" He was venting the utopian dream of a classless society, a *locus classicus* that is described in a famous passage from Karl Marx and Friedrich Engels:

[A]s soon as the distribution of labour comes into being, each man has a particular, exclusive sphere of activity, which is forced upon him and from which he cannot escape. He is a hunter, a fisherman, a shepherd, or a critical critic, and must remain so if he does not want to lose his means of livelihood; while in communist society, where nobody has one exclusive sphere of activity but each can become accomplished in any branch he wishes, society regulates the general production and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticise after dinner, just as I have a mind, without ever becoming hunter, fisherman, shepherd or critic.⁶

The silly utopianism seeps out of the statement "each can become accomplished in any branch he wishes." Could Saul Kripke have become a diplomat or a chauffeur or an auto mechanic if he wished? Pee Wee Herman a furniture mover or pope? Woody Allen a bronco buster? Evel Knievel a neurosurgeon? And if Marx had actually done any "cattle rearing," he would have soon discovered that he couldn't be successful at it if he did it only once in a while when he wasn't in the mood for hunting, fishing, or writing *Das Kapital*.

On another occasion, Peckstein asked, "After the revolution, what will we do with all the churches?" Like so many other communists, he cherished the naive expectation that "the revolution is right around the corner," in a phrase much bandied about in CPUSA circles. And in tandem with that naiveté, there was the foolish notion that religion would just wither away when material wants were satisfied and social oppression eliminated, a notion that betrays the deep superficiality of the materialist vision of man and his world. The radical fails to understand the human heart. Even if religion is without a basis in reality, humans are so constituted as never to be satisfied by the paltry meanings of mundane existence, even with their wants satisfied and oppression eliminated. No socialist redemption could defeat death or supply the needs of the heart. Our restless hearts yearn to rest in the eternal.⁷ Even Nietzsche felt the yearning. "All joy wants eternity," sang his Zarathustra. And if there is no final rest and no eternity? Then so be it, but only a fool accepts a substitute for genuine religion. Communism is an ersatz religion and a substitute source of ultimate meaning that cannot deliver what it promises. Man cannot take the place of God, for there is no Man—only men, at odds with each other and with themselves. What God could achieve if he exists is what Man cannot achieve because he does not and cannot exist.

One night we ate at an expensive restaurant, Anthony's Pier Four at the Boston harbor. Peckstein paid with a bad check. After all, it was an "exploitative" capitalist enterprise and the owners deserved to be stiffed. But he left a substantial tip in cash for the servers. As I said, he was a mensch. Around that time, a few of us graduate students had been meeting to discuss Kant's *Critique of Pure Reason*. One day I announced that the topic for the next meeting would be the Table of Categories. Peckstein quipped, "Is that a table you can eat on?" The materialist crudity of the remark annoyed me. And then there was the time he wondered why people thank God before a meal rather than the farmers. The man had no understanding of the religious sensibility. I was a close student of Husserl in those days. Ever the activist, he once said to me, "Read Marx, see that the shit is about to hit the capitalist fan, and you'll forget all about Husserl." We played some chess, but he didn't approve of such bourgeois escapism. A true believer who had the Answer, he marched under the banner of Marx's eleventh thesis on Feuerbach, "The philosophers have variously interpreted the world; the point, however, is to change it." He couldn't abide the ancients. "Why do people still read this stuff?" he said, referring to Plato's *Republic*.

We were friends for a time, but friendship is fragile among those for whom ideas matter. Unlike the ordinary nonintellectual person, the intellectual lives for and sometimes from ideas. They are his oxygen and sometimes his bread and butter. He takes them very seriously indeed and with them differences in ideas. So, the tendency is for one intellectual to view another whose ideas differ as not merely holding incorrect views but as being morally defective in so doing. Why? Because ideas matter to the intellectual. They matter in the way doctrines and dogmas mattered to old-time religionists. If one's eternal happiness is at stake, it matters infinitely whether one "gets it right" doctrinally. If there is no salvation outside the church, you had better belong to the right church. It matters so much that one may feel entirely justified in forcing the heterodox to recant "for their own good."

The orthodox intellectual nowadays is a secularist who believes in nothing that transcends the human horizon, even if he does believe in a secular eschaton where alienation ends and oppressive hierarchies are abolished. And he takes into his secularism that old-time fervor, that old-time zeal to suppress dissent and punish apostates.⁸ It is called political correctness. To reduce it to a slogan: PC comes from the CP.

16.3. NO TRUTH, ONLY POWER

Cultural Marxism is powered not only by Marx but also by Nietzsche, who is as culturally important as he is philosophically dubious. At *Will to Power* #534, we read that "The criterion of truth resides in the heightening of the feeling of power." The test for truth is whether it increases the feeling of power. To employ some politically correct jargon traceable to Nietzsche, if a belief is "empowering," then it is true; if a belief is true, then it is "empowering." On a deeper reading, however, the dictum

offers not merely a test of truth but also a statement of its nature. Truth is just the property of increasing not only the feeling of power but also power itself: to say that a belief (statement, representation, etc.) is true is just to say that it increases the power of the one who holds the belief. To identify truth with an enhancement of power, however, is to deny truth. The purported identity of truth with power collapses into an elimination of truth.

It is common in philosophy for attempted reductions to expire in eliminations. Ludwig Feuerbach, an important influence on Marx, provides an example. If God is an anthropomorphic projection, then there is no God; similarly, if truth is a power-enhancing perspective, then there is no truth. There are only various interpretations from the varying perspectives of power-hungry individuals and groups, interpretations that serve to enhance the power of these individuals and groups. This fits with Marx's theory of ideology according to which the ideas of the ruling class about philosophy, political economy, law, morality, religion, and the like are not objectively true but reflect the interests of the oppressors and serve to legitimate and maintain existing power relations. (How classical Marxist theory itself manages to escape this infrastructural determination and achieve objective truth and the scientific status it claims for itself is a problem for Marxists to worry about. Cultural Marxism avoids the problem by going full relativist.) Nietzschean perspectivism comports well not only with cultural Marxism but also with the tribalism of identity politics. It also comports well with the voluntarism of Islam's God, an indicator of the unholy alliance of Islam and the left.

In the dark Nietzschean view, the world is thus a vast constellation of ever-changing power centers vying with each other for dominance, and what a particular power center calls "true" are merely those interpretations that enhance and preserve its power. The essence of the world is not reason or order, but rather blind will, will to power. "The world is the will to power and nothing besides." If you ask leftists of this stripe whether it is true that there is no truth, only power, they dismiss the very question with a power move. Either they have no intellectual conscience or they suppress it. They enforce the power-is-all doctrine, which is not admitted to be a doctrine. A doctrine is a teaching, and a teaching can be true or false, but then a transcendental norm comes back in, the norm of truth. So, the "consistent" leftist cannot allow himself to think; he must power his way through. But can a leftist of this stripe be consistent?

To deny truth and its value is to deny logical consistency and *its* value. Consistency is defined in terms of truth. Propositions are collectively logically consistent just in case they can all be true. This poses a problem for such darlings of the Left as Ibram X. Kendi, who maintain that there is no truth, only power, but then complain that racist whites dominate blacks.⁹ One cannot object to one group dominating another, however, if the world at bottom is just power centers battling it out. There can't be anything wrong with whites dominating blacks if all is power in the end. If all is power, and I have the power to enslave you, and the power to ward off any

unpleasant (to me) consequences of my enslaving you, then why shouldn't I? If all is power, then there is nothing beyond power to which appeal can be made. If might makes right, then there is no right. Here is another case where an attempted reduction expires in an elimination. It is inconsistent to hold that all is power and that some of its deployments are evil. If all is power, there is no good and evil. Any attempt to reduce good and evil to power results in the elimination of good and evil. But, as I said, you can't reach hardcore postmodern leftists because they will just make another power move and dismiss the question of consistency as they dismissed the question of truth.

16.4. HERMENEUTICS OF SUSPICION

If there is no truth, then there is no truthfulness. Truthfulness in persons requires as a condition of its possibility both the existence and the normativity of impersonal truth. For the culturally Marxist left, however, truth, even if admitted, is not an absolute value or norm. It is a superstructural reflection of infrastructural interests. Correspondingly, truthfulness is not a value or norm. Lacking in truthfulness themselves, they cannot discern it in their opponents, as witness their inability or unwillingness to accept our statements as we intend them.

Leftists thus subscribe to the hermeneutics of suspicion, whose intellectual progenitors are Marx, Nietzsche, and Freud. Leftists refuse to take what a conservative says at face value as expressing a sincerely held opinion, even when it is based in government-certified empirical fact. If the conservative cites an FBI statistic that reflects poorly on blacks or other "persons of color," he is speaking in a "code" using "dog whistles" that supposedly only other conservatives can hear. (The inanity of the phrase is betrayed by the ability of lefties to hear the high-pitched threats of the knuckle draggers.) So, if I point out that blacks as a group are more criminally prone than whites as a group, what I am really saying is that blacks have to be kept in their place or hunted down. I am legitimating their allegedly unjust "mass incarceration." I am condoning the alleged murder of the likes of Trayvon Martin of Sanford, Florida, and Michael Brown of Ferguson, Missouri. (The truth, of course, is that these two youths were not murdered; they brought about their own deaths by their immoral, illegal, and extremely foolish behavior.) So, when I cite the FBI statistic to explain why blacks are "overrepresented" in the prison system, I am accused of retailing racist propaganda when I am simply speaking the truth. If Donald J. Trump speaks of making America great again, using the very same words used by President William Jefferson Clinton in 1991,¹⁰ leftists such as Speaker of the House Nancy Pelosi report that what he is really saying is "Make America White Again."¹¹ Thus leftists ignore the manifest meaning of what the conservative says while seeking some latent "ideological" meaning, where ideology has the Marxist sense of a legitimization of existing relations of power and domination.

16.5. A CENTRAL DOGMA OF THE LEFT

It is a plain fact that humans are not equal either as individuals or as groups by any empirical measure. Why then is there so much politically correct resistance to this truth? It is because it flies in the face of a central dogma of the left—namely, that deep down we are all the same, want the same things, have the same abilities and interests, share the same values, and so on. So, if women are “underrepresented” among the engineers, for example, then the only way to explain this inequality of outcome, given the leftist equality dogma, is in terms of something nefarious such as sexism. After all, if we are all equal empirically, then the “underrepresentation”—a word enclosed in sneer quotes because of its conflation of the factual and the normative—cannot be explained in terms of a difference in interests and values or a difference in mathematical aptitude. The dogma is false and yet widely and fervently believed. Anyone who dares offend against it faces severe consequences. There is the well-known case of Lawrence Summers,¹² but more recently Amy Wax, a tenured University of Pennsylvania law professor, was relieved of some of her teaching duties when she reportedly spoke “disparagingly and inaccurately” when she claimed that she had “rarely, rarely” seen a black student finish in the top half of a class. Professor Wax spoke the truth, but the truth is no defense in the court of the politically correct. Wax violated the central dogma. In present-day academe, all must toe the party line, and woe to him who doesn’t. The universities have become leftist seminaries apart from (most of) the STEM disciplines.

