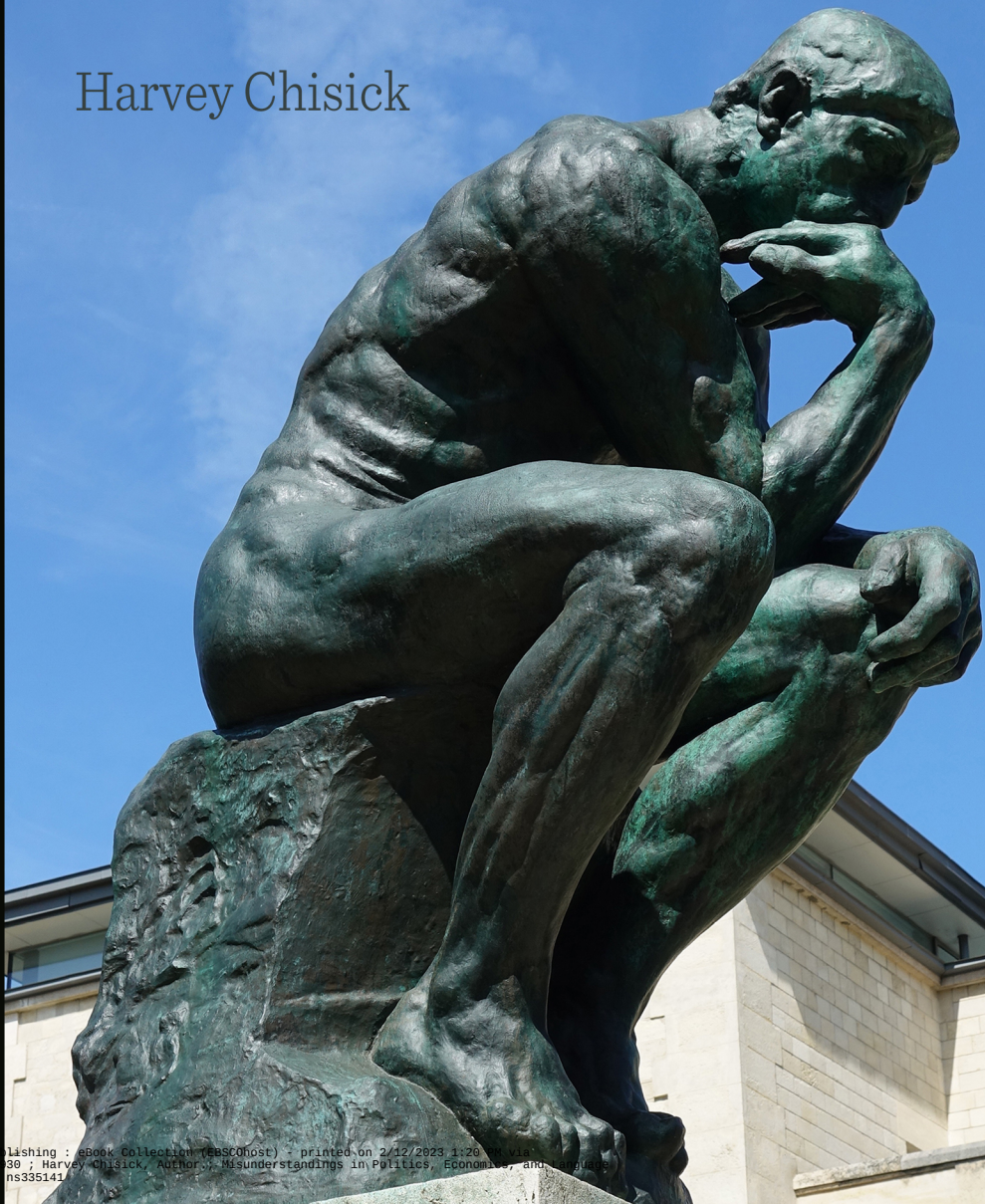
Misunderstandings in Politics, Economics, and Language

Harvey Chisick



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For Norb

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Power Songs

At the meeting they all sang their songs
For whatever power they had
Everyone sang.

power songs
when the people had nothing
when all had been taken away
when the world had vanished
when there were no more names
and no places

the people sang

when there was no more food
when the bellies of the young were like rawhide knots
when the hands of the men fell away from their bodies
like dried leaves
when breath walked out of the lips of the old
and the women's wombs became empty

the people sang

when there was no more wind and no grass
when all the hills had left
when there were no more rivers and no earth and no oceans

the people sang

when there were no eyes anymore
because all was darkness
when the fires went out
and there were no hands
when ears fell silent

they sang

when there was nothing to touch
when all was ash
when the skin fell away

and the spirits fled like smoke

when there was no more sky

when the mouth of death opened
and death yawned
and death was a hot blizzard

when death made no sound

the people sang

they sang the songs
for whatever power they had
everyone sang

they asked that song for help

it is a strong song
a power song
when there is nothing

an old song
older than the world

there is a way to sing it

Norbert Ruebsaat

PREFACE

This is a small book that treats some very large issues. It doesn't need to be any longer. Once the main points are raised, some will agree and perhaps find good reasons for doing so. Others will disagree and dismiss the argument out of hand because it goes against basic assumptions they hold about the world and the way it works. It is really for people like this that I wrote the book. It is fair to say that writing for people who will probably dismiss what you have to say out of hand is a forlorn hope, if it is a hope at all. Perhaps. But we are all in this together, and it is never a good idea to ignore people who think or feel differently.

The main argument is simple. It is that the objectives of politics and economics are different, and that often, they are in conflict. The objective of politics, at least in an old-fashioned understanding of politics, is the well-being of the members of the state, or jurisdiction or community to which people belong. The objective of business is to maximize profits. If increasing profits means polluting air and water, deteriorating the environment, worsening conditions of work and life, "outsourcing" production and jobs away from one place to another, then businesses will do all these things, if that's what profitability requires.

If the purpose of government is the well-being of the community, governments will not look kindly upon activities of this sort. That is why business interests and corporations need, and generally have worked effectively, to offset the community-oriented responsibility of government. They do so in two main ways.

One is to put government, as far as possible, under the control of corporate interests. The most obvious way of doing this is seeing to it that business people, or people whose loyalties are to the corporate world, get positions in government. Taken far enough, this amounts to a hostile takeover of government by business. But just because that's what it amounts to, business folk can't be too obvious about it. In fact, they must, and do, go to great lengths to get us to think otherwise. This distracting the public from what is really going on is the other thing that corporations must do to assure their wealth and power.

If anyone told us that they were out to increase their control of the places we live, in the process probably making us poorer, depriving us of hitherto available means of making our wishes known and running down the places we live and work, we would not take kindly to that. And yet big corporations will likely do all of these things if they are believed to grow their bottom lines. Obviously, they can't say this. But they will do it, because their prime loyalty is to profitability. The prime loyalties of most people is to their country, their community and their fellow citizens. Because it would not be popular to turn a (still) democratic country into an autocracy; because it would not be popular to run down the economy of a home country to the benefit of other countries; because it would not be popular to deteriorate the environment and the climate to the point that large parts of the planet become uninhabitable, those who profit from doing these things find many and ingenious ways of saying it ain't so.

Direction of opinion is important in any society, but especially in democracies, where political opinion decides who rules. How we see things is important. It is important, for example, to know the difference between reality and fantasy, and to distinguish between them. Though this sounds simple, it is often hard to do. Opinion is influenced by a great variety of forces and interests that pull in different directions. There are fairy tales, metaphors derived from cowboy movies and organized sports, commercials, branded cable TV, there are clubs from the Rotary to the KKK, religious organizations ranging from fundamentalist to humanist, there are schools and colleges, think tanks and universities, and there are political parties with their own means of measuring and trying to influence opinion. How close your opinions are to reality usually depends on evidence. Deployment and obfuscation of evidence are central to how arguments are made, and sometimes, how convincing they are. This being the case, it seemed worthwhile to spend some time in looking at language and how it is used.

I am indebted to a number of people for having helped in the preparation and working out of this project. Jonathan Vogt and Kevin Lyman read and commented on the entire manuscript, offering encouragement, not without criticism. Lenny Stendig, who is one of the people you would least want to rebound against, is also one of the most gentlemanlike people on the planet off the court. Despite fundamental differences in the way we see economics and many social issues, he carefully read and made thoughtful criticisms of what I had written. I think it is fair to say that for the most part he was unconvinced, though we were, and remain, in full agreement on the importance of democracy and constitutionalism. I heard the tale of the

twenty accountants from Jon Petrie. Tamar Chisick was kind enough to do a critical reading of the manuscript, and to point out, be it said, with a certain glee, grammatical errors, instances of awkward phrasing and saying things with too many words when fewer would do. Thank you, Tamar. Ariane Cukierkorn took a very rough typescript and with unfailing good humor and admirable efficiency turned it into something that a publisher could work with. She also read the entire manuscript and offered far-reaching criticisms of it, among them that there is more Eurocentrism here than is strictly necessary, and insufficient attention to issues of gender.

For this project, as in others, I am indebted to my friend of many years, Stan Wallach, for bringing to my attention all manner of publications outside of the eighteenth century relevant to what I have been working on, as well as, on occasion, some in, or on, the eighteenth century that I had missed. My greatest regret in preparing this book is that Norbert Ruebsaat, poet, writer, teacher of communications, and the very best of fishing buddies, could not read what I have written here, and with his combination of humor, insight and caring –caring for the world, not just for a friend— would have made it better than it is. It is with gratitude for a lifetime of friendship, and sadness that he is no longer able to discuss and instruct, that I dedicate this book to him. I thank Sonja Ruebsaat, his daughter, for permission to reprint Norbert's Poem, "Power Songs."

While I received information, encouragement, and help from many people, all errors and shortcomings in what follows are the author's alone.

NOTE ON USAGE

The abbreviation UP has been used for University Press.

References to works that exist in many editions have are given by chapter and other subdivisions of the work where this is feasible.

INTRODUCTION

The Cassandra Problem

There are things that exist in their own right. Mostly physical things or conditions, like mountains and rivers and timber lines and highways and buildings and body weight and blood pressure and temperature. Maybe these things have not always been there, or not in the shape they have now, and maybe they will change in the future, or even disappear altogether. But for now, we can see or feel or measure all these things. We can be pretty sure that they are there, and we can track how they change. And then there is a whole world of other things, or ways of seeing things, that depend on how we think of them.

There is, for example, no way to convince a person that a painting that they think is beautiful is not. Whether we admire certain people, or accept certain ways of seeing society, some other people will disagree. There is usually something to be said for both sides in discussions of values, and whichever side we favor, we probably do so on the basis of other values that are not necessarily held by everyone. And then there is that whole area of life that is a matter of opinion, and opinion is a tricky thing. Often opinion is influenced by what we call realities. Sometimes there is no connection. There is an old story about a pretty young priestess named Cassandra, who was admired by Apollo, the Olympian whose cult she served. She did not return his affection, so in anger he arranged that her prophecies, while true, would not be believed.

Cassandra saw correctly that the Greeks were up to no good with their big wooden horse, and said so. The Trojans, because of Apollo's curse, did not believe her. Rather than burn the horse outside the city as Cassandra advised, the Trojans brought it into the city, and the rest, as they say, is a moral tale. Actually, it's a tale with a double moral. One part concerns the way opinion can be misled, even when the truth is available and clearly presented. Given the status of the misleader in this story, we can understand that the most Trojans were led astray. The other moral is that Apollo, powerful as he was, could not change the truth, or keep the truth from a specialist truth-seeker like Cassandra. So Apollo had to see to it

that the truth be disregarded. To skip a few millennia, Fox Mulder, a very non-postmodern character, was fond of saying that the truth is out there. Maybe there is a third moral here, namely, that the problem is not just finding and recognizing the truth, but also preventing it being hidden or disregarded.

CHAPTER ONE

POLITICS

There has probably never been a human association of any size that did not have its politics. Families, tribes, regions, city-states, countries and empires all have their politics. We don't know much about the politics of very early pre-agricultural and tribal societies, and in the West we don't know nearly as much as we would like about the politics of early Greece and Rome. The Greeks provide examples of the main political models we know today. Homeric society was aristocratic, though it included kings of a sort; fifth and fourth century Athens had the earliest example of democracy we know of; and Alexander was a pioneer of empire building in the West.[1] Little is known of early Roman history, but the movement there seems to have been from monarchy to republic to empire. While the Roman empire lasted roughly 400 years (and we can roughly double that for the independent Roman state), it was overcome by forces from without and replaced in the West by localized rule that developed into what we know as feudalism, which was more aristocratic than anything else. In the early modern period, feudalism gave way to monarchy, and from the late eighteenth century, democracies began unevenly to emerge and to share the stage with monarchies and aristocracies. The twentieth century saw intense struggles between new and formidable totalitarian regimes and democracies, between imperial states and their colonies, and more or less obviously, between nation-states and multi-national corporations that look to put their interests above those of the regionally or nationally based

[1] Aristotle provided a simple and elegant classification of governments that is still useful. One axis of his definition is based on the location of power, whether in one person, a few or the many. The other axis of the definition concerns the way power is exercised, whether for the general good, or for the benefit of the power holder, or holders. Rule by an individual is either monarchy or tyranny, rule by a few either aristocracy (rule by the best) or oligarchy (rule by and for the few) and rule by the many is either democracy (rule by the demos, or citizen body) or ochlocracy (rule by the mob). Aristotle, *Politics*, 1279 a-b. Like most political theorists, Aristotle did not much care for the mob.

countries whose interests are focused on the populations and resources they contain. We have not seen the last of this.

Objectives of Politics: Security

While there are a few basic political forms, each with enormous variation, it is probably fair to say that the main impetus to political association was, and is, security. We can also say that after security the main purpose of political association is the well-being of the society included in this association. Whatever the kind of formal organization a society or state may have, it must be able to defend itself from two main threats, or it will not survive. The first of these is internal disorder and conflict, which range from garden-variety crime to civil war. Crime is defined in terms of a law code, enforced by police and adjudicated by courts. As long as the law code of a society is seen as fair and equitable, the police constrained in their actions by the law, and the judiciary independent, the conditions for the rule of law are met, and the rule of law, as opposed to the caprice of rulers or their agents, is the basis of a well-functioning society. You will not achieve the general good without it. The further a country moves from a broad consensus on the fairness and reasonableness of its laws and from objective and equitable enforcement, the greater the danger of either dissolution or dictatorship.

The second threat to the continued existence and well-being of a society is conquest by another state or set of forces, and to offset this, an army is necessary as well as the strategic tools appropriate to the times – forts and castles, walls for cities (and sometimes countries), swords, spears, bows and arrows, crossbows, firearms, artillery, tanks, war planes, missiles, chemical, biological and atomic weapons, weaponized robots and cyber equipment. Conquest by and subjection to another state is one of the greatest evils that societies face, and it is security from this threat that is the first objective of any political structure, closely followed by internal security.

Early political associations, such as those in archaic and classical Greece, were dominated by warriors, with aristocrats usually serving as cavalry and self-sufficient members of the community as heavy-armed infantry, or hoplites. These warrior classes made up the citizen body. Our term “politics” comes from the Greek *polis*, which is usually translated as “city-state.” For the ancient Greeks, the *polis* was the necessary condition not only for survival, but also for the full development of the human

potential of free adult males, who provided the military force to keep the town and its territories secure, and who deliberated about "policy" in public assemblies, "ruling and being ruled in turn."[2] Politics in the ancient Greek city-state was the exclusive prerogative of free adult males, almost all of whom performed some form of military service. It provided an ideal of citizenship balancing rights and responsibilities and an ideal of what it is to be a rounded human being, that have inspired political values from antiquity to the present.[3]

The Greek city-state excluded women, slaves and resident aliens from citizenship, making participation in government the monopoly of a small portion of the population. The notion that citizenship was a properly male prerogative was not overcome in the West until the twentieth century, and followed from complex social and economic developments, as well as changes in ethical and political thought. An old prejudice rooted in the connection between military and civic functions and perpetuated in the classical curricula of schools and universities that shaped education until a few generations ago, it died hard. To open citizenship to women, it took urbanization, the elimination of slavery, a shift to thinking of the populations of countries as citizens rather than subjects, gender equality in property rights and education, industrialization, and entry of women into upper levels of the workforce, all of which happened at different times in different places. Of course, not all women were equally disadvantaged. Within the home the mistress of the house could be as abusive to female slaves or servants as male proprietors or masters, so class and social standing separated women from each other as much as they separated men.

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[2] Aristotle, *Politics*, 1259 b 4-6 and 1277 b 8-10. Plato thought it would be a good idea for rulers to be philosophers. We are still waiting for that.

[3] There is another political model we derive from antiquity, and that has had no less an influence in determining what politics look like today. This is the model of empire, the best-known example of which is probably Rome, though there are other ancient and modern empires that have been no less important. The Roman empire was based on a combination of military power and administrative acumen. It dominated and exploited all peoples and territories within its reach for the benefit of the mother-city and its ruling classes. It was an early and successful example of well-organized gangsterism on a grand scale. It should be noted that Rome did not initially set out to conquer the world. Rather, it was engaged in constant conflicts with rival powers that it succeeded in overcoming by its superior financial and administrative organization which in turn supported its disciplined, well organized and well-equipped military. Having a stronger and deeper state than their rivals, the Romans overcame them.

If security, both from internal disorder and conquest from without, is the most basic need met by political association, this does not mean that having assured security, a political system has achieved all that it can and should do. While security is a necessary condition for the well-being of a society, it is not sufficient. We want and need other things from the state. But these other wants and needs can only be met when the primary need for security has been assured, and so depends on the success of the political system in achieving its most basic objective. In some cases, awareness of the importance of other values results from abuse of power, whether because of the shortcomings of individuals, or as a result of gradual changes that undermine the effectiveness of a given system and discredit it.

A society threatened by disorder from within or conquest from without will either organize to meet these challenges, or face the probability of dissolution or takeover by external forces. The cost of defense against these threats is usually high. It often means unlimited authority in the hands of those designated to assure security, and the allocation of resources to make this possible. The army and police play key roles in the life of a country, while the private interests and desires of the members of society are subordinated to the main and necessary goal of maintaining security. Once the dangers threatening the society have been overcome, the burdens that crises had imposed are seen as less necessary and more onerous, while demands of the civic and private spheres seem more reasonable, and achieving them more feasible. Thomas Hobbes was responding to the urgent needs of a society torn by civil war when he wrote *Leviathan* (1651) to argue for absolute monarchy. It was only when the crisis of the mid-seventeenth century had been overcome and order restored that John Locke could make his argument for reduced central authority and increased civic and political rights and freedoms in his *Second Treatise on Government* (1690). The less threatened and the more secure a society becomes after the main goal of security has been assured, the more demands for what we might call secondary goods, such as personal freedom and material comfort, seem reasonable and feasible. Having solved one problem, society can move along to others, always keeping in mind, as conservatives do, that security is fragile and that threats of disorder and insecurity are always there. It did not make sense for Locke to theorize about how best to assure citizens as much liberty as possible until the problems that troubled Hobbes had been solved.

Arrangements that are adequate to assure security in one set of circumstances may not be suitable in others. Feudalism developed in

Europe after the fall of the Roman Empire, and when the Roman Empire with its strong central government fell, western Europe came under frequent attacks and raids from barbarians from the east, more barbarians from the north, and from the forces of more civilized Islam from the south. At this time there were no states that could raise and support armies to fend off attackers. The scope of life was regional, with local languages and dialects, customs and laws, and only rudimentary transport. During the early Middle Ages, before the growth of towns, there were two institutions that extended beyond local or regional boundaries. One, the Catholic Church, was international. The other, the pre-national feudal monarchy, was more a system of regional federations with leading local nobles often having as much influence as the feudal monarch, and it was not uncommon for such nobles to try to replace feudal monarchs themselves.[4] Strictly speaking, feudalism refers to the relations among nobles who, as knights, were the backbone of the armies of the time. In order to be able to keep horses and retainers and perform their military service, nobles were granted lands sufficient for these needs. Initially granted by the feudal monarch in exchange for military service, these lands soon became hereditary. Relations between the local noble and his tenants, or serfs, was another matter.

As Europe's population grew, towns expanded and economic activity increased. As military technologies changed and new threats faced the fragmented continent, the inadequacies of feudalism became apparent, and the need for a new set of arrangements more urgent. With larger towns, new elites emerged whose fortunes were not based only on land, who lacked noble status, and who played no significant military role. The introduction of gunpowder and the development of firearms and cannon resulted in mounted knights losing their predominance on the field of battle, while castles, which were impregnable to older military technologies, became vulnerable. Cannon being expensive and beyond the means of most nobles, this innovation shifted the military balance of power toward the richest and most powerful. Those at the top of the pyramid of feudal politics, where they were successful, developed from feudal kings into absolute monarchs. The newly empowered kings also sought to reduce their dependence on the old nobility by finding money to

[4] The feudal monarch was the leading figure in a system of contracts (*foedi*) that bound all signatories to the contracts by mutual obligations and rights. A feudal monarch could expect military aid and counsel from his nobility. He would not get money or taxes from them. He was expected to "live from his own."

hire mercenary troops rather than relying on increasingly unreliable feudal levies.[5]

This gradual shift from rule by the local strong man to government by an increasingly powerful and centralized state was difficult, but the peasantry –80% or more of the population-- gained more than it lost from it. For the crown, control of the judiciary was a major issue because it reflected sovereignty. In western Europe high justice, or cases involving capital punishment, had long been the prerogative of the crown, but cases involving property and noncapital punishments were normally in the hands of local lords, or seigneurs. To strengthen his hold on government Louis XIV, probably the best example of an absolute monarch,[6] sent his emissaries to the more remote parts of the kingdom to control the way justice was administered there. Records of the sittings of one of these extraordinary tribunals were made by a cleric attached to the royal courts, Esprit Fléchier, and they show how Louis XIV presented the ideology of absolutism. They also document abuses of power by local seigneurs that are horrendous by any standards. Fléchier's journal shows why French monarchs aspiring to absolute authority enjoyed considerable support among ordinary people.

According to Fléchier, what the central government was setting out to do was to meet the most basic of internal political needs: order and security. Louis XIV's commission was to repress the lawlessness of local strong men, and so to provide a degree of security for the king's subjects. This was not easy because the rights of the seigneurs were anchored in law. Seigneurs were fully entitled to appoint judges to administer local law and they had the right to collect certain fees. It was not the principles of seigneurial justice and seigneurial rights that Louis's assizes challenged,

[5] While there was a basic conflict of interests between the kings and the nobility, this did not mean that there was no cooperation between them. Early modern kings rarely had complete control over all the territory they nominally ruled, and often depended on local nobles to administer certain regions, and on the clergy to inform the public of new laws or directives. This was not, however, an even partnership, in that the extension of royal authority meant a decline in that of the nobles, and all parties were aware of this.

[6] "Absolute" should not be taken in the sense of totalitarian. An absolute monarch was not "absolute" in the sense that he could do whatever he wished. The term absolutism is derived from the Latin *ab* (not) and *solutus* (bound), which is to say, not bound, specifically, by the feudal contract. Commoners had no part in feudalism, which was a system of agreements among noble warriors, but were dependents of the lords in what is better termed a seigneurial system.

but abuses of these things. As broad guidelines, the king's commission required that judges must meet reasonable levels of competence, that they be obliged to investigate all crimes and the evidence for them, that the prisons that seigneurs had the right to keep were well built and properly administered, and that prisoners were to be adequately fed.[7] While minimal, these demands were not altogether innocent. Many nobles had to make do with reduced incomes, and the crown's demands imposed further costs that many nobles could not, or would not, meet. Moreover, the central administration was now a competitor of the seigneurs for the surplus revenue generated by overburdened peasants, and it was very much in the interest of the crown to weaken the status and authority of the nobility by asserting its sovereignty. Beyond these issues there was also the tendency of beneficiaries of the seigneurial system to extend their rights to outright oppression of the peasants.

The records kept by the Assizes of Clermont show that one of the local nobles, the Baron de Sénégas, had improperly interfered in the election of magistrates, made unjustified forced levies, and had extorted sums from villagers subject to his authority. He had further interfered with collection of the king's taxes, usurped the tithe of a prior on one of his estates, and demolished a chapel in order to use the materials in one of his own buildings. There were also "…the accusation of two or three assassinations, of some unjust confinements, of several ransoms forcibly extracted, of many usurpations, and of several cases of forced labour unjustly required and violently enforced."[8]

Fléchier observed that Sénégas' case caused the court considerable trouble because of the Baron's intelligence and his ability to defend his actions. Fléchier was aware that the law supported the authority of seigneurs and their prerogatives, and that it was often difficult to distinguish between the proper, improper and illegal exercise of this authority. For the seventeenth-century commentator, this was the crux of the matter. Today it seems more a question of subversion of feudalism by the centralizing monarchy, and the fact that seigneurs had lost the main justification of their authority as the state took on the responsibility of providing defense against external enemies, while local lords retained their

[7] Esprit Fléchier, *Mémoires de Fléchier sur les Grands-Jours d'Auvergne*, ed. Yves-Marie Bercé (Paris, Mercure de France, 1984). A convenient selected translation of this work can be found in H.G. Judge, *Louis XIV* (London, Longman, 1965), 80-89.

[8] Judge, *Louis XIV*, 82.

rights and privileges. By the eighteenth century the seigneurs of France enjoyed all manner of rights and fees for which they no longer provided the basic service on which the system was based, and moreover, were increasingly tempted to supplement their reduced incomes by abusing their traditional rights. The legislators of the French Revolution, who were strong believers in the sanctity of property, initially decreed that seigneurial rights were to be redeemed for cash payment. However, the peasantry did not believe that compensation was justified, and for the most part simply stopped paying seigneurial dues. These rights and dues were then formally abolished in 1793. Whatever their broader political views, the abolition of seigneurial dues and services, as well as elimination of the tithe, endeared the Revolution to much of the peasantry, which formed the great majority of the population.

There is a well-known denunciation of seigneurialism in one of Dickens' best-known novels. In a climactic chapter of *A Tale of Two Cities* Dickens has the dying brother of the fervid revolutionary, Madame Defarge, denounce the evils of the Old Regime, prominent among them abuses of the seigneurial system. As described by Madame Defarge's brother, these included the right of the first night, forcing peasants to work as draft animals, and making them stay up all night to beat the ground in order to prevent frogs from disturbing the sleep of their masters.[9] The first of these charges was more an element of anti-seigneurial propaganda than anything else, the second can be seen as an exaggerated form of the *corvée*, a recognized labor obligation, while the third seems to be the sort of invention a novelist might make to darken the shade of black in which he was painting his villains. Curiously, though, there is documentation of frog-silencing duties imposed on peasants before the Revolution. In the session of the night of 4 August 1789, in which the National Assembly did away with most aspects of seigneurialism, a deputy from Brittany, Leguen de Kérangal, denounced precisely this practice.[10] Dickens also placed the estate of the family of noble villains, the Evrémondes, in Brittany. What

[9] Dickens, *A Tale of Two Cities*, book III, chapter 10.