16.6. THE ORIGIN OF THE DOGMA IN THE SECULARIZATION OF THE JUDEO-CHRISTIAN BELIEF IN EQUALITY

What explains the fervor and fanaticism with which the left’s equality dogma is upheld? It could be explained as a secularization of the Judeo-Christian belief that all men are created equal. Long before I read Carl Schmitt, I had this thought. But then I found this provocative assertion by Schmitt:

All significant concepts of the modern theory of the state are secularized theological concepts not only because of their historical development . . . but also because of their systematic structure, the recognition of which is necessary for a sociological consideration of these concepts.¹³

The idea that all humans are equal by virtue of having been created by God, in the image and likeness of God, is a purely theological notion consistent with deep and wide empirical differences among humans. Its secularization, I suggest, involves several steps. (These are my ideas, not Schmitt’s.)

The first step is to transform the metaphysical concept of equality of persons into an empirical concept of equality of measurable attributes. The second step is to

explain away the manifest empirical inequality of human groups and individuals in terms of sexism or racism or ageism or some other “ism.” This involves a turn toward social constructivism and a reality denying turn away from the mind-independent reality of biological differences between the sexes and the races. For instance, “gender” is a grammatical term. When sex becomes “gender,” the biological reality of sex is replaced by a linguistic social construct. Similarly with race. The absurdities that result are foolishly embraced rather than taken as so many *reductiones ad absurdum* of the original mistake of making sex and race social constructs. Thus, one foolishly embraces the notion that one can change one’s race or that at birth one is “assigned” one’s sex. The third step is to jettison the theological underpinning of the original equality conception. Somehow we remain equal as persons with all that that entails (free will, uniqueness, an infinite worth as an end in itself that makes it wrong to treat any person as a mere means) even after the theological foundation has been removed.

In this way a possibly true, nonempirical claim of Christian metaphysics about persons as creatures of God and thus as equal bearers of equal rights is transformed into a manifestly false empirical claim about human animals. At the same time, the divine ground of the nonempirical claim is denied. One can easily see how unstable this is. Reject God, and you no longer have a basis for belief in equality of persons. Man reverts to being an animal among animals, with all the empirical inequality that that brings with it. But cultural Marxists cannot acknowledge this biologically based empirical inequality among individuals, sexes, and races. So, the inequality must be attributed to a false social construction by the oppressors. Unable to accept either theism (which can ground equal rights) or naturalism (which cannot), the cultural Marxist must adopt an absurd form of anti-realism or idealism.

So, the left has a problem. It is virulently antitheistic and antireligious and yet it wants to uphold a notion of equality that makes sense only within a theistic framework. The left, blind to this inconsistency, is running on the fumes of an evaporating Christian worldview. Equality of persons and rights secularizes itself right out of existence once the theological support is kicked away. Nietzsche understood this long ago. The death of God has serious consequences. One is that the brotherhood of man becomes a joke. If my tribe can enslave yours, then it has all the justification it needs and can have for doing so. Why should I treat you as my brother if I have the power to make you my servant and I have freed my mind of Christian fictions? For those of us who oppose both the left and the alt-right faction that is anti-Christian and Nietzschean, the only option seems to be a return to our Judeo-Christian heritage, which found its finest political realization in the American founding.

16.7. THE MYTH OF SYSTEMIC RACISM

After actual racist oppression of blacks was eliminated, to the extent that it could be by legislation, the left invented “structural,” “systemic,” or “institutional” racism to keep the race hustle going. It was plain to objective investigators that the deaths

of Trayvon Martin (2012) and Michael Brown (2014) had nothing to do with race hatred. Those two brought about their own deaths by their own bad behavior. But since they happened to be black, the left seized on their deaths as examples of the imaginary construct, “structural racism.” This structural or institutional racism, however, to the extent that it existed at all, has been eliminated. See David Horowitz:

While institutional or systemic racism has been illegal in America for 50 years, the 2016 Democratic Party platform promises that “Democrats will fight to end institutional and systemic racism in our society.” There is no evidence that such racism actually exists. It is asserted in a sleight of hand that attributes every statistical disparity affecting allegedly “oppressed” groups to prejudice against them because of their identity. This “prejudice,” however, is a progressive myth. This is not to say that there aren’t individuals who are prejudiced. But there is no systemic racism in America’s institutions, and if there is, it is already illegal and easily remedied.¹⁴

The left’s race obsession is an amazing thing to behold. With every passing day it becomes more extreme. An Asian man became the focus of a controversy because his surname, Lee, which is a mere sound-preserving transliteration of some Chinese characters, reminded some people of Robert E. Lee.¹⁵ Soon thereafter, a discarded banana peel ignited racial hysteria at Ole Miss.¹⁶ To multiply examples beyond necessity, consider the absurd student demand that Lynch Memorial Hall at a small Pennsylvania college be renamed.¹⁷ Responding logically to these absurdities would do no good. Pointing out, for example, that “Lynch” is a name, not a verb, would do nothing to set straight people who have substituted the feeling-based association of ideas for rational thought. The left in general, and the Democratic Party in the United States in particular, appear to be embarked upon a path of self-destruction. They have found that playing the race card has gotten them what they want in many cases. But they need to think twice about transforming every card in the deck into a race card. While the leaders of the party are extremists, many of the rank and file retain a modicum of common sense.

16.8. EXPLAINING THE LEFT’S SEEMINGLY INCOHERENT TOLERATION OF RADICAL ISLAM

From 1789 on, a defining characteristic of the left has been hostility to religion, especially in its institutionalized forms. This goes together with a commitment to such Enlightenment values as individual liberty, belief in reason, and political equality, including equality among the races and between the sexes. Thus, the last thing one would expect from the left is an alignment with militant Islam given the latter’s philosophically unsophisticated religiosity bordering on rank superstition, its totalitarian moralism, its barbarous penal procedures, its voluntaristic suppression of reason, and its opposition to gender (or rather sexual) equality.

So why is the radical left soft on militant Islam? The values of the progressive creed are antithetic to those of the Islamists, and it is quite clear that if the Islamists got everything they wanted—namely, the imposition of Islamic law on the entire world—our dear progressives would soon find themselves headless. I don't imagine that they long to live under Sharia, where "getting stoned" would have more than metaphorical meaning. So, what explains this bizarre alignment?

One point of similarity between radical leftists and Islamists is that both are totalitarians. As David Horowitz writes, "Both movements are totalitarian in their desire to extend the revolutionary law into the sphere of private life, and both are exacting in the justice they administer and the loyalty they demand."¹⁸ Horowitz points to a second similarity when he writes, "The radical Islamist believes that by conquering nations and instituting Sharia, he can redeem the world for Allah. The socialist's faith is in using state power and violent means to eliminate private property and thereby usher in the millennium."¹⁹

The utopianism of the left is a quasi-religion with a sort of secular eschatology. The leftist dreams of an eschaton ushered in by human effort alone, a millennial state that could be described as pie-in-the-future as opposed to pie-in-the-sky. When this millennial state is achieved, religion in its traditional form will disappear. Its narcotic satisfactions will no longer be in demand. Religion is the "sigh of the oppressed creature" (Marx), a sigh that arises within a contingent socioeconomic arrangement that can be overturned. When it is overturned, religion will disappear. This allows us to explain why the secular radical does not take seriously the religious pathology of radical Islam. "The secular radical believes that religion itself is merely an expression of real-world misery, for which capitalist property is ultimately responsible."²⁰ The overthrow of capitalism will eliminate the need for religion. This "will liberate Islamic fanatics from the need to be Islamic and fanatic."²¹

Building on Horowitz's point, I would say the leftist in his naïveté fails to grasp that religion, however we finally resolve the question of its validity or lack thereof, is deeply rooted in human nature. As Schopenhauer points out, man is a metaphysical animal, and religion is one expression of the metaphysical urge. Every temple, church, and mosque is evidence of man's being an *animal metaphysicum*. As such, religion is not a merely contingent expression of a contingent misery produced by a contingent state of society. On the contrary, as grounded in human nature, a nature that is not socially produced but is fixed, religion answers to a misery, sense of abandonment, and need for meaning essential to the human predicament as such, a predicament the amelioration of which cannot be brought about by any merely human effort, whether individual or collective. Whether or not religion can deliver what it promises, it answers to real and ineradicable human needs for meaning and purpose, needs that only a utopian could imagine being satisfied in a state of society brought about by human effort alone.

In their dangerous naïveté, leftists think that they can use radical Islam to help destroy the capitalist United States, and, once that is accomplished, radical Islam

will “wither away.” But leftism will “wither away” before Islamic fanaticism does. Leftists think that they can use genuine fascist theocracy to defeat the “fascist theocracy” of the United States. They are deluding themselves. Residing in their utopian *Wolkenskukuheim*—a wonderful word used by Schopenhauer translatable as “Cloud Cuckoo Land”—radical leftists are wrong about religion, wrong about human nature, wrong about the terrorist threat, wrong about the “fascist theocracy” of conservatives, wrong about economics—in short, they are wrong about reality. Leftists are delusional reality deniers. Now that they are in our government, we are in grave danger. I sincerely hope that people do not need a “nuclear event” to wake them up. Political correctness can get you killed.

It has been said, correctly in the main, that for a conservative, leftists are wrong, whereas for a leftist, conservatives are evil. It is because they regard us as evil that they refuse to accord us respect as rational interlocutors with a point of view worth examining. This is why they exclude conservative speakers and shout down those who somehow make it onto university campuses. This is why they pepper us with purely emotive epithets such as “fascist” and the “phobe” constructions that are designed to impugn our sanity. A phobia is an irrational fear, by definition. To dismiss as an Islamophobe a person who rightly warns of the threat of radical Islam is to make reasoned discourse impossible.

16.9. CULTURAL MARXISM IN THE PRECINCTS OF THE PHILOSOPHERS

There are numerous disturbing examples of culturally Marxist rot infecting academic philosophy. I will mention only one, the attack by Simon Blackburn on Thomas Nagel’s *Mind and Cosmos* (2012). Blackburn’s *New Statesman* article²² ends as follows:

There is charm to reading a philosopher who confesses to finding things bewildering. But I regret the appearance of this book. It will only bring comfort to creationists and fans of “intelligent design,” who will not be too bothered about the difference between their divine architect and Nagel’s natural providence. It will give ammunition to those triumphalist scientists who pronounce that philosophy is best pensioned off. If there were a philosophical Vatican, the book would be a good candidate for going on to the Index [of prohibited books].

The problem with the book, Blackburn states at the beginning of his piece, is that

only a tiny proportion of its informed readers will find it anything other than profoundly wrong-headed. For, as the title suggests, Nagel’s central idea is that there are things that science, as it is presently conceived, cannot possibly explain.

Blackburn doesn’t explicitly say that there ought to be a “philosophical Vatican” and an index of prohibited books, but he seems to be open to the deeply unphi-

losophical idea of censoring views that are “profoundly wrong-headed.” And why should such views be kept from impressionable minds? Because they might lead them astray into doctrinal error. Even though Nagel explicitly rejects God and divine providence, untutored intellects might confuse Nagel’s teleological suggestion with divine providence. Nagel’s great sin, you see, is to point out the rather obvious problems with reductive materialism, as he calls it. This is intolerable to the scientific ideologues since any criticism of the reigning orthodoxy, no matter how well founded, gives aid and comfort to the enemy, theism—and this despite the fact that Nagel’s approach is naturalistic and rejective of theism!

So, what Nagel explicitly says doesn’t matter. His failure to toe the party line makes him an enemy as bad as theists such as Alvin Plantinga. (If Nagel’s book is to be kept under lock and key, one can only wonder at the prophylactic measures necessary to keep infection from leaking out of Plantinga’s tomes.) Blackburn betrays himself as nothing but an ideologue in the above article, for this is the way ideologues operate. Never criticize your own—your fellow naturalists, in this case. Never concede anything to your opponents. Never hesitate or admit doubt or puzzlement. Keep your eyes on the prize. Winning alone is what counts. Never follow an argument where it leads if it leads away from the party line. Treat the opponent’s ideas with ridicule and contumely. For example, Blackburn refers to consciousness as a purple haze to be dispelled. One wonders what is next from Professor Blackburn. A Naturalist Syllabus of Errors?

16.10. AMERICAN CONSERVATISM

My brand of conservatism could be called American. It aims to preserve and where necessary restore the values and principles codified by the founders. Incorporating as it does elements of classical liberalism and libertarianism, American conservatism is far from throne-and-altar reaction. While anti-theocratic, it is not antireligious. It stands for individual liberty and its necessary supports, private property, free markets, and limited government. It is liberal in its stress on liberties, but conservative in its sober view of human nature, a nature easily corrupted by power and in need of restraint. It avoids the reactionary and radical extremes. It incorporates the values of the Enlightenment. American conservatism presupposes the existence of “unalienable rights,” which come from nature or from “nature’s God.” First among the liberties mentioned in the First Amendment to the US Constitution is religious liberty, which includes the liberty to exercise no religion. It is first in the order of exposition and (arguably) first also in the order of importance. The second liberty mentioned is free speech. Both of these classically American values are under assault from the utopian left, which has taken over the Democratic Party in the United States.

As against certain factions of the alternative right, American conservatism insists that the United States is a proposition nation: the propositions are in the founding

documents. These propositions define the American identity and provide a bulwark against the identity politics shared by the cultural Marxists and their alt-right opponents. But I also don't see how it could be reasonably denied that the discovery and articulation of classically American principles and values was achieved by people belonging to a certain tradition and will be preserved (if it is preserved) only by people in that tradition or who can be assimilated into it. This has consequences for immigration policy. To allude to *e pluribus unum*, a One cannot be made out of just any Many. Some groups are unassimilable. I take it to be axiomatic that immigration must be to the benefit of the host country, a benefit not to be defined in merely economic terms. And so I ask a politically incorrect but perfectly reasonable question: Is there any net benefit to Muslim immigration? Immigrants are naturally inclined to bring their culture with them. Muslims, for example, bring with them a Sharia-based, hybrid religious-political ideology that is in key elements antithetical to American values. If they are unwilling to renounce those elements, we have every right to block their immigration. We are under no obligation to allow the immigration of subversive elements. The founding propositions are universally true; they are not the property of whites even though whites discovered them. But such propositions, while true for all humans and in this sense true universally, are not recognized by all humans, and they are not presently capable of being recognized or put into practice by all humans. The attempt to impart these propositions to some groups will be futile, especially if it involves force or can be interpreted by the group in question as a cover for an attempt to dominate or control them for ulterior motives. The implication for foreign policy is that the United States must adopt an enlightened nationalism and not attempt to teach the presently unteachable.²³

16.11. THE DECLINE OF THE UNIVERSITIES

The university administrators and faculty who tolerate the shouting down of conservative speakers, the rescinding of invitations to speak, attacks on people and property, and the rest of the Antifa-type barbarism, are essentially cowards who love their high salaries, perquisites, and privileges. They are mostly unprincipled careerists who bend whichever way the wind blows. They are not, in the main, out to destroy the universities; they simply lack the courage to take a stand in defense of the traditional values of the university and accept the consequences of so doing. They fear being called "racists" and the rest of the names. They are over-tolerant, *bien-pensant* liberals who hope the storm passes, leaving them well ensconced in their capacious and well-appointed offices. They understand that the left eats its own and that if they make common cause with the destructive elements, they, too, may be destroyed in good-old commie fashion. So they play it safe. Friends to my right accuse me of an excess of charity. What is going on, they say, is not abdication of authority but malicious misuse of authority to complete the transformation of the universities into leftist seminaries. Whether or not that is the case, things are getting worse.

16.12. CONCLUDING AUTOBIOGRAPHICAL POSTSCRIPT

And so I quit a tenured position at the tender age of forty-one and moved to Arizona. I had long aspired to an eremitic life retired from teaching but not from philosophy. The Sonoran Desert has proven to be a fitting venue for a truth quest untainted by the academic hustle. I found a second home in the blogosphere a few years later, where, for the last sixteen years, I have authored a weblog titled *Maverick Philosopher*. A big fat folder of fan mail is more than adequate compensation for my labors. And the relatively few attacks from leftists only galvanized me in my opposition to them. I tip my hat to my fellow dissidents and wish them well as we carry the fight forward.

NOTES

1. Cf. Miliband, Ralph, *Marxism and Politics* (Oxford: Oxford University Press, 1977), 17.
2. Alinsky, Saul, *Rules for Radicals* (New York: Vintage, 1989), 128.
3. Horowitz, David, *Hating Whitey and Other Progressive Causes* (Dallas: Spence Publishing, 1999), 88.
4. Islam gets a pass because, as the enemy of Christianity, it is the enemy of the left's enemy, and thus its friend.
5. Pilkington, Ed, "Obama Angers Midwest Voters with Guns and Religion Remark," April 14, 2008, <https://www.theguardian.com/world/2008/apr/14/barackobama.uselections2008>. Read the sentence carefully. It makes no sense.
6. Marx, Karl, and Friedrich Engels, *The German Ideology*, ed. C. J. Arthur (New York: International Publishers, 1970), 53.
7. "Our hearts are restless until they rest in Thee." St Augustine, *Confessions*, Book I, Chapter 1.
8. The old-time zeal is alive and well in Islam, which hates apostates even more than leftists do.
9. See Sullivan, Andrew, "A Glimpse at the Intersectional Left's Political End Game," *Intelligencer*, November 15, 2019, accessed January 2, 2020, <https://nymag.com/intelligencer/2019/11/andrew-sullivan-the-intersectional-lefts-political-endgame.html>: "Kendi, a star professor at American University and a recent Guggenheim Fellowship winner, has no time for color-blindness, or for any kind of freedom which might have some inequality as its outcome. In fact, 'the most threatening racist movement is not the alt-right's unlikely drive for a White ethno-state, but the regular American's drive for a "race-neutral" one.'" He has no time for persuasion or dialogue either: "An activist produces power and policy change, not mental change." All there is is power. You either wield it or are controlled by it. "And power is simply the ability to implement racist or antiracist policy."
10. C-SPAN, "Bill Clinton Presidential Campaign Announcement," October 3, 1991, <https://www.c-span.org/video/?c4600782/user-clip-bill-clinton-make-america-great-again>.
11. Bufkin, Ellie, "Nancy Pelosi Says Trump Wants to 'Make America White Again' with Citizenship Question," *Washington Examiner*, July 9, 2019, accessed January 2, 2020, <https://www.washingtonexaminer.com/news/nancy-pelosi-says-trump-want-to-make-america-white-again-with-citizenship-question>.

12. "Lawrence Summers," *Wikipedia*, accessed January 3, 2020, https://en.wikipedia.org/wiki/Lawrence_Summers#Differences_between_the_sexes.
13. *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. G. Schwab (Chicago: University of Chicago Press, 1985), 36.
14. Horowitz, David, *Big Agenda* (West Palm Beach: Humanix, 2017), 51.
15. de Menezes, Jack, "ESPN Removes Asian-American Presenter Robert Lee from Charlottesville Game as Name Is Same as Confederate General," *Independent*, August 23, 2017, accessed January 3, 2020, <https://www.independent.co.uk/sport/us-sport/espn-robert-lee-remove-presenter-charlottesville-confederate-general-racist-asian-american-name-a7907701.html>.
16. Starnes, Todd, "Discarded Banana Peel Causes Racial Hysteria at Ole Miss," *Townhall.com*, August 30, 2017, accessed January 4, 2020, <https://townhall.com/columnists/toddstarnes/2017/08/30/discarded-banana-peel-causes-racial-hysteria-at-ole-miss-n2375376>.
17. Associated Press, "Students at Pennsylvania College Demand Building Called 'Lynch Memorial Hall' Be Renamed Because of Racial Overtones," *DailyMail.com*, December 8, 2015, accessed January 3, 2020, <https://www.dailymail.co.uk/news/article-3351894/Students-Rename-building-called-Lynch-ex-president.html>.
18. Horowitz, David, *Unholy Alliance: Radical Islam and the American Left* (Washington, DC: Regnery, 2004), 124.
19. *Ibid.*, 129.
20. *Ibid.*
21. *Ibid.*, 130.
22. Blackburn, Simon, "Thomas Nagel: A Philosopher Who Confessed to Finding Things Bewildering," *New Statesman*, November 8, 2012, accessed January 4, 2012, <https://www.newstatesman.com/culture/culture/2012/11/thomas-nagel-philosopher-who-confesses-finding-things-bewildering>.
23. Cf. my "Paul Gottfried on Propositionalism," *Maverick Philosopher Blog*, November 4, 2017, https://maverickphilosopher.typepad.com/maverick_philosopher/2017/11/paul-gottfried-on-propositionalism.html.