[10] For a translation of Kérangal's speech see the collection of documents by Paul H. Beik, *The French Revolution: Selected Documents* (London, Macmillan, 1971), 92. Just where Dickens found the frog-silencing feature in his characterization of the abuses of seigneurialism is not clear. Carlyle in his *French Revolution*, which is Dickens' main source for the historical background and conceptualization of his book, treats the night of August 4 cursorily, and does not mention Kérangal or refer to his speech. Thomas Carlyle, *The French Revolution*, book VI, chapters 2 and 3.

seems an extreme fictionalized distortion designed to heighten the reader's disdain for the villains of the story was based in fact and reflected the extent to which the abuses of seigneurialism could go.

The development of absolutism created a new political and military situation in which Europe was less threatened by forces from Scandinavia and the Muslim world (though there was an Ottoman siege of Vienna in the late seventeenth century), and more from internal rivalries. The more centralized states were able to dominate the less well-organized ones, and a race developed to concentrate state power in the new monarchies. The sixteenth century saw the Habsburg-Valois competition from which France emerged triumphant. With Richelieu, Mazarin and Louis XIV in the seventeenth century, France became the model for monarchical absolutism and the most powerful state in Europe. Britain, which was centralized early, emerged as a major power during the eighteenth century, thanks mostly to its commercial prowess and exploitation of its colonial empire. By very different means, so did Prussia. The absolutist model of the centralized state, which inflicted great suffering on the unprivileged sections of the population that bore the brunt of brutal systems of taxation, was most successful politically. States that failed to centralize could not compete, and were dominated by their more powerful rivals. In extreme cases, such as that of Poland, states that failed to develop strong, centralized governments, were driven out of existence. Russia, Prussia and Austria partitioned large parts of Poland in 1772. They increased the territories partitioned in 1793, and eliminated the country with a final partition two years later. Polish independence was regained only after the First World War. The Third Reich and the USSR conquered Poland in 1939 and again partitioned it out of existence. Its nationhood was restored after World War Two. Stronger, deeper states survived and prospered. Weaker ones did not.

Freedom and Unfreedom

Among the goods that political association seeks to assure, freedom probably ranks second only to security, and it can only flourish when security has been assured. There is, of course, no such thing as absolute freedom, and there is always a tension between how much freedom the individual finds it wise or necessary to concede to the community or state,

to various institutions, or to circumstance.[11] Even in a democracy, an army subjects its citizens to a discipline so comprehensive, that, as soldiers, they have no freedom at all. For soldiers there is only duty and obedience. On leaving the status of soldier and returning to the civic sphere, a citizen will regain the range of freedoms that are the norm in his or her society. Those freedoms do not include the right to the property of other people, or to drive their cars in any way they see fit, or to play music at any volume at any time of day or night. These are all restrictions that most of us willingly accept because they are conditions that make it possible for us to live together with a reasonable degree of security and comfort. How much security and freedom we can enjoy varies with time, place and circumstance.

There is no question but that from classical antiquity on, freedom, or liberty, has been seen as a paramount human value. Freedom was believed necessary to assure full humanity. In antiquity, freedom was perhaps valued so highly because unfreedom was so common. There were probably more slaves than free citizens in classical Athens.[12] One could be born into slavery, one could fall into slavery through debt, one could be kidnapped and sold, or one could be captured in war. However one arrived at the unhappy condition of slavery, one was deprived of one's will and at the command of a master.[13] For Aristotle, some people were by nature slaves, and a slave was simply an "animate tool" with no more rights or independence than an animal.[14] In Roman law slaves were referred to as "speaking tools."[15] Slavery meant, in effect, dehumanization.

In antiquity and beyond people had it in their power to refuse slavery by renouncing life. Some perhaps did so, but most did not. For most people, life is a greater good than unfreedom is an evil, so they opt for a

[11] If someone wants to sell you a world where there is complete and unlimited freedom, beware. There is no such thing. The question is always how much freedom you can realistically have at any time in any given circumstances, and what you have to pay for it.

[12] For lack of reliable sources, it is very hard to make statistical generalizations about the ancient world. See, however, Perry Anderson, *Passages from Antiquity to Feudalism* (London, NLB, 1975), 22, 36, 38 and 40, and M.I. Finley, *Ancient Slavery and Modern Ideology* (New York, Viking, 1980), 29-30 and 79-80.

[13] For an elaboration on these conditions, see Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Harvard UP, 1982).

[14] Aristotle, *Politics*, 1254b16-1256b3.

[15] Anderson, *Passages from Antiquity to Feudalism*, 24.

harsh and bitter existence rather than no existence at all. This cannot be an easy choice, but it is the one most often made, whether in the hope of eventually regaining one's freedom, or mitigating conditions of unfreedom, or simply because for most people any form of life is preferable to death. During antiquity slavery was extremely widespread among the more "advanced" civilizations, which depended on slave labor much as we depend on electricity.

The forms that unfreedom takes in history change, but unfreedom does not disappear. The economy of the southern states of the United States depended on the labor of black slaves into the second half of the nineteenth century, and there is still extensive slavery in the contemporary world.[16] Slavery continued to play a role and have legal standing during the Middle Ages, but beside it there appeared another less comprehensive form of unfreedom, namely, serfdom. A system tying peasants to the land developed during the late Roman Empire as the supply of slaves dried up and large landowners sought to assure themselves a permanent labor force. But a full-blown system of serfdom is generally regarded as medieval.

Serfdom involved recognition of a local strong man as master or lord, and acceptance of the status of something like indentured servant by the serf. The serf was obliged to provide certain services and pay certain dues to the lord. He was not free in his person and could not move about as he might wish, and such property as he held was subject to severe restrictions. Moreover, the rudimentary legal system of the lands and residents subject to the lord were entirely in the hands of the lord. Initially, the lord, or seigneur, offered his serfs one big thing in exchange for their subservience: security.

Slavery can be seen as the reduction of human beings to the level of things or, in the context of ancient warfare, it can be seen as a kind of agreement in which one party accepts unlimited servitude in return for life. Similarly, serfdom can be seen as an agreement in which peasants accepted severe restrictions on their property rights and personal freedom and agreed to make payments and perform a range of services for the local strong man in return for security from external aggression.

[16] According to the Global Slavery Index there are about 40 million slaves in the world in 2020. On the eve of the Civil War the United States had a total population of between 31 and 32 million, of whom just under four million were slaves.

The knights or lords who, with their mostly impregnable, but uncomfortable, castles offered security to those around them, were the dominant figures in their highly localized and hierarchical societies. Knights in their suits of armor, mounted on their chargers, were to medieval warfare what tanks were to warfare in the twentieth century. It made sense for knights to be provided with land which allowed them to maintain their horses and immediate followers, and for them to build castle-fortresses which served as places to live and, when necessary, as a refuge from marauders for the dependent population. The knights, or lords, exacted a heavy price for the protection they offered. It is probably not too much to say that the feudal-seigneurial complex was a kind of protection racket. Still, it was worthwhile for the peasants to pay the price for this protection, because the lord, or knight, could usually provide the goods, and no one else could. Without security, whether in the Middle Ages or before or since, people face the threats of banditry, invasion, subjection, slavery and violent death. Medieval peasants sensibly, though without a viable alternative, accepted subordinate status, various obligations, and severe limits on their personal freedom for the security they got, or hoped to get, in return. In the circumstances, the deal made sense.[17]

If security and freedom are the primary objectives of political association, they cannot be assured by the same means at all times. Feudalism was the most effective way to provide a localized form of security during the early Middle Ages, though at a high cost to freedom. As conditions changed it became necessary to impose a significant degree of centralization on a fragmented political system. As it emerged from the sixteenth through the eighteenth centuries, absolutism retained the separate statuses and a legal system based on privilege, but it did significantly strengthen and modernize the state, while reducing the role of the nobility

[17] During the Middle Ages the lords were loosely aligned in a system of contracts at the head of which stood the leading lord, or king. These contracts were mutually binding, so that feudal monarchs lacked the authority and power of monarchs of the new states that began to appear roughly from the sixteenth century. The relations between the lords, who had noble status, and the king, who was usually just the leading nobleman at the time, was properly called the feudal system. The relation between a lord and his peasants was seigneurialism. During the early Middle Ages, the lord provided essential services and his domination of local life was seldom questioned. When kings succeeded in organizing national armies directly answerable to themselves and in centralizing other key government functions, lords, or seigneurs, lost their main functions, but retained their privileges and rights to various seigneurial dues and obligations. As we might expect, their tenants came to resent this.

in political activity and subordinating churches to national interests. While developments of states depend on military technologies, commercial interests and changing political configurations, they are also influenced by changes in values and ideologies. In some places, such as western Europe and America, notions of human dignity and equality developed and property was given greater importance than rank. The American War of Independence and the French Revolution were events in which some of the older values were challenged and overcome by representatives of newer ones that resulted in political democracy for those areas. The American notion of democracy initially allowed for slavery, racism, and sexism, while cutting ties with its former colonial master, and retaining considerable local autonomy for the member states. The French, by contrast, used their Revolution to continue the project of centralization begun by the absolute monarchs, but substituted the status of citizen for that of passive subject.[18] The international importance of both countries grew as a result, that of France immediately, that of the United States more slowly.

There are different goods that are the basis of well-being. There are also different foci of well-being, such as the individual, the family, the community, the religious or ethnic group, the neighborhood, the region, the country or the world. It seems to be a constant of human experience that we can't have all the constituents of well-being at the same time, though ideas of paradise and various utopias suggest that there is room for improvement.

[18] The French constitution of 1791 distinguished between active and passive citizens. Active citizens were defined as adult males born in France or naturalized and of established residence, age 25 and older. They could vote, while "passive" citizens, amounting to about a third of the adult male population, on the basis of a fairly modest property qualification, could not. Servants were also excluded from the franchise, while membership in the National Guard was a necessary condition (Constitution of 1791, Title 3, Chapter 1, Section 2, Article 2). This was progressive in that it made property rather than status the criterion of participation in politics, and was vastly more liberal than any other political arrangement in Europe at the time. The constitution of 1793 eliminated the distinction between active and passive citizenship, conferring the franchise on adult males aged 21 and older, as well as foreigners who had "merited well of humanity." However, the franchise was dependent on six months residence (Constitution of 1793, articles 4 and 11). This constitution was never put into effect.

Extent of Government

Whatever form of government you prefer, there is another question that always comes up, and that is how much government you want or need. Most of the time we want as little government as possible, for the obvious reasons that government, whatever form it takes, makes demands on our money and restricts our ability to do what we want when we want. Thou shalt not drive above the speed limit. Thou shalt not ignore stop signs or red lights. Thou shalt not play thy sound system without regard to thy neighbors. Thou shalt not smoke in restricted areas. But thou shalt pay inflated prices for tobacco and alcohol and gasoline, and thou hadst bloody well pay thy taxes. We don't really want much of that. But we accept it, in the same way that we take medicines that taste bad, or undergo unpleasant medical procedures. We do it because we believe it to be the lesser evil. We do it because we need to. The question becomes: how much of that sort of thing, how much government, do we need?

There is no easy answer to that question because need depends on where things are at any given time, and things and situations have a way of changing all the time. If we think of government as something that exists to solve problems, we can come up with a general formula: if you have no problems, you need no government; if you have little problems, you need little government; and if you have big problems, you need big government. We can also put it like this: if your car runs smoothly, you don't need a mechanic; if it isn't running smoothly, you probably just need a tune up; and if you've just survived a serious accident, you either need a body shop and mechanic, or a cheque to cover a total loss.

This example of the car is useful because we know that even if your car is running smoothly, one day you will need basic maintenance, and a lot of people can't do that themselves, so garages will remain in business because they fulfill a real need, even if they're not needed by all people all the time. It is a less good example because cars are usually owned by one person or a family, whereas governments are there for whole communities and countries, and the interests of different sectors of the community aren't necessarily the same. One size may be made to fit all, but that doesn't mean that it's going to be comfortable for everyone.

Probably the biggest problem faced by any government is assuring security. During the Middle Ages if word came that ships from the north carrying big blonde guys with horns on their hats and a supply of magic mushrooms were on their way, the chief local strong man would call on

the other local strong men, they would put on their armor, mount their horses and with their retainers take the field against the invaders. If they won, problem solved. With the invaders gone, the knights went home, the informal army dissolved, and the state, that woke up for the crisis, went back to sleep. That was the way of doing things that was suitable for that time and in those circumstances. But ways of doing things in the absence of a viable state and with primitive technologies don't work in a world of large, powerful states with vastly more sophisticated, and more expensive, technologies of destruction.

If you are worried about the possibility of war with other states, then you had better have the tanks and guns and planes and missiles and the rest that you need to deter, or engage, potential enemies. And beyond that, you have to have the trained personnel to work these machines, and these people cannot be sent home after a short campaign. In these circumstances you need a standing army, and modern armies and armaments are expensive. When at war, countries devote virtually all of their budgets and resources to winning the war, and they impose the tightest regulation on all aspects of the economy and society. Once major wars end and armies are demobilized, governments have to decide what size army and what kinds of material and weaponry are suitable for the new conditions. If the probability of another war seems high, a larger standing army will be kept in place and a system of universal military service maintained. If that probability is small, then military resources can be reduced accordingly. The calculation here is difficult, because on the one hand, armies are expensive, but on the other, you really don't want to take the risk of going to war with too small and poorly equipped an army. There is also the case of countries which exploit others, so that the cost of empire has to be balanced against the advantages, and both are constantly changing. In any case, we have not yet got to the point where world peace is about to be achieved and one nation can simply rely on the word of others, so almost no nation can do without a viable military establishment, even in peace time.[19]

While security was the most obvious obligation of any state or government of the medieval or early modern periods, and while it remains essential, developments in science, technology and other areas have made modern societies much wealthier than earlier ones, and able to provide

[19] Countries that can do without military budgets are countries like Monaco, Andora and Costa Rica that are so small they would stand no chance in a confrontation even with a smallish nation-state.

goods and services unthinkable even a few hundred years ago. In Europe before the nineteenth century food supply was a central concern. Governments controlled markets and tried to keep prices of basic commodities within reach of most of the population. Just before the harvest, or in years of extreme heat or cold or rain, when harvests were bad, the price of grain that most people depended on rose to the point that it was unaffordable even for those who worked and normally made ends meet. If the local government could, it subsidized grain, or, where feasible, imported it. Often, such conditions saw grain riots, with consumers imposing a "fair" price on the grain, but not stealing it.[20] The market price meant hunger or starvation for many. If the authorities could not provide grain at an affordable price, and if direct popular action could not bring prices down, then starvation did occur, sometimes on a very wide scale. And even in relatively advanced countries such as France, it continued to do so until cheap ground transportation in the form of railways was developed.