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Better Somewhere Than Anywhere

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If I am a dissident philosopher, the object of my dissent is Anywhereism, the point of view of many who are “cosmopolitan, educated, mobile, and networked”; who “live their personal and professional lives in communities of affinity rather than locality”; and who “tend to regard national differences as quaint, national borders as nuisances, and divergent regulations as irrational.”¹ Anyone at virtually any university is surrounded by Anywheres.

A distressing percentage of Anywheres consider Somewheres not quaint, but recalcitrant, deplorable even, and on the wrong side of history. Though they treat Brexiteers as snake handlers, their disdain for domestic differences perhaps exceeds their disdain for international ones. They have little use for the genuine diversity of a *classical* liberal society of, for example, Pennsylvania Dutch, Manhattan Progressives, and Utah Mormons, to name three cohesive religious communities. Anywheres embrace the anodyne diversity of the cultural fair, where many races and nationalities dress colorfully and share diverse foods, while thinking pretty much alike. History chugs toward the sunlit uplands of Anywhere, with progressive crews maintaining the tracks and keeping the engine stoked.

If we arrive, we'll likely be met by Julia, the eponymous, famously unencumbered star of an interactive slideshow on the 2012 Obama campaign website whose biography gives us a glimpse of the view from Anywhere. She progresses from Head Start to a Race to the Top high school, to free surgery and birth control, low student loan interest rates thanks to a federal program, and better pay thanks to the Lilly Ledbetter Fair Pay Act. Finally, she makes it to Medicare and, ultimately, Social Security. We are told that in between she decides to have a child and gets free medical care.

A much-remarked lacuna in Julia's biography was the provenance of the pregnancy. Was Julia married? Artificially inseminated? We only know that she decides

to reproduce (clinical term: *le mot juste*). Another notable feature of her biography is her affluence; she is a web designer. The prominence of a central government—it doesn't seem *federal* to me—in her life doesn't owe to privation. She isn't supported when necessary by a safety net, but constantly engages with a state that is in effect the only other character in the story.

"The Life of Julia" is more revealing than its makers knew. I suspect they thought that portraying its solitary character as married would have been an unacceptable concession to what is often called "the dominant culture." (The first of many times I've run into that term was during the SAT reading comprehension section, and it struck me as odd. Doesn't *any* culture, in *some* sense, dominate the enculturated?)

Anywheres find "The Life of Julia" utopian; to them, Julia is a sort of Apeiron American, unencumbered by traditional institutions, who approaches pure agency as nearly as a human being can. (Who knows about transhumans?) Somewheres find it dystopian. The disagreement springs in part from differing conceptions of law and freedom, about which more, after a tale of how a flesh-and-blood person, unlike Julia, got Somewhere.

17.1. CONTINGENCIES

My autobiography is surpassingly uninteresting (though it beats Julia's). But part of my charge is to account for my dissidence, so I will say something about how my views were formed—a conservative approach in its implicitly Somewhereist assumption that "the moral life is [mainly] a *habit of affection and behavior*; not a habit of *thought*."² I was raised in a Protestant household in Greensboro, North Carolina, that lacked diversity—I was the lone boy among six kids. From the cradle I absorbed the lesson that our species is no bargain. Early I ran across Pascal's observation that "all the unhappiness of men arises from one single fact, that they cannot stay quietly in their own chamber,"³ and eventually wondered whether this, together with the sheer perverse pleasure of wielding power over others, explains many political lives.

Greensboro was my parents' hometown, and the hometown of one set of grandparents, which by American standards made us rooted in community time out of mind. I grew up with a sense of place and continuity, as did other kids from decidedly different backgrounds; there was a thriving Greek community in Greensboro, partly as a result of postwar immigration, and a vibrant Jewish community. The city was one-quarter African American, but we had little contact with black kids, as segregation was a fact of life. Greensboro has the world's best-known lunch counter, at the downtown Woolworth's where in 1960 four African American students from NC A&T State University sat down, politely asked to be served, and shook the world. I well remember going there, though I was too young to remember the sit-in. The building now houses the International Civil Rights Center and Museum, where the counter offers mute testimony, though part of it is displayed at the Smithsonian.

My father grew up downtown and thought nothing of taking me to Jimmy Kontoulas's California Sandwich Shop (Sanitation Grade B) at all hours, including when we were the only sober folk there. The otherworldly hot dogs were the draw. Their greatness, I was told, owed partly to the fact that the giant chili pot, the size and shape of a torpedo, was rarely cleaned. (Unlike the 1619 Project, we trafficked in facts, not narratives.) "John," who manned the pot, spoke only Greek as far as we knew; Mr. Kontoulas, the only Greek philosopher I've known, held forth fearlessly on all things sacred and profane (tending toward the latter). No thin cultural-fare gruel there.

I spent a Friday night during Hanukkah at the home of a fourth-grade classmate and was awestruck hearing the Torah read over dinner and attending services afterward. Witnessing the Helbergs' participation in a historical community whose beliefs were central to their identity was very moving and, though I couldn't articulate it, made me feel, despite my relatively deep roots, a bit like the "flies of a summer"⁴ Burke feared would be the progeny of genuine revolution, as opposed to the get-off-my-lawn American "Revolution" supported by Burke.

Speaking of that rebellion: A place that influenced me profoundly is Guilford Courthouse, site of a Revolutionary War battle of national and international consequence. It was soul-stirring walking the same ground as General Nathanael Greene, the infinitely patient tactician and strategist; "Light Horse Harry" Lee, father of Robert E. Lee and notable figure in his own right; William Washington, cousin of George Washington; giant cavalryman Peter Francisco, whose sword and shoes on display at the battlefield museum attest to his Bunyanesque proportions; General Cornwallis, aggressive commander and so perfect foil of Greene, later governor-general of India; and the dastardly Banastre Tarleton ("Bloody Tarleton"), a villain right out of *Poldark*. In this rolling Piedmont countryside, a mighty empire met Continental regulars and frightened militiamen united in a fight to be left alone, not—millenarian rhetoric notwithstanding—to remake the world. The empire won a Pyrrhic victory by taking the battlefield, but bled so much that its defeat was inevitable. I pestered my parents every Sunday to take me there and usually managed to wear them down. I can still see every square foot of that field.

Come Monday I'd see my father, sitting in bed around 7:00 a. m., Churchillian but for phone and cigarette rather than brandy in hand, plotting the day's skirmishes of Crutchfield Plumbing and Heating Company. My field-marshal Aunt Helen, the real administrator, would already be at the office. The phone constantly rang. "That won't work, we need him over at UNC-G"; "I *told* him not to lease that backhoe from them"; "Can't—got to get the A&T bid in today"; "Don't *feel* good? There's no *time* not to feel good." (This is redacted.)

It was a small business. My father would have been a professional musician but for the veto of my mother, a wise and brilliant one-woman Department of Health and Human Services who kept me home rather than marching me off to kindergarten, because twelve years of state institutionalization was enough. (Susan Moller Okin would disagree, as will be seen.) My father reluctantly left a promising career

at Burlington Industries to come aboard at Crutchfield, because its owner—my grandfather—who (we think) finished sixth grade, needed what he called temporary help keeping the books as the business grew. My father, again reluctantly, made a career of it.

From the god's-eye view from Anywhere, Crutchfield would have seemed a simple enterprise. An academic might think it less challenging than outlining a paper or plotting a syllabus. I thought otherwise. It involved a staggering amount of know-how—there was no rulebook—and the stakes were high. Knowing what jobs to bid for, how much to bid, and how to deploy the troops when multiple jobs were underway was a tremendous challenge. Overextend, you go under. Lose enough bids, you go under. I intuited that I should never run a business, not even a lemonade stand. I also learned, after several summers of manual labor at Crutchfield, that I'd best not make that a career either. (Be glad your infrastructure doesn't depend on me.) The practical knowledge of the adepts was remarkable, both their mastery of a vast array of tools and their ability to improvise off-label uses.

Politics was no priority in a big noisy household. But one Thursday evening in seventh grade an arresting piece of music I later learned came from Bach's "Brandenburg Concerto No. 2" wafted from the big console TV. (How the TV tuned itself to PBS is unknown.) A hyperkinetic character, with an improbably patrician accent delivered *basso profundo*, contorted his body at impossible angles while looking down his nose at whomever he interrogated about all things political, cultural, and religious. One week the guest (sometimes doubling as victim) might be Muhammad Ali—the two most electrifying American personalities of the second half of the twentieth century together for an unforgettable hour—the next Rosemary Tureck, George Wallace, Noam Chomsky, Alan Ginsburg, or a smirky, screw-you, maybe-I'm-stoned New Left academic.

I couldn't always follow the discussions, but was mesmerized. Here was William F. Buckley Jr.—a baroque character unquestionably from Somewhere—defending cultural treasures against people who considered themselves procurators of individuality, but who seemed to me to want to create a homogeneous blob, albeit with cultural-fair diversity. I was just becoming aware of public affairs, but had already absorbed the lesson, carried by almost all media, that "irreverence" was a cardinal virtue under the new dispensation. This TV Torquemada who introduced me to political debate was flamboyantly irreverent toward the orthodox countercultural irreverence of the day. The orthodox weren't adaptable enough to see that an irreverent generation aborning would go meta-irreverent. (They realized it too late and so responded with lumbering, desperate, darkly comical political correctness, as it came to be called.)

I became a regular *Firing Line* viewer because I sensed that Buckley, despite his excesses, gave voice to things I knew in my bones were important. A couple of years later I happened on *American Conservative Thought in the Twentieth Century*, edited by Buckley, and read with wonder two essays in particular: Jeffrey Hart's "Burke and Radical Freedom" and (of all things) "The New Scholarship: The Relevance of 'The Reactionaries,'" by the mind-scrubbing literary critic Hugh Kenner.

These produced inhospitable terrain for those laying the tracks to Anywhere. I return to them in my conclusion.

17.2. INCHOATE POLITICS

Before being exposed to Buckley et al., the pessimism about human nature inherited from Protestant forebears had already expressed itself in a homespun interpretation of the maximin principle superior to Rawls's: The best government is that in which bad men can do least harm. It made perfect sense that cross-cutting state and federal power, as well as an *effective* separation of powers at the federal level, was the way to contain misguided men and women of good intentions as well as bad ones, and to preserve freedom, which I understood mainly as being *left alone*, especially by central government. An effective separation would involve a nonlegislative judiciary, and a Congress that couldn't delegate virtually all legislative power to administrative agencies so long as it provided a fig leaf of an "intelligible principle"⁵ by which to legislate.