Or take sanitation. Roman engineering provided water to towns, assuring both a supply of drinking water and public baths. Before the modern period there were no flush toilets, so human waste had to be disposed of house by house, often by being thrown into the street. The town of Amiens in northern France had an ordinance that curbed this practice, not by forbidding it, but by requiring that residents yell "lookout below" or something of the sort before letting go the contents of chamber pots. Until the nineteenth century the sewage of Paris and London flowed through open ditches, and it was only then that the efficient and enormous sewers described by Victor Hugo were built and cities became safer and less foul smelling than they had been before.

There are other important changes that follow from time, scientific and technical achievements, new forms of organization and changes in values. Before the nineteenth century it was probably better not to call on the services of a physician if one were ill. It is true that in some cases physicians learned from experience how to cure some minor conditions, but without a germ theory of illness or effective medicines or even anesthetics, there was not much that even well-intentioned doctors could do. There is a reason that a few hundred years ago a medical degree could be called a licence to kill. Today, thanks to advances in biology,

[20] For an investigation of the place of ethics in popular attitudes to economics see E.P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," *Past & Present*, 50 (1971), 76-136.

chemistry, pharmacology and the application of sophisticated technology to the art of healing, medicine has become a well-respected and highly effective profession. In the process it has also become enormously expensive. Gone are the days when a doctor's little black bag contained some bandages, a few pharmaceuticals, a scalpel, a saw, a jar of leeches and perhaps something to ease the pain. X-rays, MRI's, dialysis machines, respirators, sterile operating rooms, nurses getting union wages and doctors doing somewhat better, do not come cheap.

Countries handle the problems of the cost of modern medicine in different ways. Third world and very poor countries cannot afford all they need, so they acquire what seems most important, do without many necessities, and adapt as best they can. Sometimes there is help from international non-profits, such as Médecins Sans Frontières, or deals with pharmaceutical companies looking to try out drugs. Richer countries can afford most of what they need in terms of equipment, medicines and personnel. How and to whom they make this care available depends on values that do not have much to do with medical science. Most developed countries see health care as a basic need (which it always is) and a basic right (which it isn't always). Such countries, often called welfare states, provide comprehensive health care to all citizens, and sometimes residents, and pay for this out of general revenue, either with a contribution from those who use the system, or without direct payment. The system is open to all members of society, so it can be called socialized or democratized medicine. Some other countries see health care less as a right and more as a service that needs to be paid for. The issue is not one of technology or finance, but of values on the one hand, and of outcomes on the other.

Whether adequate medical coverage is seen as a right of citizenship the cost of which the government must meet, or as a commodity that one can pay for if one chooses, or do without if one cannot pay for it, is a value judgment. The implications of this judgment have practical consequences. For-profit medicine means that people will get the medical care they can afford, minus the profit of the care giver, while those unable to pay will get little or no care. Where broken bones and non-communicable diseases are concerned, some will get, and some will lack, the care they need. In the case of communicable diseases, all are at risk. Those who have medical coverage will have the benefit of the care available, though that care may not be able to save them. In practical terms it seems better to have a certain

level of care for all.[21] With medical care, as with security and other issues facing states, if there is no problem, you need no help; if there are small problems, you need just a little help; and if there are big problems, you need help on a large scale. No modern societies are altogether without problems; few have only minor problems; and most governments are finding that putting out fires of different sorts has become a full-time job.

A Shift in the Focus of Government

The modern nation-state is a relatively recent development. With the fall of the Roman Empire Europe became politically fragmented and life was localized. The form of government suitable to this situation was feudalism. As challenges from without increased and as competition between neighboring regions became more intense, size became an important advantage, and central organization enhanced the power of emerging states. Absolute monarchy replaced the imperfectly coordinated anarchy of feudalism, then in Europe absolute monarchies gave way to constitutional monarchies, to parliamentary democracies and in the twentieth century and beyond, there appeared various forms of totalitarianism.

There are good things and not such good things about nation-states. In Europe the nation-state had the advantage of uniting and achieving independence for populations with shared cultures, histories, religions and often languages, and so forming broadly cohesive communities that could stand together against encroaching forces. European nationalism during much of the nineteenth and twentieth centuries was fired by an aspiration to freedom from the oppressive rule of by then decadent empires. Italy and Hungary struggled to be free from the rule of the Austrian, or Austro-Hungarian Empire, and Greece and other Balkan countries sought to cast off the yoke of Ottoman rule. The First World War and the treaties that ended it resulted in the eclipse of the Austrian and Ottoman empires (but not the British, French and German colonial empires), and within Europe recognition of national rights as a matter of principle was made on an

[21] The first fire departments were set up by private companies and offered their services for a fee. Because fires could not be contained in given properties, it soon became clear that it made better sense to make fire-fighting a municipal responsibility.

unprecedented scale. There is much to be said for peoples of one culture and language not being ruled by peoples of other cultures and languages.[22]

Less constructive aspects of the consolidation of nation-states were the competition for resources and precedence that resulted in colonialism, imperialism and wars of unprecedented destructiveness. Competition between political units of whatever sort is as old as recorded history. Much of the destructive power of the wars of the twentieth century was a result not of political organization, but of scientific advance applied to technologies of destruction. Horses and bows and arrows and lances simply do not have the destructive power of artillery, tanks, bombers and atomic weapons. Like all other political units, nation-states use the military and other resources available to them. The frightening effectiveness of modern technologies of destruction made war between them more devastating than many earlier conflicts. The ability of modern states to fund, train, and equip ever larger armies did contribute to this.[23] But extreme nationalism and racism resulted in destruction and loss of human life that had nothing directly to do with the form of political organization represented by the nation-state. Europeans were responsible for the enslavement and slaughter of millions of Africans from the seventeenth century on,[24] and for what amounts to genocide of many of the peoples of the new world. During the Second World War the Germans murdered roughly three million Poles and twice that number of Jews for reasons that had nothing to do with great power competition. The Poles occupied territory that the Germans wished to colonize, and in addition

[22] The idea of the nation-state never found much support in the Muslim world because the *umah*, or community of believers, was seen as the natural political unit. With the exceptions of Turkey and Iran, Middle Eastern nation-states were imposed by Western imperial powers, primarily Britain and France.

[23] The wars of Louis XIII were fought with armies of perhaps 30,000 soldiers. Louis XIV was able to put 200,000 soldiers in the field toward the end of his reign. Napoleon invaded Russia with nearly 700,000 men. The Third Reich invaded the Soviet Union with an army of 3,000,000.

[24] The slave trade involved all the major European powers of the time, and often included active cooperation of some tribes who captured and sold other Africans to European slave traders. The Germans took part in the scramble for Africa only from the late nineteenth century. However, the combination of their desire to clear land for settlement by Germans in southwest Africa and racist ideology led them to engage in the first genocide of the twentieth century. See David Olusoga and Casper W. Erichsen, *The Kaiser's Holocaust: Germany's Forgotten Genocide* (London, Faber and Faber, 2010).

were regarded as racially inferior by the Germans.[25] Jews were regarded as the root of all evil by the Third Reich, and their elimination was thought to be necessary for the well-being of the superior portions of mankind. In practice, what Nazi anti-Semitism succeeded in doing was identifying a mythically potent, but in fact powerless, "other" and instilling enough fear in the population to implement the policies of the ideologues and governors of the Third Reich. This is an instance of the appealing, but false, assumption that removal of something thought to be a danger can of itself assure future well-being.

Looking inward, their dangers and shortcomings notwithstanding, nation-states also have good qualities. For its citizens, the state provides a number of goods that can make all the difference in the way they live. The first and most obvious is security. The rule of law comes not far behind. Democratic states demand equality before the law, and if assured, this provides a basic condition of civil liberty. Totalitarian, biased or racist regimes typically discriminate against certain religious and ethnic groups, often, like apartheid South Africa, antebellum America or Germany of the Third Reich, depriving targeted minorities of any standing at law. In this world absolute equality is not easy to come by, and probably not all that desirable. People who are smarter or can afford to hire better lawyers usually do better in court than others.[26] That's the way it goes. This does not mean that empowering police to brutalize targeted groups, imprisoning people for profit, or embedding totalitarian elements within an otherwise democratic set of norms is desirable, or in the long term, viable. Most modern states provide minimal material assistance to their citizens in the form of state-funded education, old age pensions, unemployment benefits, parental leave and health insurance. How much states invest in these and similar programs differs hugely. Welfare states such as those in western Europe and Scandinavia provide all of the above services and many more, usually without charge. Other states provide more or fewer services, with or without charges, with a greater or lesser role for market forces.

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[25] Poland was again partitioned out of existence in 1939 by the same culprits. The Soviets, who controlled eastern Poland, also engaged in a policy of eliminating nationalist and anti-Soviet Poles, especially among the professional and military leadership of the country. In April and May 1940 the Soviets massacred more than 20,000 Polish officers in the Katyn forest. The Polish Institute of National Remembrance estimates that the USSR was responsible for the murder of 150,000 Poles, the Germans for over five and a half million.

[26] A friend, who is a lawyer, has a plaque on her desk that reads: How Much Justice Can You Afford?

Looking outward, to offset the harmful effects of nationalism and avoid armed confrontation, attempts have been made to moderate competition between states by creating international organizations such as the League of Nations after World War I and the United Nations after the Second World War. The European Union seems to have emerged from a similar concern. There are also military alliances, such as NATO, whose function is to organize Western powers against potentially hostile alignments, and there are organizations such as the World Bank and IMF which are intended to regulate some questions of macroeconomics. No doubt the Universal Bill of Human Rights, the World Health Organization, and committees of experts to research issues associated with climate change and to safeguard world heritage sites are all constructive. And so far, the United Nations may have a claim to having contributed to avoiding great power conflicts on the scale of the wars of the last century, though possibly the threat of mutual destruction that would be assured in an atomic conflict is an even more effective deterrent. But it probably would not make much sense to over-emphasize the roles of the United Nations and other international organizations, because nations are no longer the dominant forces that they used to be. For the last few generations new organizations that are not limited by national borders or devoted to the interests of the citizens of any particular state have come to the fore. These organizations, commonly described as multi-national corporations, are to nation-states what local strong men were to feudalism. Whatever rights and well-being that nation-states have assured their citizens are matters of indifference to the multi-nationals. The multi-nationals do not operate to assure the security and well-being of the citizens of any nation-state. Their only objective is the maximization of profit for the corporation and its shareholders.

CHAPTER TWO

ECONOMICS

A Business Model of Society

Over the past thirty or forty years in the West there has been a trend to see business as the best model for all sorts of activity. This belief is based on a number of assumptions.

There is, first, the perfectly reasonable belief that business-oriented systems that favor individual, group and corporate initiative and competition are good at creating wealth. They are. The capitalist societies of the West have generally been richer than less developed, more traditional –and often more exploited-- societies. Even if a society wishes to provide basic goods, such as adequate nutrition, health care, education and housing for all, if it does not have the resources to do so, those wishes cannot be realized. Capitalist systems do generate wealth, and so potentially can provide conditions for general well-being.

We also hold that a business model of society, in addition to creating wealth, does so efficiently and automatically. Adam Smith, for example, argued that market conditions, especially competition, provide a built-in incentive for productive and efficient economic activity. More efficient firms providing better goods and services at competitive prices succeed, others fail.[1] An Austrian economist, Joseph Schumpeter, called the bankruptcy of inferior market agents "creative destruction."[2] Weeding out less successful market competitors is "destruction" in that it puts those enterprises out of business; it is creative in that it rewards initiative, industry and competitiveness. Successful businessfolk prosper, and consumers enjoy better products at lower prices. Losers aside, it's win-

[1] Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, eds. R.H. Campbell, A.S. Skinner and W.B. Todd (Oxford UP, 2 vols., 1976), book I, chapter 7, 73-74; book I, chapter 11, 163-64; and book II, chapter 5, 362.
[2] Joseph Schumpeter, *Capitalism, Socialism and Democracy* (New York, Harper & Brothers, 1950; first edition 1942), chapter 7.

win: a Darwinian situation where, unlike in nature, there are few losers, and even those losers are subject to moderate sanctions involved in economic setbacks, such as a change of occupation, but not the ultimate penalty of the struggle for existence in nature.

The principle described by Smith seems fair. It is also realistic. His system is not based on utopian wishes, but on the most consistently observed motive in the societies that Smith knew: self-interest. In his own words, "It is not from the benevolence of the butcher, the brewer or the baker, that we expect our dinner, but from their regard to their own interest."[3] Smith does not expect the baker and the rest to provide quality products at low prices from love of mankind. They do it to further their own interests. But historically, self-interest has not had a good press.