It seemed obvious that the greater the power, and the more remote it was from those subject to it, the more it should be restricted by what ordinary folk think of as *law*: clear, publicly discernable rules. The idea that someone, or some committee of high-SAT/LSAT persons, was competent and virtuous enough to "run the country" as my father ran a small business, or my mother a family, was risible and inimical to law in anything but the purely formal sense of whatever a putative legislature produces.

Madisonian from birth, I thought, long before I had the vocabulary to express it, that, though government should provide genuinely public goods, faction is a perduring as well as powerful force whose containment is a preeminent public good; and that factions can be populated by misguided visionaries of good intentions, as well as by the bad and the outright evil.

17.3. BOY MADISONIAN GROWS UP TO FRAME LAW OF THE CONSERVATION OF DISCRETION

This youthful imprinting manifested itself later in the conviction that the power to "fundamentally transform" a country would likely devolve to boondogglers and vote-catchers—assuming for the sake of argument that it didn't start there—and that progressive hubris would meet its nemesis in the form of another charismatic character with strongman impulses. (Strongmen beget strongmen.) Fundamental transformation requires the sort of discretionary power over the transformed that a small business owner needs to direct his or her operation, and that parents need to raise children. But the transformers of a country lack proximity to, local knowledge of, and affection for the putative beneficiaries of transformation. This was the untold part of Julia's story, and it didn't bode well for freedom as I understood it.

The more discretionary power the transformers have, the less the transformed have. Here I'll commit the academic sin of giving a highfalutin name to an ordinary idea—the *Law of the Conservation of Discretion*: *Discretion is neither created nor destroyed; the question is who has it.* The family? Then government is greatly limited in how it will shape the institution. The government? Then the family is liable to be treated as a public utility. There is no less discretion exercised in the latter case than in the former; the government will have to address all sorts of contingencies *ad hoc*, including unintended consequences of past exercises of discretion, just as parents do, to the extent that they are unregulated. And *central* government will have to exercise more discretionary power over local governments, to the extent that it expropriates power from them.

Concern about the distribution of discretion has intensified and given focus to my partiality to being left alone to make of my life what I will. Now no one is a prime mover unmoved; we are all shaped by influences we don't will. In that sense it is impossible to be left alone by the world. The Marxist fantasy of having our cake and eating it too, of retaining a complex civilization and yet somehow transcending it to exercise a degree of control infeasible even in the case of a small organization created by design, is deranged. The question is what sorts of unregulated influences should be countenanced. A derivative question is who should decide what they are.

Some political theorists seem to think the alternatives are these: allow contingencies to buffet us, or tame them and orchestrate social and political life so that they are minimized. Rawls deems natural and social contingencies morally arbitrary, and concludes that central government must mitigate their influence to the extent feasible and consistent with the rule of law and basic liberties.

But the basic liberties are few, as many of Rawls's classical liberal as well as libertarian critics have noted, and leave vast power to central government. And the ideal of the rule of law is famously malleable. A simple point often lost is that the exercise of discretion by legally empowered authority is as much a contingency to those on whom it is exerted as are the contingencies it is supposed to mitigate. It is not much consolation for an administrative agency to say that it legislates in accordance with "intelligible principles"—including principles of justice formulated by hypothetical contractors in a decision procedure designed to produce a foreordained progressive outcome.

17.4. DISCRETION AND QUASI-LAW

Consider the 2014 Dear Colleague letter⁶ on discipline sent by the Obama administration to school districts throughout the United States. In light of differing rates of discipline for students of different races, the letter "advised" districts that traditional disciplinary policies like expulsion were only permissible as a "last resort." Even if there is no disparate *treatment*—intentional discrimination—disparate statistical impact is grounds for losing federal funding.

Those on the business end of a decree packaged as “guidance” are likely to experience it more as the deliverance of an inscrutable god than the mitigation of arbitrary social contingency. If the students disciplined under policies having disparate impact are disruptive and even dangerous to fellow students, the US Department of Education is unlikely to know it, so insulated is it from the local knowledge necessary to craft an effective and fair disciplinary policy. It may well be that in many cases the students *harmed* by disruptors no longer subject to effective discipline are themselves minority students, the very category the letter was meant to protect. These particulars are likely as unavailable to remote administrators as the contingencies of human life are to Aristotle’s god. The discretion that would have been exercised by local officials, responsible to their communities and apprised of the relevant facts on the ground, is now exercised by what seems an imperial power.

The uncertainty created by the granting of such discretionary power to a federal agency is enhanced by the very fact that the letter is “guidance” rather than a rule with clear sanctions attached. It’s more an unrefusable offer—*nice little business ya got there; shame if something happened to it*—than valid law. The lack of clarity enhances the power of the issuer, as those being “guided” wonder what’s next: What actions will be deemed violations of quasi-laws and regulations? And the issuance of a decree in the form of guidance circumvents the rule-making processes important to distinguishing a democratic republic from a literal dictatorship, where the word of the sovereign is law.

A better-known Dear Colleague letter⁷ effectively required colleges to lower their standards of evidence in sexual assault cases, and to gut the due process rights of the accused. This 2011 letter depended heavily on frightening claims of a pervasive campus rape culture: 20 percent of female college students had allegedly suffered sexual assault over a four-year period. Yet according to a 2014 Department of Justice report,⁸ the annual percentage of female students assaulted—when threatened and attempted assaults as well as completed assaults, and unreported as well as reported assaults, were included—was 0.61. Over four years of college, 2.5 percent of female students had been assaulted. That the rate was drastically lower than that reported by the White House is no comfort to actual victims, but the fact is that an agency that evaded the rule-making process produced a bit of quasi-legislation that has had serious consequences for those denied due process, and for future victims whose claims might arouse suspicion springing from doubts about rogue regulations.⁹

Quasi-law can issue from, or at least be indirectly created by, legislatures. Congress produced a whopping specimen in the form of the Affordable Care Act, enacted chaotically, and quite possibly in violation of the Origination Clause, given that the Supreme Court ruled that its individual mandate could only pass muster as a tax. I call it quasi-law partly because the bill itself was 2,700 pages, which doesn’t inspire confidence that it is a clear guide to doctors, patients, and the rest of the health care system or that it will leave much discretion to anyone but bureaucrats. More important, as Tevi Troy notes, “The word ‘secretary’ appears nearly 3,000 times . . . most frequently referring to regulatory implementation requirements that will have to be

undertaken by the HHS Secretary . . . and appointed career staff.”¹⁰ In this sense, the ACA is an enabling act, a shell statute empowering the secretary by slow degrees to run the health care system. So much for Article 1, Section 1 of the Constitution; there’s an insurance system to be saved. Requirements beginning with “The Secretary shall . . .” include everything from rules defining the age of children eligible to remain on their parents’ insurance, to “oral healthcare components that shall include tooth-level surveillance,”¹¹ and a mandate requiring “a clinical examination in which an examiner looks at each dental surface, on each tooth of the mouth.”¹²

The alleged point of the “law” was to make insurance accessible to those who didn’t qualify for means-tested health care, but didn’t receive it from their employers, and couldn’t afford it on their own. Insurance was to be issued to all, regardless of health status, and premiums couldn’t be proportioned to health status. To prevent adverse selection of a pool of enrollees older and sicker than the general population, which would accelerate premium price increases and risk a death spiral, an individual mandate (make that “tax,” to slip it by a pesky Supreme Court) was included. But we were promised that it would not upend the health insurance system. As President Obama famously said, “If you like your health insurance, you can keep your health insurance.” There also were assurances that patients would not have to change doctors.

The ACA was to make insurance more affordable; yet it mandated coverage for “ambulatory, emergency, pediatric, laboratory, preventive and wellness services, maternal and newborn care, mental health and substance use disorder, prescription drugs, rehabilitative and habilitative services, and devices.”¹³ It is easy to create a list, but, as Richard Epstein notes, not to specify the care required for all these categories. “Today, officials at the Department of Health and Human Services who have no bottom-line responsibility make these choices. Their tendency is to aim for the moon by requiring coverage that private firms would never offer voluntarily.”¹⁴

The fantasy of a frictionless world in which such changes could produce affordable health insurance, while somehow leaving undisturbed those satisfied with their health plans, was soon exposed. Politifact—not known for its hostility to progressivism—named Obama’s falsehood “2013 Lie of the Year.” Several million people were forced out of their health plans, despite administration assurances that many plans were grandfathered. The catch was that the slightest change in a plan meant it lost its grandfathered status. The president compounded the deception by claiming that he’d *really* said that you can keep it if it hasn’t changed since the law passed—changed even in inconsequential ways. And economic reality intruded and produced narrowed provider networks and increased premiums and deductibles.

All this earned the transformative president a “Pants on Fire!”¹⁵ rating, and brings to mind a fundamental point about rule by decree rather than law: once a plan to *run* some complex aspect of life is in place, as opposed to providing a legal framework in which it can flourish, the temptation to deploy noble lies in order to keep it on track is enormous. To paraphrase Churchill, in wartime—progressives are always waging war on this and that—progressive policy is so precious that she should always be attended by a bodyguard of lies. (Hayek’s masterful chapter in *The Road to Serfdom*

titled “Why the Worst Get to the Top” is an indispensable guide to this danger of the administrative state.) If the central plan works, hurrah for planning; if it doesn’t, hurrah for more planning. Capital-H History must run its course.

The temptation to dissemble is amplified by the fact that those who think a nation needs fundamental transformation are surely underwhelmed by respect for its people. Their attitude is not that of faithful executors of *law*, but shepherds of a flock that has lost its way; the sheep “get bitter, they cling to guns or religion or antipathy to people who aren’t like them or anti-immigrant sentiment or anti-trade sentiment as a way to explain their frustrations.”¹⁶ If law works, fine; if not, pen, phone, and executive decree will do.

Thomas Friedman, leaden but reliable medium of progressive thought, gave voice to the authoritarian impulse behind quasi-law when he said that, though China’s autocracy “has its drawbacks,” it also has “great advantages,” led as it is “by a reasonably enlightened group of people.” Unhindered by the checks and balances our uptight forebears built into our political system, “China’s leaders understand that in a world of exploding populations and rising emerging-market middle classes, demand for clean power and energy efficiency is going to soar. Beijing wants to make sure that it owns that industry and is ordering the policies to do that, including boosting gasoline prices, from the top down.” Contrast that with our “one-party democracy,” where the reactionary party just stands, “arms folded and saying ‘no,’”¹⁷ unlike the reasonably enlightened regime of President-for-Life Xi and the *utterly* enlightened Obama administration. Drat those checks and balances!