In the small city-states of ancient Greece, good citizenship meant putting the interest of the state before one's own interest. In Christianity – and Judaism and Islam— it is expected that one loves God before all things and one's fellow man as oneself. These are demands that are not easy to meet and that often make us feel anxious and conflicted. We may be taught that other interests should be given priority to our own, but there is something in us that isn't quite convinced. Smith thought he was only being realistic in recognizing a natural tendency of individuals to seek their own well-being and comfort.

There is, of course, a danger in people following their own interests without regard for the interests of others. The result can be anarchy, or what Hobbes called a war of all against all. Smith and many of his contemporaries thought that there were two reasons that pursuit of self-interest would not have this result. First, they posited something called enlightened self-interest, which is a form of rational and calculated self-interest that takes into account the probability that hurtful behavior would be answered in kind, and so would not serve one's own interests. On this assumption, people obey the law and generally behave well not because they are good or moral, but because they understand that doing so is in their interest.

The second reason that people felt that they could safely follow their self-interest was objective. Economics is a matter of producing, selling and buying, and adjusting production and price to supply and demand. The market determines what prices can be asked for goods, automatically

[3] Smith, *Wealth of Nations*, book I, chapter 2; 26-27.

rewarding merchants who provide good value for money, and punishing those who do not. The individual market agent contributes to national prosperity even though his or her only conscious motive is profit. As Smith says of the market agent, "…he intends only his own gain, and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intention."[4] This approach was doubly realistic: it recognized the role that self-interest actually plays in economic transactions, and it made the mechanism of the market a natural sanction against deviating from economically rational behavior. What Smith seems not to have bothered much about from the perspective of the pre-industrial economy in which he lived and wrote, is that taken to its logical conclusion, competition can, and often does, end in monopoly, or oligopoly, which is, more or less, just monopoly in drag.[5]

Another reason that a business model has been adopted for many forms of activity is that it is considered fair. If a person works hard, invests wisely, and is reasonably frugal before she or he can afford luxuries, we assume that such persons will enjoy economic success. Moreover, that success will be achieved without favoritism, because they will have performed well in the eyes of the market, and markets, though very narrow in the way they regulate things, do not play favorites. We all play the same game, and the same rules apply to everyone. What could be fairer than that?

Finally, the business model has the virtue of simplicity. While it is true that choosing an occupation, for those who have a choice, can be challenging, and that trying to decide how to invest one's money, if one

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[4] Ibid., book IV, chapter 2; 456. The term "hidden hand," which has come to be used widely, first appears in Adam Smith's treatise on ethics, *The Theory of Moral Sentiments* (1759), eds., D.D. Raphael and A.L. Macfie (Oxford UP, 1976), book IV, chap. 1; 184-85. Smith seems to have used the metaphor of a "hidden hand" as a way of giving a more concrete form to the notion of self-regulation. Our attitude toward this hand will probably depend on whether we see it taking money out of our pockets, or putting it in. An economist of our own time, Joseph Stiglitz, says flatly that "…Adam Smith's invisible hand can't be seen: because it's not there." *People, Power and Profits: Progressive Capitalism for an Age of Discontent* (London, Penguin, 2019), 76. To be fair, we can say as much about most metaphors.

[5] If it were possible to get to the cloud on which Smith was having tea and chatting with Lizzie Magie and Charles Darrow, the inventors of the game of Monopoly, it would be enlightening to hear them discussing their respective views of the market.

has money to invest,[6] can be complicated, the basic principles are simple enough. Self-interest makes us look for ways of maximizing our prosperity and well-being, while the market shows us whether or not we are on the right track. What the business model as a template for other forms of activity promises is wealth, efficiency, realism, fairness and simplicity. This is a pretty attractive package. It has gained a great many followers, especially since the collapse of Russian communism into something that looks like state-run capitalism with more than a touch of old-fashioned gangsterism. The question becomes: is the business model of human affairs all that it is cracked up to be, and does it apply equally well to other spheres of activity?

The Viability of the Business Model

The business model of society is based on the realistic assumption that most people are motivated by self-interest. It also assumes that this self-interest is automatically restrained and sanctioned by the market for careless, foolish or irrational behavior. The state has a minimal role on this view of things, and is not expected to do much more than punish crimes against property and violence against persons. It should leave it to people and the market to work out economic matters by themselves. Nineteenth-century liberals called this the "night watchman" theory of the state, a phrase meant to indicate how limited they wanted the state's role to be. This approach maximizes freedom of choice of individuals and drastically limits the functions and authority of the state. It is an approach that has retained its appeal to advocates of the business model of the state and society.

In classical political theory the objective of politics is the common good, or shared well-being of the citizenry. The gap between the common good and the self-interest of the individual can be very wide, often unbridgeable. It is the distance between the patriotism of classical republicans for whom there was no honor greater than giving their lives for their country –say, the Spartans at Thermopylae, or Horatio at the bridge— and the kind of egoism that Oscar Wilde mocked by saying that he regretted that he had only one country to give for his life.

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[6] About 60% of Americans have less than $1,000 in savings, so any unexpected expense of that amount or more would put them into debt. Stiglitz, *People, Power and Profits*, 260, note 9. Roughly 90% of the value of the New York Stock Exchange is owned by about 10% of the population.

Conceptually, the values of politics and business are worlds apart. In practice, they have to live and work together. They can be taken for granted, but they can never be separated. In the age of mercantilism, for example in the France of Louis XIV, economics was subordinate to interests of the state and closely regulated by the state. Adam Smith reacted against what he saw as excessive state regulation of economic activity and repression of individual initiative. Mercantilism was an ideology concerned with the power of the state and oriented toward confrontation among states. This ideology subordinated economics to the objectives and needs of states at war, or at least always concerned with the possibility of war. Mercantilists wanted a favorable balance of trade so that their country would have reserves on hand to finance the next war, and they micromanaged the economy toward that end. Smith was not much interested in great power conflict, but, as the title of his second book indicates, he was interested in the creation of wealth. This objective, he thought, could best be achieved by giving wide scope to individual initiative and the pacific working of the market. But he did not think that left to itself the free play of economic interests would be without drawbacks.

Smith made the commonsense observation that followed from his recognition of the role of self-interest, namely that while workers wish to maximize their wages, employers want to keep them as low as possible. He also noted that while there were laws prohibiting workers uniting to raise their wages, there was no comparable law for employers denying them the right to organize to keep wages down.[7] He further wrote that "Masters are always and every where in a sort of tacit, but constant and uniform combination, not to raise the wages of labour above their actual rate."[8] This tendency to combine –in today's language, for workers to form unions, and for employers to form cartels—means that the market mechanism is not without frictions, and while as a realist Smith readily recognized this, it is unlikely that he could have foreseen how far this organizational tendency has developed in modern economies. And while he was an advocate of the division of labor, he was aware that this economically progressive tendency could have the most damaging consequences in human terms. A worker who was reduced to repeating "…a few simple operations, of which the effects too are, perhaps, always the same, or very nearly the same, has no occasion to exert his

[7] *The Wealth of Nations*, book I, chapter 8; 83-84.
[8] Ibid., book I, chapter 8; 84, and similarly book I, chapter 10; 158.

understanding, or to exercise his invention in finding out expedients for removing difficulties, which never occur. He naturally loses, therefore, the habit of exertion and generally becomes as stupid and ignorant as it is possible for a human creature to become."[9] Nor did Smith think that all forms of activity should be left to private enterprise. The state, because it is directly interested in outcomes, should provide education for those who could not afford it themselves.[10] The idea that optimal results could be achieved by giving economic interests free rein and eliminating the role of the state was left for later theorizers, such as members of the Chicago School. Smith had a wider and more comprehensive view of economics than many who regarded themselves as his followers.

There is an area between private interests and state authority to which the business model doesn't pay much attention. This is what is often called the public sphere. While the business model works on the principle of the self-interest of the individual, and maintains that pursuit of self-interest results in optimal outcomes for all, the public sphere has as its guiding principle the general interest, or the common good. Instead of increasing one's own well-being as much as possible, the objective of those who think in terms of the public sphere is to assure the well-being of the population as a whole according to accepted ideas of fairness, and to assure individuals as much autonomy and independence from state authority as possible.

Now, if a person were asked whether it makes more sense to allow some individuals to maximize their wealth and power, or to assure the well-being of society as a whole, he or she would probably treat the question as a no-brainer. Of course, at least from a democratic point of view, it is better to assure the well-being of a large majority than a small minority at the expense of the majority. Individualist business-model advocates would also agree. But they would argue that the best way of achieving the common good is by allowing as much individual initiative with as little state interference as possible. They assume that the mechanism of the market, competition and unrestrained self-interest will result in the unintended consequence of the general good. This assumption is crucial for the business view of the economy and society. If it is valid, then self-interest is indeed the best way of assuring the common good. If it

[9] Ibid., book V, chapter 1; 782.
[10] Ibid., book V, chapter 1; 788-89 and 815. The last book of the *Wealth of Nations* is devoted to considering areas such as security and education in which government intervention is necessary and desirable.

is not, it becomes the position of elites opposed to the interests of the many. So we need to ask, what is the evidence for this view?

The Road to Serfdom

In 1944 Frederick Hayek, an Austrian economist who had emigrated to England to escape the Third Reich, published a book that is now a classic, *The Road to Serfdom*.[11] It has become a standard criticism of state planning, socialism and the welfare state. Hayek argued that it is the very act of state planning, intended to assure the general good, that unintentionally, but necessarily, destroys freedom. He maintains that, "…the unforeseen but inevitable consequences of socialist planning create a state of affairs in which, if the policy is to be pursued, totalitarian forces will get the upper hand."[12] Hayek's perspective was not narrowly economic. He was concerned with the broad cultural and political achievements of the society in which he lived. He saw individualism as the central feature of Western culture, and was suspicious of anything that might weaken or harm the rights and interests of the individual. According to him collectivism involves "…an entire abandonment of the individualist tradition which has created Western civilization."[13] This tradition is precious because safeguarding the autonomy of the individual is, in his view, paramount. He asserts that "…individuals should be allowed, within defined limits, to follow their own values and preferences rather than somebody else's; that within these spheres the individual's system of ends should be supreme and not subject to any dictation of others."[14]

According to Hayek, centralized state planning reduces or eliminates the role of individual initiative and the place of the market in economic activity. In doing so it imposes centralized decision making on the population at large and deprives citizens of the freedom of economic choice, which is vital to freedom more generally. At the time he wrote about the dangers of state planning his views were very much a minority position. Toward the end of the Second World War and in its aftermath, it

[11] Hayek, *The Road to Serfdom* (University of Chicago Press, no date; copyright 1944).
[12] Ibid., xvii.
[13] Ibid., 20.
[14] Ibid., 59.

was generally assumed that comprehensive state planning was necessary, beneficial and inevitable.[15]

The date of the first edition of Hayek's book is significant. By 1944 it was clear that Germany, which he took as a paradigm of a society run by central control, would not win the War. This tendency toward centralization had begun before the Third Reich and was taken as one of the reasons for the overall failure of Germany. Hayek did not deal much with the extreme nationalism and racism of the Third Reich, nor with the opponents of the Axis powers. Stalinist USSR was just as much, if not more, a command economy than Germany, while during the war democratic Allied countries also abandoned anything approaching unregulated market economies for strict control from the center. This seems to be what crisis situations call for, whatever the economic ideologies of regimes in less stressful times. Of course, Hayek's view of the world and economics were formed in the tumultuous years following the Russian Revolution, the rise of fascisms in Europe, and the Great Depression. Both Russian communists and European fascists were believers in state planning, and western democracies, which floundered in the depression, were experiencing the inconveniences of market-driven economies. The general sense among those interested in economics and politics was that new states and new conditions made state control of economies inevitable. As the views and values of Hayek were basically those of a nineteenth century liberal, he saw the trend toward collectivism as a threat which he opposed with arguments both philosophical and economic. He certainly did not see himself as a conservative.[16]

Hayek was emphatically an advocate of a "free" market, in the sense that he saw a minimally regulated market as the best and most effective means of furthering economic activity, and no less important, assuring freedom. The market is impersonal and objective, so it is fair. Hayek believed that it is not possible to eradicate poverty completely, but that if poverty is felt to be a consequence of impersonal forces, it will be resented less than if it is seen to be the result of deliberate choices made by some and imposed on others.[17] Later in his career, he dismissed social justice as

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[15] Tony Judt, *Postwar: A History of Europe Since 1945* (New York, Penguin, 2005), 67-75.

[16] Hayek, "Why I am not a Conservative," in Frederick Hayek, *The Constitution of Liberty* (London, Routledge & Kegan Paul, 1963), 397-411.

[17] Hayek, *The Road to Serfdom*, 106-07. Until the Industrial Revolution and beyond, it was generally believed that the great majority of the population would

an "atavism" (it certainly holds an important place among biblical values) and an "empty formula" because "…with reference to a society of free men, the phrase has no meaning whatever."[18] What kind of freedom workers out of work and without benefits, the poor and the powerless enjoyed, Hayek does not say. This sort of thing, in his view, was best left to the market.

Hayek's observation that if poverty is thought to be the consequence of impersonal forces it is less resented finds confirmation in one of the great novels of the nineteenth century. Early in Victor Hugo's *Les Misérables*, we are given an account of the life of a shop girl, Fantine. She lives alone in Paris, is pretty, and becomes the girlfriend of a law student. This student gets her pregnant, and when she writes to tell him of the birth of their daughter, he simply ignores the news and his responsibility. Fantine continues to work to support herself and her daughter. Paris is expensive, so she decides to go to the provinces. Knowing that she will be poorly received as a single mother, she leaves her daughter, Cosette, with the family of the innkeeper, Thénardier, on the understanding that she will pay for Cosette's keep, and that the child would be raised with the Thénardier children, who are roughly the same age. This turns out to be a very bad deal, because the innkeeper's intention was to extort money from the mother while treating the daughter, small as she is, as a servant.