In this remarkably frank piece, Friedman says the same of health care policy. No doubt his response to my remarks about the ACA would be that, however much constitutional corner-cutting has been done, it is vindicated by the fact that twenty million more people are insured than before the ACA was enacted. The problem is that over fourteen million of these are enrolled in Medicaid and the Children’s Health Insurance Program, which offer inferior care and are fiscally unstable. Medicaid cost taxpayers \$557 billion in FY 2017¹⁸ and is projected to cost \$890 billion by 2024.¹⁹ Almost one-third of physicians refuse to see new Medicaid patients, mostly because of low reimbursement rates.²⁰ California’s Medi-Cal “pays barely half of Medicare’s rates—doctors and hospitals cannot provide care when they lose money per patient served,”²¹ which is particularly striking in light of the fact that, as Robert Laszewski notes, “Medicare pays close to half the price commercial insurers pay hospitals and pays about 20% less than commercial insurance pays doctors—and often much less than that for certain specialties.”²²

As for those on ACA exchanges, partly due to the mandates sketched above, “premiums for individuals doubled and for families increased 140%,”²³ despite much higher deductibles, especially for families. Insurers are fleeing the exchanges: In half of US counties, only one insurer offered insurance on exchanges, and 75 percent of plans have highly restrictive provider networks.

But wasn’t the ACA *conservative* in the nonideological sense that it left the health care system intact for the 150 million Americans with employer-based insurance? As

James Capretta notes, the ACA “transferred massive power and authority from individuals, employers, and states to the federal government. The federal bureaucracy now calls all of the shots in the health-insurance sector and is using its powers under the ACA to push hospitals and doctors to conform to the government’s preferred methods of caring for patients.”²⁴ It is passing strange that progressives who defend maximal abortion rights by invoking the sanctity of the doctor-patient relationship have no problem with this trend.

Furthermore, only a naïf thinks the ACA was anything but a prelude to a federal takeover of health care. President Obama favored a single-payer system until he became a candidate; his election-year conversion mirrored his conversion to the view that marriage is rightly understood as between a man and a woman. ACA sponsors fought for a public option, a government-run plan that would supposedly compete on even terms with other plans on the exchanges. But, as Robert Verbruggen observes, the government already covers one-fourth of US health care spending, and “has such powerful control over what will be paid for millions of people’s health care, it can simply underpay providers on a take-it-or-leave-it basis.”²⁵ The government won’t go out of business; insurers operating at a loss would. The public option is a Trojan horse. The goal is single payer.

Where does this leave Julia? Is she less buffeted by “arbitrary contingencies” than before? She is affluent, so at least she avoids Medicaid. If she’s an independent web designer, she’s liable to be navigating the shoal waters of the exchanges, where premiums and deductibles are waxing, provider and insurer options waning. Suppose these are just the birth pangs of single payer. How will she fare if we get there? Scott Atlas notes that major US media outlets expressed outrage and demanded radical reform “when 2009 data showed that time-to-appointment for Americans averaged 20.5 *days* for five common specialties.” Unreported was the fact that this pertained almost exclusively to “healthy check-ups.” “*Even for simple physical exams and purely elective, routine appointments, U.S. wait times are far shorter than for seriously ill patients in countries with single-payer health care.*”²⁶ So it is far from clear that, under the benevolent auspices of a nationally run health care system, Julia will more nearly approximate the pure agency imputed to her in the aspirational video. She *will* have a parchment right and an insurance card, and the government *will* have a degree of control over an important part of her life that it didn’t before.

The more discretion a government of quasi-laws has, the less Julia has. My remarks aren’t a brief for Hobbesian natural freedom from enforceable obligations to others, which ends in a free-for-all, not freedom. Rather, starting with the desire not to be buffeted by the misguided zeal of remote regulators, and the arbitrary will of various others, I have backed into a classical liberal conception of the rule of *law*, which I’ll briefly sketch, then outline the attendant conception of freedom. This is fitting for a conservative, a Somewhereist, aware as I am that law and liberty were not someone’s bright ideas, but rather traditional arrangements, parts of a precious inheritance that began to be understood only late in its development. (The owl of Minerva is the state bird of Somewhere.)

17.5. LAW

Start with Oakeshott's non-millenarian observation that government presupposes "a genuine acceptance of current beliefs simply because they are current and current activities simply because they are afoot." Its main task is the unexalted but indispensable prevention of collisions these activities generate. In this sense, "the intimations of government are to be found in ritual, not religion and philosophy; in the enjoyment of orderly and peaceable behavior, not in the search for truth or perfection."²⁷ Customary constraints can only take us so far. "A more precise and a less easily corrupted ritual is required to resolve the massive collisions which our manner of living is apt to generate and to release us from the massive frustrations in which we are apt to become locked. The custodian of this ritual is 'the government,' and the rules it imposes are 'the law.'"²⁸

Old activities change, new ones emerge, and laws have to be amended or enacted accordingly. But "modification of the rules should always reflect, and never impose, a change in the activities and beliefs of those who are subject to them, and should never on any occasion be so great as to destroy the *ensemble*." Law in this sense does not address hypothetical situations, but only changes of circumstance that have "come to stay for a while," and only to the extent necessary; it is not "tied to generalities like 'the public good' or 'social justice.'" Lawmaking, like politics in general, is "an activity in which a valuable set of tools is renovated from time to time and kept in trim rather than as an opportunity for perpetual re-equipment."²⁹

Though fundamental to social life, law is not transformative in the contemporary millenarian sense. Senator Elizabeth Warren (D-Anywhere) heaped scorn on this sober conception of law and government when, in reply to Representative John Delaney's gibe that her Medicare for All plan was based on "fairy-tale economics," she said, "You know, I don't understand why anybody goes to all the trouble of running for president of the United States just to talk about what we really can't do and shouldn't fight for. I don't get it."³⁰ (I *completely* get it.) Delaney's is far from a quietist view of government, but it lacks the chiliastic quality of the view of government as moving history on its progressive course. So his view must be extinguished, as it is an afterglow of Harold Macmillan's counterrevolutionary view that "If people want a sense of purpose, they should get it from their archbishops. They should not hope to receive it from their politicians."³¹

The virtue of conservative government is that it leaves flesh-and-blood people, *as they are*, more freedom, in the ordinary, *negative* sense of the absence of intentional obstacles set by others to pursuing their *actual* ends, shaped though they are by "arbitrary" contingencies. A government of *laus* is of course entirely consistent with the civil rights laws that freed African Americans—though not with the gusher of quasi-law that followed. Law in the unintoxicated sense consists of rules that are public, certain, and "end independent"³² in that, unlike commands or ACA-licensed directives aimed at running a health care system, they aim at coordinating the self-chosen activities of individuals and voluntary organizations. Though making law *public* is

often equated with enacting statutes and publishing regulations, law as I understand it includes common law embodying principles reasonable parties are aware of when they act, whether or not they've been articulated. Such principles, if part of the warp and woof of society, are more publicly accessible than arcane black-letter enactments of Congress and federal agencies. Law is primarily *negative*, mainly proscribing the use of various means in the pursuit of our activities. So, it makes little sense to speak of "carrying out" such laws, though it makes perfect sense to speak of carrying out the decrees of those to whom we are subordinate.

None of this implies the pure right libertarian view that the *only* legitimate function of government is the prevention of force and fraud and other "collisions." A conservative conception of law sees our health care system as one of those "current activities" that must be regulated. Just as government should be involved in the financing, though *not* in the detailed direction, of education—the latter as well as the former point is emphasized by classical liberals like Mill—so there is a role for government in health care.

But the conservative attends closely to the fact that substantial majorities in the United States happen to *like* their health care. Recent Gallup polls³³ show that quite substantial majorities, across age, income, and ethnic groups, are satisfied with both their health care and their health insurance. These might appear to transformers from Anywhere to be contingent and arbitrary preferences. It is no surprise that they do not dwell on the fact that actual people, as opposed to contractarian wraiths, do not want the medical system upended, as opposed to incrementally reformed.³⁴ Do they think their flock plain ignorant? Are they prisoners of false consciousness? However that may be, no doubt having custodial care of ongoing arrangements is less exhilarating for lawmakers, and gives visionaries less to do, than does fundamental transformation. But government isn't a jobs program for visionaries.

The rule of law as I understand it dampens visionaries' dreams by ruling out a virtual government monopoly of the sort embraced by the Medicare for All Act of 2019, which had over a hundred cosponsors in Congress, and the endorsement of several 2020 presidential candidates. It includes comprehensive "free" care for all, including dental care and long-term care. A Physician Practice Review Board would in effect ration care; there would be no out-of-pocket costs; physicians would in effect become government employees and hospitals would in effect become government facilities, for government fees would be the only allowable payments, and accepting them would create an obligation to abide by all future regulations. Only those who agree to all this would be "qualified providers,"³⁵ and only qualified providers could be employed by physician groups or medical institutions. Concierge medicine would effectively be eliminated, because no one eligible for any benefits created by this "law" would be able to contract with any physician for concierge treatment.

But again, restrictive though it is, the rule of law does not forbid government involvement in the health care system. It is compatible with a health care system that includes government financing for those who don't receive employer-provided insurance, so long as the method of raising revenue conforms to the rule of law. As Atlas

says, a health savings account without a use-or-lose provision (which allows savings to be rolled over yearly and transmitted to heirs, unlike a mere tax deduction) “is *not* simply to provide a tax-sheltered benefit for individuals in order to cushion the blow of high health care expenses.”³⁶ Rather, it helps contain costs by making patients conscious of them, thereby reducing the overuse of medical resources that produces the shortages by which government-run systems contain costs. Julia is less likely to have an interminable wait to realize her parchment right to health care.

Requiring price transparency by providers is also entirely compatible with a system of laws in the classical sense. So are rules allowing the purchase of insurance across state lines, and the elimination of restrictions on the supply of health care providers that stifle competition and raise costs.

Julia seems freer in a classical liberal than in a progressive health care system. Then again, maybe my core idea of freedom as being left alone is crude and misguided. Maybe history’s *telos* is positive freedom.

17.6. FREEDOM

Negative freedom, natural ally of the conception of law just sketched, gets a lot of bad press. It evokes images of externality monsters left alone to foul heaven and earth. Ronald Dworkin, brilliant and wily rhetorician as well as an extraordinary philosopher incapable of writing an uninteresting sentence, contrasts “liberty as independence,” which derives from an ambitious ideal of equality, with what he calls “liberty as license,” which is essentially negative liberty, the heart of which is being left alone. Equality allegedly minimizes the influence of brute luck on our capacity to be independent—to frame lives of our own. Equality also requires a great deal of redistribution and other central direction that considerably restricts negative liberty. But we’re told that’s not a bad thing, for liberty as license includes the freedom to “smash storefront windows,”³⁷ and who wants to defend *that*? Elizabeth Anderson treats negative liberty similarly when she says that it is restricted by “a liberal democratic authority” and “a dominating power” alike.³⁸ The bare fact that negative liberty is restricted is said to be normatively insignificant.