Initially Fantine finds reasonably paid work in the factory of one M. Madeleine, alias Jean Valjean. A forewoman suspects Fantine of being a single mother, and on confirming her suspicion, fires Fantine. Thereupon Fantine begins work as a seamstress, and by working a 17- hour day, and depriving herself of all but the barest necessities, manages to more or less pay for her daughter's keep. To buy a woolen skirt for her daughter, she sells her hair, and then, to meet the expense of a sickness that her daughter never had, she sells two of her front teeth. An entrepreneur begins using the inmates of a local prison to do sewing. The competition further

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be obliged to live in poverty. Toward the end of the eighteenth century, Edmund Burke referred to the, "…unwholesome and pestiferous occupations to which by the social economy so many wretches are inevitably doomed." (*Reflections on the Revolution in France*, ed. J.G.A. Pocock, Indianapolis and Cambridge, Hackett, 1987, 141; first published 1790). The great liberal thinker of the nineteenth century, Alexis de Tocqueville, was of a similar opinion, and even in the first half of the twentieth century, Hayek had not moved beyond it.

[18] Frederick Hayek, *New Studies in Philosophy, Politics, Economics and the History of Ideas* (London, Routledge & Kegan Paul, 1978), 57.

depresses the market value of her work. Unable to pay the cost of her daughter's keep, Fantine simply says to herself "Let's sell the rest," and becomes a street prostitute. The forces having put her into this situation being impersonal, Fantine makes no complaint against them.[19]

Summarizing Fantine's life experience to this point Hugo asks, "What is this story [histoire] of Fantine?" and answers:

> It is society buying a slave.
> From whom? From poverty [la misère].
> From hunger, from cold, from isolation, from abandonment, from destitution. A sad bargain. A soul for a piece of bread. Poverty [La misère] offers, society accepts.[20]

Fantine is the victim of an extortionate innkeeper, but also of the Market. Needless to say, Market has nothing against Fantine personally, but nor does her fate interest Market in the least. Hugo saw, and tells his reader, that the impersonality of the Market is no comfort to those who are crushed by its workings.

Hayek maintained that competition was the only means by which problems arising from the development of modern industry and the highly complex division of labor could effectively be resolved.[21] This is in part because Hayek shared the view of Edmund Burke (1729-1797) that social reality is so complex that it is beyond the capacity of human intelligence to fathom it. It is impossible "for any mind to comprehend the infinite variety of different needs of different people," and equally impossible "…for any man to survey more than a limited field to be aware of the urgency of more than a limited number of needs."[22] Hayek goes beyond Burke to deny that there is such a thing as a universally recognized code of ethics that any government or board of governors could legitimately impose.[23] And unlike Burke, he leaves the ordering of human, and particularly economic,

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[19] She does, however, hate M. Madeleine, whom she blames for her prejudiced firing, and subsequent descent into misery. Anger and blame do seem to need a concrete or personalized object, as Hayek suggests. Victor Hugo, *Les Misérables*, part I, book 5 chapter 10.
[20] Ibid., Part I, book 5, chapter 11.
[21] Hayek, *The Road to Serfdom*, 48-49.
[22] Ibid., 58 and 59. For further elaborations on the theme of the incapacity of the human intellect to grasp the infinite complexity of things and social processes and the unpredictability of the future, 75, 80, 107, 166 and 204-05.
[23] Ibid., 58.

affairs to the market, not to tradition, custom and history, as the great founder of modern conservatism did.[24] Hayek did not see economics as a narrow discipline concerned only with making, getting and spending. Rather, a maximally competitive market was for him the condition for maintaining the freedom, individualism and democracy that he prized above all things. In his own words: "If 'capitalism' means a competitive system based on free disposal over private property, it is far more important to realize that only within this system is democracy possible."[25] Yet while an enthusiastic advocate of private enterprise, he did not favor excessive deregulation.

Hayek asserted that there must be an appropriate legal framework – which is to say, a set of regulations—to assure effective functioning of the market.[26] For Hayek the state has a role to play in economic life, but it must not overplay that role. Like Smith and Burke, he believed that it is the duty of the government to protect the state and society from harm if private interests do not, or cannot, do that. For example, "To prohibit the use of certain poisonous substances or to require special precautions in their use, to limit working hours or to require certain sanitary arrangements, is fully compatible with competition. The only question here is whether in the particular instance the advantages gained are greater than the social costs which they impose."[27]

Hayek was no anarcho-capitalist. He was aware that conditions that made competition work efficiently and fairly did not occur naturally, but had to be carefully cultivated. He asserts that "The functioning of competition not only requires adequate organization of certain institutions like money, markets and channels of information –some of which can never be adequately provided by private enterprise—but it depends, above all, on the existence of an appropriate legal system, a legal system designed both to preserve competition and to make it operate as beneficially as possible."[28] Like all reasonable political theorists, conservative and liberal, Hayek saw the rule of law (for him Rule of Law) as the necessary condition for freedom.[29] And of course, legislation is the

[24] Burke, *Reflections on the Revolution in France*, 28, 76 and 148.
[25] Hayek, *The Road to Serfdom*, 69-70.
[26] Ibid., 36-37.
[27] Ibid., 37.
[28] Ibid., 38.
[29] Ibid., 72.

prerogative of the state. What he wants is regulation that facilitates economic competition and keeps it honest; what he fears is regulation that will destroy individual initiative and reduce, or eliminate, individual freedom. Hayek was no friend of enthusiasts of deregulation who fantasize about making government so small that it can be dragged to the bathroom and drowned in the tub. He saw the dangers of both excessive regulation and excessive deregulation. It may be that there is no such thing as complete deregulation. There is only re-regulation. Unlike contemporary advocates of complete deregulation of markets and economic activity, who sometimes see the Austrian economist as a leading light, Hayek himself was aware of this.[30]

If you think about it, there is no social activity without rules or regulation. There is no chess; there is no baseball or basketball or football. There is only gangsterism and chaos. Even the most extreme libertarians do not think that we can eliminate stop signs and traffic lights. We could, and maybe should, make more use of roundabouts, but we have to know, or assume, that we all stop at stop signs, obey traffic lights and recognize the right of way on roundabouts. The freedom to ignore these instruments of regulation would make roads unusable. This is so obvious that anyone can see that an unqualified freedom to drive would make driving impossible, and that regulation of driving is both necessary and desirable. But there are also areas in which people do not have the ability to judge what is safe or appropriate, and what is not.

Consider building codes or fertilizers or pesticides. When we buy a house, we want to know that the roof will not collapse within a few years, killing everyone inside. Most of us do not have the knowledge to determine the structural integrity of buildings, so if we buy a house or some other structure, we will probably hire someone with the necessary competence to give an opinion on whether asbestos has been used in the building, the quality of materials, wiring, plumbing and overall structural integrity. Even if we do not hire a professional to do an evaluation (not recommended) we can usually rely on government building codes to

[30] Hayek's outlook, however limited in some respects, was rigorous, honest and oriented to assuring the greatest good for society that he thought possible. He called for the careful balancing of different interests through a complex mixture of institutions, state and other. It is easy to call for deconstruction of existing safeguards and pretend, as libertarians and anarcho-capitalists are inclined to do, that when the work of destruction is complete, all will be well. Hayek was not so simple-minded nor so devoted to particular interests.

assure a minimal level of security. Hayek, a proponent of the role of markets and minimal regulation, sees working hours and "sanitary arrangements" as cases of acceptable and necessary state regulation.[31]

Either from a sense of responsibility, or for purely practical reasons, governments, whether local, regional or national, find it inconvenient as well as expensive if houses or public buildings collapse or burn down too often. All responsible governments have building codes and inspectors to see that the codes are followed. Most construction companies aim to build solid, comfortable and durable buildings that will give them a good reputation. Some companies, oriented to short-term profit, may be inclined to compromise on labor and materials and to put up buildings that look okay, at least initially, but in fact are unsafe. Building codes and their enforcement are one way of trying to minimize problems of this sort.

Some companies that produce fertilizers or pesticides are tempted to manufacture products that deteriorate the environment or increase toxicity if there is an economic advantage to doing this. To safeguard the land and to ensure the relative healthfulness of crops and well-being of agricultural workers, governments regulate the content of fertilizers, pesticides, genetically modified seeds and much else. Hayek thought regulation of this kind necessary.[32] And while Edmund Burke did not directly address environmental issues, his notion of a social contract extending from past generations through a present generation to future generations also supported the idea that a present generation, as the steward, not the outright owner of natural resources, was not entitled to run down those resources for its own interests and at the expense of future generations.[33] There is no way around it: regulation limits freedom to do what we want. It can be inconvenient to wait at a traffic light or stop sign. It can be onerous and costly to follow building codes. Using environmentally friendly fertilizers and pesticides may be more expensive than using harmful ones. On the whole, we agree to the trade-offs involved, and accept limitations on our freedom for the sake of security, long-term well-being, and durable, structured freedom.[34]

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[31] Hayek, *The Road to Serfdom*, 37.
[32] Ibid., 39.
[33] Burke, *Reflections on the Revolution in France*, 28, 76, 83-85 and 148.
[34] One problem in contemporary business practice is that thinking in the long term has largely been replaced by concern for the next quarter or few quarters, when results are calculated. If narrow, market-oriented priorities are allowed to

It is hard to avoid the conclusion that regulation is necessary wherever people live together. Eliminating regulation is neither desirable nor even possible, in that complete elimination of regulation means return to conditions of the jungle. When libertarians talk about deregulation what it seems they mean to say is that it is better to shift regulation from the state and its agencies to market forces. They assume, like Hayek, that the state is often unfair, misguided or repressive, and that market forces are even-handed and fair. This view was common during the second and third decades of the twentieth century when totalitarian states of different sorts were on the rise, destroying individual liberty wherever they took root. Whether the state and state bureaucracies are still the main threats to individual liberty is an open question.

There is a small school of adherents to unrestricted markets known as anarcho-capitalists. Members of this school advocate dismantling the state altogether, along with its legislative, regulatory, police and tax-gathering functions, and allowing individuals to interact without any constraints other than self-interest in the context of the market. Some time ago a number of anarcho-capitalists settled in Mexico, and proceeded to engage in certain activities without regard to the state or its agencies, or anything else. A number of the leading members of the group met their ends prematurely when local drug dealers, who resented the anarcho-capitalists intruding on their field of endeavor, had them killed.

Markets have their logics and reasons, and they impose sanctions. But market logic is not the logic of society or civilization. The market is no more caring or compassionate than the biblical idol Moloch. Moloch sat on its pedestal and accepted human sacrifice, usually children, whom it seems to have preferred barbequed. In return the idol was believed to provide good weather, fertility, prosperity, discount coupons to local supermarkets and all manner of good things to its devotees. The market also has its victims: for example, women, children and adult males who work for starvation wages in chains of procurement, manufacture and distribution harmful to body and soul.[35] The market is equally indifferent to human trafficking. Because for the Market a commodity is a

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determine policy, long-term considerations fade, then disappear. If you can't make it through the next few quarters, there is no long term. But if short-term profitability overrides long-term viability, then we have gone from the frying pan into the fire.

[35] See Naomi Klein, *No Logo* (London, Flamingo, 2000), chapters 9 and 10.

commodity, and when it comes down to it, all things --and people-- are commodities.

In a way Market represents progress over Moloch in that it is more inclusive. Moloch's victims were probably less than one percent of the total population, whereas Market blights the lives of a great majority in underdeveloped countries, and probably smaller numbers, but still majorities, in countries like the United States.[36]

We can assume that Moloch, had it existed, would have derived some pleasure from the burned bodies of children it was offered. We can't say as much about Market, Market being too businesslike to take pleasure in much of anything. Profits and losses, boom and bust, survival or destruction, it's all the same. Market does not have the personality of Moloch, or of other idols we hear of in the Bible, or the colorful set of characters in Greek mythology. Market just is, sort of like gravity. And Market doesn't care for human well-being or suffering any more than gravity does. This puts Market at odds with ways of seeing the world that include ethics. Market would not have a problem with politics as a competition of interests, since understood in this way, politics play by the rules of Market. But thought of in the old-fashioned way, as how to achieve security and the common good, politics doesn't get along with Market at all. Market doesn't have any borders and doesn't care how many people are harmed or killed in the course of its action. It has its way of doing things, and that is that. States, on the other hand, do, or should, care. One of our big problems today is that in some places, market forces insert themselves into state functions and decision making.

The common good is less interested in how things are done, and more in outcomes, particularly with respect to the security and well-being of the citizens living within the borders of the country or state. The old-fashioned notion of politics as a way of organizing a society to achieve the common good had an important ethical component. The market may be very good

[36] Programs of universal education and health care, unemployment benefits, adequate old age pensions and the like that are characteristic of the welfare state significantly offset the weight of Market. Where such programs do not exist, or have been cut back, the rule of Market and predominance of extremes of wealth and poverty have the upper hand. Scandinavia and most of western Europe are examples of the former sort of social and political arrangements, the United States, where large portions of the population live in poverty or are entirely without reserves, an example of the latter.

at balancing supply and demand, but it has no more sense of morality than a forest fire or hurricane or tsunami. Which is one reason why it makes more sense to think about politics and economics in terms of a common good rather than the workings of Market.