How *indiscriminate* the idea of negative freedom seems, compared to liberty as independence, which, together with Dworkin’s resource egalitarianism, is effectively the same as what Anderson calls *positive* freedom, defined as the possession of “a rich set of opportunities *effectively* accessible”³⁹ to all. Positive freedom entails noninterference with basic liberties. But, as in Rawls’s case, the list of such liberties is short, and Dworkin stresses that “no genuine conflict exists,”⁴⁰ *ever*, between *real* freedom—liberty as independence, which is freedom in the *normative* sense—and equality. Freedom to participate in a private health care system has no value *at all*, if judged by the state to be inconsistent with liberal equality.⁴¹

Anderson’s positive freedom requires a system of “individual property rights” that includes, in addition to many external goods, a free education sufficient “to avoid

domination by parents and others, and to secure a self-conception as someone with rights of personal independence.”⁴² Positive freedom, unlike negative freedom, is an *exercise* conception: if internal and external obstacles to self-realization are eliminated, you *will* achieve self-realization.

The government that ensures effective accessibility to resources broadly conceived, including security of self-conception, aspires to transform us in a way that one focused on property rights in a more conventional sense does not. Personal property as usually understood is defined by rules that mainly limit liberty in the flat, purely descriptive liberty-as-license sense, in order to secure *negative liberty in the usual, normative, and not-indiscriminate sense* of the absence of interference with what is legitimately yours. Your property is identified by rules of acquisition and transfer that primarily forbid force or fraud as means of acquisition: Your home is yours because I can't occupy it at will.

The conception of personal property that accords with positive freedom is far more ambitious. It involves *inter alia* direction of the health care system and extensive redistribution, and is compatible with so closely regulating the mediating institutions between individual and state that they resemble public utilities. Under the auspices of progressivism, a positive conception of property can require negation of contingencies, starting with the family, that keep “real” selves from throwing off the shackles binding them to their actual, empirical wills. Susan Moller Okin gives frank expression to this idea when she proposes to make good on Rawls's promise of liberal reform of the basic structure of society by undermining the notion of gender itself.⁴³ This would include teaching children of the wrongness of a social system that produces any appreciable number of women who want to be stay-at-home mothers.⁴⁴ The ability of non-wraiths to raise their children as they wish is vastly reduced in the name of positive freedom.

This might explain why we hear so little of Julia's social unit (“family” seems too concrete, too rooted in history). It is a public utility. The real action is at the level of the agencies that recreate it. (I use “agencies” rather than “legislatures” advisedly here.) The progressive reconstruction project has gained much momentum since Okin's original defense, and what the deconstruction of gender is, in practice, becomes clearer. In a case illustrating the alliance between positive freedom and quasi-law, the Obama administration—honoring neither legislative nor regulatory procedures—reinterpreted sex discrimination as defined by Title IX to include “discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity.”⁴⁵ This was the basis of yet another Dear Colleague letter,⁴⁶ demanding that students be granted access to bathrooms, locker rooms, and sports teams in accordance with students' self-proclaimed gender, regardless of what their school records indicate or whether they have a medical diagnosis to support their claim.

This has prompted a wholly reasonable outcry from parents and students. A young woman named Selina Soule has achieved notoriety for lodging a Title IX complaint about male domination of female high school sports, and female students

staged a walkout at an Omaha high school demanding a restoration of privacy, after a male student recently identifying as a girl began using the girls' bathrooms.

Yet progressives chug inexorably toward the view that such claims of transgender students give voice to "private property rights" to avoid "domination" and to receive an education that, as Anderson put it, "secure[s] a self-conception as someone with rights of personal independence." What better explains the extreme responses to questions raised about it? The concerns of parents and children who see the enforcement of these "rights" as gross violations of their own freedom are dismissed as manifestations of hate, even as attempts to "erase" those whose gender-identity claims they question.

This Orwellian inversion of the idea of property dismisses legitimate concerns of these families and licenses endless government intervention. There is no other way to approximate a condition in which minors demanding the deconstruction of the "dominant culture" approach the status of junior Aristotelian gods, unmoved movers. The Law of the Conservation of Discretion is inexorable. So is the logic of the progressive iteration of "a little child shall lead us," for children are least corrupted by the dominant culture's views of family and sexuality. (Adults are a bit like those who wore spectacles in Kampuchea, who were not spared, because they were corrupted by bourgeois ideology.) Greta Thunberg rises to prophetic status, and Senator Warren declares that any successful Secretary of Education candidate would have to pass muster with a transgender child the senator met on the campaign trail. (Imagine the cataract of "guidance" that would flow from the pen of any secretary who survived this vetting process.) Parents and children who feel violated by progressive decrees will be left with little freedom as they, and many others wholly uninterested in erasing anyone, define it. It will be cold comfort to be told that they too are being freed, liberated from the traditional patterns of thought that imprison them, and that their better selves don't even *want* liberty as license, though their empirical selves haven't gotten the memo.

They'll get it if we get Anywhere. The ideal of positive freedom can't leave education to the vagaries of the negative freedom enjoyed by families and local communities. This of course is the logic of Twitter outrage culture; of erasing erasers by doxxing, firing, and ostracizing them for expressing regressive opinions; of shouting down campus speakers and providing safe spaces when that doesn't work; and of the expansion of the scope of "hate speech" and the drive to prohibit it.

17.7. HOME AGAIN

I come back—a conservative fondly turning homeward—to the two essays in Buckley's anthology that got me Somewhere. Given their disparate subject matter, they seem mere beads on a string; really, they're facets of a single gem. Each celebrates a cultural heritage in its precious contingency and exemplifies Roger Scruton's observation that "[c]onservatism starts from a sentiment that all mature people can readily share: the sentiment that good things are easily destroyed, but not easily created."⁴⁷

Hugh Kenner's "The New Scholarship," published in 1967, is a reflection on *Yeats, Lewis, Pound, Eliot, Lawrence: A Study of the Anti-Democratic Intelligentsia*, by John R. Harrison, a ballyhooed young literary critic of the day. The burden of Kenner's scintillating essay is that Harrison's attempt to interpret the work of these very challenging artists is an assemblage of banalities about democratic equality. Kenner declares that Harrison's "nerve is as the nerve of ten, because his heart is pure, and the ideas that come at need to the pure in heart fill in so readily all those little chasms in his mere information that he is on the whole not really aware of deficient insight." Thus a passage in Pound that mentions black shawls worn by Venetian women, filtered through a poorly stocked, ideology-ridden mind, is taken to mean that "*black plus Italy equals Fascist*, does it not? Remember those shirts!"⁴⁸ (though Pound is really alluding to the survival of the cult of Demeter).

Kenner gives so many examples of this sort of jejune moralizing, this flattening and trivializing of highly allusive art, as to expose Harrison's lack of *artistic* interest in, and perhaps knowledge of, the works that fuel his polemics. (Sound familiar?) Kenner's essay, written well before the term "political correctness" was coined, brilliantly diagnoses the malady. Kenner deploys his profound knowledge of a literary tradition he loves in an attempt to deliver it from those who treat it as fodder for exercises in political tedium on a par with an associate dean's freshman orientation oration on diversity.

Hart's "Burke and Radical Freedom" contrasts freedom as a "concrete and historical thing, the actual freedoms"⁴⁹ enjoyed by members of an historical society, with "the hypothetical, indeed mythical, freedom of a presocial self"⁵⁰ suggested by Rousseau's proclamation that actual, flesh-and-blood men and women are *everywhere* in chains. Hart believes that Sartre illuminates the rebellion against the contingency and seeming tyranny of tradition. Though it can be hard for analytic philosophers to swallow the idea that Sartre *illuminates* anything, he captures more of the spirit of egalitarian, progressive liberalism than we might know.

Roquentin, the hero of Sartre's greatest novel, is nauseated by the physical world: It's just *there*, and Roquentin "is enough of a rationalist to conclude from the contingency of existence to its being absurd, irrational, even obscene."⁵¹ He is an existentialist hero because he refuses to deny his absolute, dreadful freedom in the face of this brute "facticity." The social world is a more insidious threat to freedom than the natural world. Nature announces its recalcitrance, smacks us in the face. But the "viscosity" and "stickiness" of the social world gives the "salauds"—the "stinkers"⁵²—room to think they move freely, though in fact they let this social world congeal and deaden them. (No wonder salauds stink; they muck about in a septic tank.) Viscosity is "the type of all evil"⁵³ for Roquentin, as for his creator.

Freedom for Sartre is nearly nothing: the bare capacity for acts of will undetermined by implacable nature or slimy social arrangements. What else can it be for one who sees through everything? True humanity is owning up to this radical freedom.

This revulsion against natural and especially social limits, skillfully limned by Hart, is an animating force of contemporary progressivism. No doubt many Anywheres will disagree. Surely, they'll say, we mustn't elide egalitarian liberalism and Sartrean existentialism, in light of the pains taken by *inter alia* Rawlsians to deny

that they make this radical turn. Rawls claims to be interpreting the fundamental political conceptions of *actual, contemporary liberal democracies*—and defending “political” not radical autonomy.

Here progressives whistle past the graveyard. Liberals like Okin well understand the logic of contemporary liberalism, as do teenagers and even children who hold society hostage to their gender declarations. The idea that disagreement with their claims amounts to erasure suggests a conception of freedom, as radical and asocial as Sartre’s, that inspired a largish sign at the 2020 American Philosophical Association Eastern Division meeting. It said, “Please take a pronoun sticker . . . Stickers can be worn as a show of solidarity, and a means of making our divisional meetings a friendly and safe environment for all.”

Safe! This is “guidance” aspiring to decree status. If *safety* is at stake, we’re in *rights* territory: *claim* rights that entail correlative *obligations*. Beneath the earnest, droning prose of much contemporary political philosophy is a yearning for Year Zero, for permanent revolution, when all campus buildings are renamed; all portraits of Shakespeare that adorn literature departments are covered; pronouns, far from providing safety, are revolutionary cudgels; and perhaps all clocks strike thirteen, just to show who’s boss. The salubrious climate that campuses provide those who demand that history be erased, so that History can be realized, testifies to the radical nature of contemporary liberalism. And what goes on there confirms that, in addition to taking too many evenings (as Oscar Wilde supposedly said of socialism), progressivism consumes our mornings and afternoons too—with a little time granted, I trust, for cultural fairs. Our thoughts as well as our institutions must be purified if positive freedom is to be secured. Everything is political.