Another Road to Serfdom

Hayek was concerned –rightly—with dangers posed by overly powerful, domineering nation-states, their bureaucracies and police forces, to the integrity and freedom of the individual. Given the predominance of totalitarianism, both fascist and Stalinist, over the 25 years before he published his most famous book, this is perfectly understandable. Like the feudal and seigneurial arrangements of the early Middle Ages, powerful new totalitarian states offered their citizens security from external aggression, but at a high price in terms of personal freedoms. Totalitarian states compensated their citizens for the loss of personal freedom with ideologies of national pride, and often superiority, and they fostered a sense of solidarity for those who felt themselves alone in a world where materialism and individualism undercut a sense of community and belonging.[37] For Hayek, state planning was the great obstacle to freedom. Totalitarian states said, in effect, what is important is the state, race or party you belong to, not outdated liberal values of freedom and individualism.[38]

During the early Middle Ages, the state as we know it did not yet exist. Nor did the modern idea of freedom. For most ordinary folk it made sense to accept the subservient status of serfdom for the security offered by the local strong man, and if necessary, to follow him into battle to defend home, family, church and community. The one thing that the totalitarian state democratized, at least to a degree, was the army, but the armies of totalitarian states were trained and prepared, not primarily for defense of the homeland, but to fight wars of aggression for the aggrandizement and glory of the nation, the state, the race, or the party. Hayek feared that

[37] This a main thesis of Erich Fromm, *Escape from Freedom* (New York, Farrar and Rinehart, 1941), sometimes published under the title *Fear of Freedom*. Totalitarian states do not encourage a sense of freedom in those subject to their authority, but look to dominate both their own citizens and others. For Fromm, accepting domination is a way of overcoming a sense of inadequacy of the self.

[38] On these issues see another refugee from the fascism of the Third Reich, Hannah Arendt, *The Origins of Totalitarianism* (New York, Meridian, 1960; first published 1951).

central planning would turn democracies totalitarian, and create a modern version of serfdom. What he only hinted at, but what has become increasingly clear in the more than seventy years since *The Road to Serfdom* appeared, is that the market, which the Austrian economist and philosopher believed was the best guarantee of individual liberty, could create a newer and more comprehensive form of unfreedom that can also be seen as a kind of serfdom. This is a not unreasonable term to describe a certain kind of modern unfreedom. But the unfreedom of the last fifty years or so differs from the unfreedom imposed by modern totalitarianism and from medieval serfdom. People subject to totalitarian rule are made to feel part of the state, nation, race or party, while medieval serfs were firmly rooted in their society and were relatively secure. The newly unfree suffer deprivation, rootlessness and isolation in all aspects of their lives, which have become generally precarious, and are subject to the authority, not of a local strong man, though this can happen, but of employers and Market forces.[39] What drives this new form of unfreedom is less the centralizing state, than very big businesses.

In some ways, the situations of lower-level employees of certain multinational corporations are worse than the condition of medieval serfs. As a serf, one worked fields that one could not own outright, because the lord had a right of eminent domaine. The serf had to pay a portion of his harvest to the lord as rent, and had to fulfill a variety of obligations, monetary and other. However, provided those obligations were fulfilled, the lord could not remove the serf from the property he held and worked by custom, so the serf at least had security of tenure. Moreover, ties of patronage and religious affiliation reduced the distance between elite and common members of the community, and charity, which would have been severely limited by circumstance, was a universally accepted value. Medieval serfdom existed in conditions in which life was localized, choices were limited, and human relations, while hierarchical, were nevertheless personal. This hardly seems ideal. But it is questionable whether modern warehouse or factory workers employed by certain multinational corporations in the twenty-first century are better off.

[39] For a basic analysis of this situation see Guy Standing, *The Precariat: The New Dangerous Class* (London, Bloomsbury Academic, 2011). An older but still valuable treatment of these issues is Jerald Wallulis, *The New Insecurity: The End of the Standard Job and Family* (Albany, New York, State University of New York Press, 1998).

Big employers have big advantages over potential employees, and very large employers have even bigger ones. One important advantage is geographical. If, for example, salaries in one region or country are significantly lower than in another, that is an incentive for employers to move operations there. If, in addition, the low-wage area or country allows looser regulation, or non-regulation, of working conditions, and if laws protecting the environment are weaker, or non-existent, and their system of taxation favors large companies, then the attraction for employers is all the greater to move to such places.[40] Outsourcing, especially of manufacturing jobs, from more developed countries to less developed ones has led to deindustrialization in more developed countries and a shift of employment opportunities from industry to services, which usually pay less, are less unionized and less secure. Furthermore, if any, or some, of the conditions that make operating in less developed countries attractive are changed, then the multi-nationals, being multi-national, can, and do, relocate.[41] The famous "race to the bottom" is the competition among countries to offer the most favorable conditions to multi-national corporations. Favorable, that is, to the corporations, not the people of the country. The downside of this strategy is that it involves losing tax revenue, deprives workers of protective regulations, and allows deterioration of the environment. The way to higher profits and fewer responsibilities for corporations is the way to regression for host countries that may be forgiven for thinking that they have done a deal with the devil.

The conditions of workers employed by multi-national corporations in developing countries has similarities to conditions of workers in England during the Industrial Revolution. In some respects, they are worse. During the nineteenth century it was common for the workday to be loosely defined, often extending to fourteen hours. There were no limits on the age at which workers could be employed. It was common to hire children at reduced wages, and to fire older workers who could no longer work as vigorously as they used to. Nor were there sick leave or unemployment insurance. Salaries were what employers felt they could get away with offering. Typically, they offered a minimum necessary for survival, which was not sufficient for workers to save anything, and so left them without

[40] On working conditions and salaries provided by multi-national corporations in underdeveloped countries see Naomi Klein, *No Logo*, chapter 9, and Joel Bakan, *The Corporation: The Pathological Pursuit of Profit and Power* (Toronto, Penguin, 2004), 65-69.
[41] Klein, *No Logo*, 223-29.

reserves in the face of illness, unemployment or old age.[42] Unlike factory owners of the Industrial Revolution, modern corporations can run their third-world factories as labor camps, with barbed wire and guards.[43]

Where relationships are unequal, the stronger party does better, the weaker party worse. This is true in individual and in collective relationships, and it is as true in developed countries as in under-developed ones. The basic instrument that determines formal relations between employers and employees is the contract, or labor agreement. One of the main reasons that contracts are seen as fair is that they must be agreed to by the parties signing them, and it is assumed that the contract represents a mutually acceptable agreement. Many historians see the shift from relations based on status to relations defined by contract as progressive and liberating. By definition, contracts work through consent, whereas custom and status, over which the individual has no control, were usually decisive in determining obligations in earlier arrangements. We should bear in mind that there were –and are— conditions of unfreedom in which individuals have no say and are no more than objects. Slaves were never a party to contracts, though they might appear as commodities in contracts of others. Where contracts are agreements between freely contracting parties, they are indeed progressive. But when one party is so much stronger than the other that the first party can compel the other to accept any terms it proposes, then the element of agreement is fictive and the contract is no more than the formalization of the interests and demands of the stronger party, which are then enforceable at law.

Medieval serfs lived in conditions largely determined by custom, to which they were subject, but over which they had little say. They knew what they owed to whom, and what they could expect from their fellows and superiors. They were rooted in their communities, and apart from their

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[42] In pre-industrial conditions old age for subsistence-level workers was matter-of-factly referred to as a "time for begging." In Richardson's novel *Pamela, or Virtue Rewarded*, first published in 1740, the heroine speaks of becoming "a beggar before my time." Edition of W.M. Sale (New York, Norton, 1958), 99-100.

[43] Baken, *The Corporation*, 66-69 and Klein, *No Logo*, 202-26. Bakan quotes Noam Chomsky on the effect that the objectives and methods of multi-national corporations have: "If you can get human beings to become tools like that, it's more efficient by some measure of efficiency…a measure which is based on dehumanization. You have to dehumanize it. That's part of the system." Bakan, *The Corporation*, 69. Adam Smith had made a similar observation, though in less graphic terms. See above, the text referred to in note 9 of this chapter.

own culture, the institutions of the church and manor structured their lives. Modern contracts can be broad or narrow. A generation ago it was common in developed countries, at least in union contracts, for these contracts to include a living wage, rates for overtime, stipulations about working conditions, reasonable vacations, pension plans, and where there was no socialized medicine, medical coverage, and sometimes other benefits. If unions were not satisfied with the conditions offered, they could strike.[44]

Unions greatly enhance the bargaining power of workers. Today many multi-national corporations minimize labor costs by keeping salaries at or near minimum wage and reducing or eliminating benefits. They increase "productivity" by imposing strict workplace discipline, sometimes with quotas, restrictions on coffee breaks or access to washrooms. They do not allow workers to organize, and if they think it worthwhile, they can require non-disclosure agreements, or clauses by which workers give up their rights to legal recourse. In their drive to maximize profits very large employers can draft agreements of that sort and expect that they will be signed by prospective employees. If the prospective employee has better prospects, she or he can opt for those. But if the market has more people looking for work than there are jobs, then they will sign the contract offered, not because they consent to the terms, but because they have no choice. Contrary to Hayek's view, the Market doesn't assure much in the way of freedom for weaker parties. The Market just doesn't care about that sort of thing.

Often, a worker does not sign the contract directly with the very large employer. In developed countries corporations often prefer hiring through manpower companies. In third-world countries, multi-nationals usually contract out the organization of work to independent market agents, and it is common for the initial contractor to sub-contract aspects of the work he has agreed to do to smaller, more specialized contractors. One aspect of this kind of organization is that it completely frees the big corporations from any responsibility toward the people actually making the products they eventually sell. Also, each contractor in the chain of production must make a profit. The contractors impose workplace conditions most favorable to themselves and pay the lowest wages they can. This is the way Market works, and what it achieves. It does not share the values of politics as traditionally understood, namely, the common good, though it

[44] Once cola (cost of living) clauses, which kept the cost of living and real incomes stable were introduced, some people thought strikes would become obsolete.

wants us to think that it does. This is largely because in conditions of extreme inequality the stronger economic forces are able to gain control of political institutions.[45] The very rich and powerful then use their political influence to tilt the economic playing field even further in their favor, as can clearly be seen in U.S. tax policy from the Reagan presidency to the present.[46]

Extreme inequalities in wealth usually find expression in extreme political inequality. In the republican political tradition, inequality taken beyond a certain point subverts republican democracy, and changes the regime into an oligarchy, tyranny, or some kind of plutocracy. It is now common to describe the oligarchy in Russia as a kleptocracy, or a regime based on theft or gangsterism, to the benefit of the oligarchs and detriment of the Russian people. According to Timothy Snyder, this oligarchy has adopted a clearly fascist ideology.[47] Too great a concentration of wealth and economic power does seem to tend toward fascist totalitarianism. Great wealth prefers giving orders to discussing things and making compromises, and having achieved political power, it does as it likes.

For Hayek, the road to unfreedom lay through state control and planning. For others, the route to unfreedom leads through corporate interests, deregulation and the working of the market. These two tendencies are found in more developed countries of the West, and tend to move eastwards and southwards into the less developed world. The road to unfreedom described by Timothy Snyder begins with the great concentration of wealth in the hands of Russian oligarchs, and proceeds with the takeover of the Russian state by these oligarchs, and its transformation into a repressive but technologically sophisticated fascism, and the export of this fascism westwards. There are high profile fascists or near-fascists in Europe that the Russians support and finance. Places with conditions most suited to fascist politics are those where wealth is most concentrated, inequality greatest, the rule of law faltering, and the political

[45] For an analysis of the implications of inequality for politics see Joseph Stiglitz, *The Price of Inequality: How Today's Divided Society Endangers our Future* (New York, Norton, 2013).

[46] Stiglitz, *Inequality*, 89-90. It is not just that tax rates on the very rich have been lowered. There are instances of very wealthy people and large corporations paying rates of taxation well below the rates stipulated by law, and sometimes they pay no federal income tax at all.

[47] See Timothy Snyder, *The Road to Unfreedom: Russia, Europe, America* (London, Vintage, 2018).

system seriously destabilized. For example, the United States. Political theorists who warned of the dangers of inequality knew what they were talking about.

Economy and Polity

Most contracts are economic by nature, but normally rely on state agencies, namely the courts, for enforcement. This raises the question of the relation of economics to politics. There are problems here, because the two spheres of activity have, or should have, very different objectives. Finding a workable balance between them is not easy.

As Adam Smith pointed out, and as we still for the most part agree, economics is a matter of the pursuit of profit motivated by a legitimized notion of self-interest. As Smith's friend, David Hume, wrote in another context, "Tis not contrary to reason to prefer the destruction of the whole world to the scratching of my finger." [48] In the same place he says that it is also not unreasonable to accept one's own "total ruin" in order to prevent "the least uneasiness" to a person one does not know.[49] Hume's point here is not about self-interest. It is about the nature of reason, which is independent of morality. Reason will go along with anything. It is our passions and values that cause us to choose one course of action over another, and that give them ethical meaning. Hume believes that altruism and benevolence are part of human nature, and not simply modifications of self-interest.[50] It is the benevolence or ill will of the actor that determines his or her action, and gives it its ethical weight. Reason is only ever instrumental. It tells us how, not what. If we apply Hume's approach here to market relations, it helps us see Market for what it is: all reason, no emotion, no ethics. It is not right to say that Market is immoral; rather, it is amoral, like Hume's reason, or natural forces like wildfires, earthquakes and tsunamis.