With purification comes great tedium,⁵⁴ as we dismantle the essentials of an enriching life in the name of providing the conditions for making a life for ourselves. We approach the point where, for example, sexual *ethics*, which concerns how to live well, is consumed by sexual *morality*, which concerns what rights we have. If those rights include a right to a secure self-conception, and if that implies purifying culture of *ethical* views that suggest some ways of life are better than others, it is hard to see how we end up anywhere but Anywhere. Any attempt by, say, the Catholic Church to enunciate an ethical ideal of sexual life is liable to be drowned out by cries of “hatred” and “erasure.”

All of which prompts me to conclude, decades after reading Kenner’s essay with exhilaration and Hart’s with admiration, that there is a great, great deal to be said for being left alone, to lead the lives that we, *as we are*, choose, as opposed to having our betters constantly manipulating our circumstances for the sake of radical freedom. Contractarian wraiths strike me as at best insubstantial bores, at worst as pallid, cosseted vandals and Bias Response Team minions sniffing out unorthodoxy by highly irregular means; in neither case are they Aristotelian gods or heroic creators of micro-worlds.

Poor Julia’s stuck in Nowheresville. I’ll do my bit to derail history before it reaches that spectral destination, which resembles Augustine’s conception of evil as privation more than anywhere I want to go.

NOTES

1. DeMuth, Christopher, "Trumpism, Nationalism, and Conservatism," *Claremont Review of Books*, Winter 2019, <https://claremontreviewofbooks.com/trumpism-nationalism-and-conservatism/>. The terms "Anywheres" and "Somewheres" were coined by Goodhart, David, *The Road to Somewhere* (London: C. Hurst & Co., 2017), 3.

2. Oakeshott, Michael, "The Tower of Babel," in *Rationalism in Politics and Other Essays* (revised ed.) (Indianapolis: Liberty Fund, 1991), 467.

3. Pascal, Blaise, *Pascal's Pensees* (New York: E. P. Dutton & Co., 1958), 39.

4. Burke, Edmund, *Reflections on the Revolution in France* (Garden City, NY: Dolphin Books, 1961), 108.

5. *J. W. Hampton, Jr. & Co. v. United States*, 276 U.S. 394, 409 (1928).

6. U.S. Department of Education and U.S. Department of Justice, "Joint 'Dear Colleague' Letter," by Arne Duncan (Washington, DC, 2014), <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html>.

7. U.S. Department of Education, "'Dear Colleague' Letter," by Russlynn Ali (Washington, DC, December 2014), <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf>.

8. U.S. Department of Justice, Bureau of Justice Statistics, "Rape and Sexual Assault Victimization among College-Age Females, 1995–2013," by Sofi Sinozich and Lynn Langton (Washington, DC 2014), <https://www.bjs.gov/content/pub/pdf/rsavcaf9513.pdf>.

9. For an excellent discussion of the 2011 Dear Colleague letter, see Yoffe, Emily, "The Uncomfortable Truth about Campus Rape Policy," *The Atlantic*, September 6, 2017, <https://www.theatlantic.com/education/archive/2017/09/the-uncomfortable-truth-about-campus-rape-policy/538974/>.

10. Troy, Tevi, "'The Secretary Shall': How the Implementation of the Affordable Care Act Will Affect Doctors," Health Policy/Briefing Paper, Hudson Institute (Washington, DC, May 2012), 2. <https://www.hudson.org/content/researchattachments/attachment/1034/secshalltroy--052212web.pdf>.

11. *Ibid.*, 3.

12. *Ibid.*, 4.

13. Epstein, Richard, "Is Obamacare Sustainable?" *Defining Ideas: A Hoover Institution Journal*, October 26, 2015, <https://www.hoover.org/research/obamacare-sustainable>.

14. *Ibid.*

15. Holan, Angie Drobnic, "Lie of the Year: 'If You Like Your Health Care Plan, You Can Keep It,'" *Politifact*, December 12, 2013, <https://www.politifact.com/article/2013/dec/12/lie-year-if-you-like-your-health-care-plan-keep-it/>.

16. President Barack Obama, quoted in Pilkington, Ed, "Obama Angers Midwest Voters with Guns and Religion Remark," *The Guardian*, April 14, 2008, <https://www.theguardian.com/world/2008/apr/14/barackobama.uselections2008>.

17. Friedman, Thomas, "Our One-Party Democracy," *New York Times*, September 8, 2009, <https://www.nytimes.com/2009/09/09/opinion/09friedman.html>.

18. See Rudowitz, Robin, et al., "Medicaid Enrollment & Spending Growth: FY 2018 & 2019," *Kaiser Family Foundation*, October 25, 2018, <https://www.kff.org/medicaid/issue-brief/medicaid-enrollment-spending-growth-fy-2018-2019/>.

19. See Atlas, Scott, "Health Care Policy Reform: Economic Policy Challenges Facing California's Next Governor," *Hoover Institution*, October 29, 2018, <https://www.hoover.org/research/health-care-policy-reform>.

20. King, Robert, "Medicaid Enrollees Last in Line When Docs Accepting New Patients," *Modern Healthcare*, January 24, 2019, <https://www.modernhealthcare.com/article/20190124/NEWS/190129962/medicaid-enrollees-last-in-line-when-docs-accepting-new-patients>.
21. Atlas, "Health Care Policy Reform."
22. Laszewski, Bob, "The Public Option's Silver Lining?" *Health Care Policy and Marketplace Review* (blog), October 23, 2019, <https://healthpolicyandmarket.blogspot.com/2019/10/the-public-options-silver-lining.html>.
23. Atlas, "Health Care Policy Reform."
24. Capretta, James, "On Obamacare, the President Ignores Unpleasant Realities," *National Review*, July 15, 2016, <https://www.nationalreview.com/2016/07/obamacare-obama-journal-american-medical-association-government-run-health-care/>.
25. Verbruggen, Robert, "Revenge of the Public Option," *National Review*, October 28, 2019, <https://www.nationalreview.com/2016/07/obamacare-obama-journal-american-medical-association-government-run-health-care/>.
26. Atlas, "Health Care Policy Reform."
27. Oakeshott, "On Being Conservative," in *Rationalism in Politics and Other Essays* (revised edition) (Indianapolis: Liberty Fund, 1991), 428.
28. *Ibid.*, 429.
29. *Ibid.*, 431.
30. Kaplan, Thomas, "Elizabeth Warren's Slam on John Delaney Was Called the Line of the Night. Here's What She Said," *New York Times*, July 30, 2019, <https://www.nytimes.com/2019/07/30/us/politics/elizabeth-warren-debate.html>.
31. Harold Macmillan, quoted in Fairlie, Henry, *The Life of Politics* (New York: Basic Books, 1968), 16.
32. Hayek, Friedrich A., *Law, Legislation and Liberty*, vol. 2, *The Mirage of Social Justice* (Chicago: University of Chicago Press, 1976), 31.
33. See McCarthy, Justin, "Most Americans Still Rate Their Healthcare Quite Positively," *Gallup*, December 7, 2018, <https://news.gallup.com/poll/245195/americans-rate-healthcare-quite-positively.aspx>.
34. Does this undermine my comments on the ACA, given that the current arrangements reflect its influence? No. First, the damage to those whose insurance was disrupted is done. Second, Oakeshott's point about the maintenance of existing arrangements is important. Even if a system is far from ideal, if it is what we have, and if it works tolerably well for most people, why fundamentally transform it, rather than reform it to better serve those ill served by it? This is the point behind his oracular claim that "the intimations of government are to be found in ritual, not religion and philosophy; in the enjoyment of orderly and peaceable behavior, not in the search for truth or perfection" (Oakeshott, "On Being Conservative," 188).
35. Medicare for All Act of 2019, S. 1129, 116th Cong., sec. 301 (2019).
36. Atlas, "Health Care Policy Reform."
37. Dworkin, Ronald, "Liberty and Liberalism," in *Taking Rights Seriously* (Cambridge, MA: Harvard University Press, 1978), 262.
38. Anderson, Elizabeth, "Freedom and Equality," in *The Oxford Handbook of Freedom*, ed. David Schmidtz and Carmen E. Pavel (New York: Oxford University Press, 2018), 92.
39. *Ibid.* (emphasis added), 91.
40. Dworkin, Ronald, "The Place of Liberty," in *Sovereign Virtue* (Cambridge, MA: Harvard University Press, 2000), 131.
41. There are allegedly great differences between Dworkin's resource egalitarianism and Anderson's democratic egalitarianism. I doubt it, for reasons I lack the space here to discuss. I

think each makes a case for a radical conception of positive freedom, despite Dworkin's alleged wariness of the idea. And though Dworkin eloquently defends free speech on grounds of both "principle" and "policy," I think the extensive state interventions he sanctions for the sake of personal independence, and his commitment to equality as the sovereign virtue, makes him, despite himself, an ally of, for example, hate speech laws. (I am of course subjecting Dworkin to Dworkinian "interpretation.") I believe something similar goes for Anderson.

42. Anderson, "Freedom and Equality," 102.

43. See Okin, Susan Moller, *Justice, Gender, and the Family* (New York: Basic Books, 1989), 17.

44. See *Ibid.*, 177.

45. U.S. Department of Education, "Questions and Answers on Title IX and Sexual Violence" (Washington, DC, April 29, 2014), 5, <https://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

46. U.S. Department of Education, "Dear Colleague' Letter," by Catherine E. Lhamon and Vanita Gupta (Washington, DC, May 13, 2016), <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201605-title-ix-transgender.pdf>.

47. Scruton, Roger, *How to Be a Conservative* (London: Bloomsbury Continuum, 2019), viii.

48. Kenner, Hugh, "The New Scholarship: The Relevance of 'The Reactionaries,'" in *American Conservative Thought in the Twentieth Century*, ed. William F. Buckley Jr. (Indianapolis: Bobbs-Merrill, 1970), 385.

49. Hart, Jeffrey, "Burke and Radical Freedom," in *American Conservative Thought*, 465–66.

50. Hart, "Burke and Radical Freedom," 466.

51. Passmore, John, *A Hundred Years of Philosophy* (Baltimore: Penguin Books, 1968), 491.

52. Hart, "Burke and Radical Freedom," 469.

53. Passmore, *A Hundred Years of Philosophy*, 493.

54. "It is worth remark that when Tennyson, in a wild and rather weak manner, welcomed the idea of infinite alteration in society, he instinctively took a metaphor which suggests an imprisoned tedium. He wrote—'Let the great world spin for ever down the ringing grooves of change.' He thought of change itself as an unchangeable groove; and so it is. Change is about the narrowest and hardest groove that a man can get into." Chesterton, G. K., "Orthodoxy," in *The Collected Works of G. K. Chesterton*, vol. 2 (San Francisco: Ignatius Press, 1986), 239.

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