The Market is a rarified environment in which companies, corporations and workers compete, in which the governing principle is self-interest, and in which the objective is maximization of profits to the exclusion of all

[48] David Hume, *A Treatise of Human Nature*, ed. L.A. Selby-Bigge (Oxford, Clarendon, 1967; first published 1739), book II, part iii, section 3; 416.
[49] Loc. cit. The example he uses here is an Indian.
[50] Hume, *Treatise*, book II, part 2, section 7; 368-69 and book III, part 3, section 3; 602-03.

else.[51] We see this clearly if we look at labor relations within certain multi-nationals, and the way the multi-nationals see the environment and pollution. I have never met Jeff Bezos, or members of the Walden family, founders and owners of Walmart, or Bill Gates, and have no idea what they are like as people. I am going to assume that they are all nice, pleasant people. Now, it is generally known that all of these people are immensely wealthy and it is also known that their notions of workplace efficiency and economy call for low, often minimum wages,[52] and in some cases make onerous demands on workers, restricting, for example, access to washrooms and discouraging worker organization. The result for the workers is an unpleasant work environment and an income that often does not provide basic necessities. Barbara Ehrenreich has described what it is like to work for a restaurant, a cleaning service and a large retailer, all at minimum wage. It is not a pretty picture.[53] Perfectly legal measures, such as keeping workers' hours below the level at which they qualify for benefits, splitting shifts, short-term contracts and dismissal at discretion, all contribute to depressing the economic viability and increasing the dependence and vulnerability of low-wage workers. If the owners of large and hugely profitable companies are nice guys, why would they treat the people who are necessary to their economic success more or less as modern serfs? One answer is because they can; another is it is what the position they are in requires.

Consider an NFL linebacker. He may be a nice guy, but on the field, he is required to hit opposition running backs and receivers as hard as he can. One hit from one of these guys would put an ordinary person in hospital.

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[51] In the language of big corporations, pollution and destruction of the environment are "externalities." They are external to the main objective of the corporation, which is to maximize profits. On a broader view, these considerations are very much a part of the well-being of populations affected, and the long-term viability of the planet.

[52] Microsoft, requiring highly skilled workers, cannot for its core operations get away with minimum wage and oppressive conditions. It could, however, hire skilled workers through manpower companies, which allowed it to avoid many obligations toward those workers, from salaries to benefits that employees hired directly by the company enjoyed. Lower salaries and reduced benefits make the company more profitable, which is the purpose of the exercise.

[53] Barbara Ehrenreich, *Nickle and Dimed: on (not) getting by in America* (New York, Metropolitan, 2001). Also by Ehrenreich, on the same theme, but aimed higher on the social scale, *Bait and Switch: the (futile) Pursuit of the American Dream* (New York, Metropolitan, 2005).

But the rules of the game call for hard hitting, and on the field, you are taking on other players who are well trained, in good condition and wearing solid ppe. So, the linebacker is playing by the rules and doing what he can to help his team win. The rules of the Market require that nice guys who run big businesses do whatever is necessary to maximize profits. Say that corporations such as Amazon or Walmart paid higher wages, assured their employees good benefits and better working conditions. That would cost money. The businesses would no doubt still be highly profitable, but the bottom line would show smaller profits. Since the purpose of business is to make money, and as much money as possible, decreasing profits in any way, for any reason, is not viewed kindly.[54] And this is not just a matter of theory. Shareholders would not be pleased with reduced dividends or stock prices. Boards of governors of corporations would want an explanation for poorer performance. Market would want very good explanations for any reduction in profitability, and Market, being the kind of guy he is, it is unlikely that any explanation would be acceptable. However nice a person may be, once they go into business, they must play by the rules of Market, or Market will not look kindly upon them, though there are exceptions.[55]

Contracts are legally binding, and if huge asymmetries in the positions of the contracting parties lead to contracts depriving one party of all rights and giving complete domination to the other party, the contract is still valid. In theory, no one is obliged to sign a contract. In practice the needs and powers of the contracting parties determine whether it is better to have a very, very bad deal than no deal at all. If that means immense wealth for a few and a degree of poverty incompatible with decent living standards

[54] Facebook has been accused of putting their profits before the common good. This is an odd complaint. Facebook is a business, and the business of business is making money. It is not philanthropy, or concern for the population in general, or the state. It is the business of the state to further the common good, and it is an appropriate role for the government to see to it that in working to make profits, private companies do not do too much harm. But to assume that it is the business of private companies to do the government's work gets things backwards.

[55] It is not a matter of the market making exceptions, but of owners of enterprises being satisfied with substantial profits while providing a living wage and good conditions for their employees. A classic example of this sort of management during the Industrial Revolution is Robert Owen, a Welsh industrialist, philanthropist and utopian socialist. His textile mill at New Lanark, Scotland, had decent working conditions, paid a living wage and provided education for the children of workers as well as children who worked in the mill. Owen's enterprise was both progressive and profitable.

and personal freedom for the many, so be it. Market couldn't care less. That's the kind of guy (or thing) Market is. As for the element of consent to the contract, that disappears under the weight of economic necessity. One doesn't "consent" to work in oppressive conditions for starvation wages. But often, one has no choice.

Something interesting happened in an American automobile factory a number of years ago. Designers put the gas tank of a particular model too close to the back of the vehicle, so that it had a tendency to blow up when rear-ended. That was recognized to be a problem. The company in question realized that it could be sued for this design fault, so it did a cost analysis that showed that it would be cheaper to pay settlements for a projected number of fatal accidents than to correct the design fault. Business logic requiring that we minimize expenses and maximize profits, the company did not correct the design fault, but opted to pay damages to people hurt or killed as a result of the fault.[56] This was a rational business decision, and it was perfectly legal. From the point of view of Market, this decision was a matter of profit and loss, that is all. From the point of view of the security of the purchaser and those responsible for the security of citizens, there were other considerations.

The most basic objectives of old-fashioned politics are the security and well-being of the members of the polity. Whether the form of government most suited to these ends is monarchy, aristocracy or democracy is secondary. Whatever system worked less badly was usually the one adopted, and as circumstances changed the form of government changed too. As the assumption of self-interest has generally proved valid, in politics as well as in economics, where majorities determine policies, they usually opt for democracy on the assumption that this form of government will enact policies that benefit the majority, and coincide with their interests. All forms of government, including dictatorships, claim legitimacy on the grounds that they serve the common good. We have also seen that the goal of economic systems based on private property and the pursuit of self-interest is maximizing profit in a Market regulated, deregulated, unregulated or re-regulated to favor private enterprise.

True believers in capitalism, particularly neoliberals and libertarians, tend to ignore political considerations, or to maintain that the unconstrained working of the Market achieves the best possible outcomes for society as an unintended consequence. We know that this is not so,

[56] Bakan, *The Corporation*, 61-65.

certainly not for the employees of multi-national corporations abroad, or, as Barbara Ehrenreich has shown, for waitstaff in most restaurants, members of cleaning crews or retail clerks in very large corporations domestically. Nevertheless, spokesfolk for modern capitalism continue to make this argument. Well, it sounds good, and they don't have much else. But it doesn't really work. The reality is that politics and economics cannot be separated. Markets and taxation are increasingly regulated for the benefit of the very wealthy and multi-national corporations, while the income of most of the working population has remained stable or declined over the last 30 or 40 years, and poverty rates have been rising.[57]

In the United States rates of taxation, and taxes actually paid, have not remained stable. Under the Carter administration, the top level of the federal income tax was 70%. Under Reagan this rate was reduced to 28%, but then raised by subsequent administrations to 39.6%, 35%, and then 37%.[58] After a basic personal deduction of $12,400, very low-income earners are required to pay 10% of their income as federal tax, and there is seldom a way of avoiding this. While higher income earners are in theory required to pay much higher proportions of their incomes in taxes, in fact this often does not happen. In 2007 in the United States, for example, the richest levels of the population actually paid an average of 16.6% of their incomes in federal taxes, about half of the highest theoretical rate. The corresponding figure for the population as a whole, which includes low-wage earners, was 20.4%, slightly higher than the rate of the best off.[59] Nor is federal income tax the only kind of tax that people are required to pay.

There are indirect taxes that are the same for all, irrespective of income. There are capital gains taxes, which apply only to those fortunate enough to enjoy this form of income. Many countries have inheritance taxes. In the United States there is a basic exemption for estates of less than 11 million dollars, so not only ordinary people, but also some of the very rich need not pay it. There are instances in the United States in which

[57] Stiglitz, *The Price of Inequality*, 8-9 and 21, and Kurt Andersen, *Evil Geniuses: The Unmaking of America, A Recent History* (New York, Random House, 2020), 120 and 294.

[58] Stiglitz, *The Price of Inequality*, xxxi and 89, and the website of U.S. Internal Revenue.

[59] Stiglitz, *The Price of Inequality*, 91. This is perfectly legal, as the tax code is written in such a way as to provide deductions for the very wealthy that are irrelevant to middle and low-income earners.

people who claim to be billionaires pay a lower rate of taxation than people in the very lowest tax bracket, and sometimes not even that. Not many people like paying taxes, but there are those who see paying their taxes as a civic duty, which they accept willingly, at least to the degree that they see the tax system as fair. There are other people who are unable to see beyond their self -interest and will go to extraordinary lengths to avoid contributing to the well-being and proper functioning of their country. And then there are big organizations whose interests are supra-national and whose goals are purely economic.

For corporations in the United States, the maximal tax rate was reduced from 35% to 21% in 2017. Whether 21% or 35 % or some other figure is more appropriate is open to discussion. Something that appeals less to the general public is the fact that some very large and profitable corporations sometimes pay no federal income tax at all.[60] According to the Government Accountability Office, more than half of American corporations paid no federal income tax at all for at least one year during a seven-year period from 1998 to 2005.[61] In 2020 some 55 very large and profitable corporations, among them Duke Energy, Fedex, Kinder Morgan and Nike, paid no federal income tax, while many of them received large payments from the government.[62] It is important to note that this is perfectly legal and in compliance with the tax code as it is stands.

There are two main reasons that corporations are treated favorably in tax codes. One is ideological, and maintains that because they are good at creating wealth and providing work, corporations should be encouraged. The other reason is the probability that corporations that receive better conditions and lower tax rates in some countries will prefer to operate in those countries rather than others. Incentives of this kind create what has been called a "race to the bottom," in those countries doing the least to protect their environments and support their work forces while offering lower tax rates to attract corporations. Such countries find themselves facing very large environmental, human and fiscal costs.

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[60] Ibid., 91-92.

[61] Ibid., 421, note 64.

[62] These 55 corporations together had profits of over 40 billion dollars on which they paid no taxes, and in addition received just under 3.5 billion from the government, giving them a negative tax rate of -8.6%. Institute on Taxation and Economic Policy, 2 April 2021.

Leaving aside human and environmental costs, lowering tax rates for corporations, and providing loopholes that assure that the maximal rates are seldom met, means the reduction of the contributions of corporations to state revenues. In the United States in the 1950s corporate taxes provided 30% of federal tax revenues; by 2012 this proportion was reduced to 9%, and by 2019 it stood at 6.6%.[63] The fall in the share of corporations to general revenues means a heavier tax burden on other tax payers and reduced funds for health, education, security, welfare, infrastructure, and other goods the state is responsible for. Reduced corporate taxes are an effective way of transferring more wealth to the already wealthy, but does not do much to further the well-being of most people in the country.

There are striking examples of the harmful imbalance of politics and economics in recent history. In the Soviet Union and fascist countries, the state completely subordinated economic activity to the control of parties and dictators. In effect, this amounted to a hostile takeover of economics by the state. In some other countries the very wealthy, usually working through multi-national corporations, have gained de facto control of the state, sometimes keeping the formalities of elective office and competing parties, provided these do not interfere with the implementation of the policies favored by the multi-nationals. In such cases we have a hostile takeover of the government by corporations. An example of economic and political interests having found a reasonable working compromise is the welfare state, such as those of most of western Europe, and the former British colonies of Canada and Australia. None of these countries are without problems, but they do avoid, to a greater or lesser extent, political dictatorship and the complete domination of the economy by a few of the most powerful players.[64]

The incompatibility of interests of states and multi-national corporations can be seen in the difference between their basic objectives. All states have ideologies of loyalty. Patriotism, or devotion to the state to which one belongs, was general in antiquity and again since the end of the Middle Ages. Patriotism is a virtue that has its drawbacks, as it, or its variant, nationalism, has been a main mobilizing force for the many wars

[63] Stiglitz, *The Price of Inequality*, 92, and the Federal Income Tax site.
[64] The coal industry seems to have inordinate influence in Germany and Australia, and in parts of Canada mining, oil and forestry companies have been able to impose policies that degrade the environment. These are dangers common to extraction-oriented economies.

in which nation-states engaged, and for the destruction and suffering caused by those wars. It is probably best for patriotism to be moderated by other virtues, such as kindness and humanity, and it can be differentiated from its unpleasant cousin, jingoist nationalism. Patriotism usually means devotion to one's homeland and fellow citizens, and a willingness to stand up for them.[65] It is a form of self-interest, but a self-interest that assumes equality with one's fellow citizens and takes the needs of others into account.

By contrast, the self-interest of multi-national corporations is oriented to an international marketplace and the maximization of profit. If it is cheaper to manufacture in one country rather than the country in which it has its head office, the multi-national will manufacture where it is more profitable. There is nothing patriotic about outsourcing. Loyalty to a particular country can be disloyalty to one's shareholders. Unlike nation-states, the loyalty of multi-nationals is to the Market, to stock markets and to bottom lines. Multi-nationals are non-national and are by definition non-patriotic. Their homeland is wherever expenses are lower and profits higher. Multi-nationals have no interest in politics as a means of furthering the common good. But this is not to say that they have no interest in politics.

Regrettably, I cannot say what it is like to have a fortune of a hundred million dollars (or euros, or pounds) or thereabouts, so I am left to speculate what that would be like. I'll assume that with a bank account of that size that I'd have all the creature comforts I'd want, and a large portfolio of investments, so I'd be involved in the Market. Like anyone in the Market, I'd want my investment to increase in value, and to increase as much as possible. Having as many creature comforts as I want, these investments would not influence my standard of living. So, what would they represent? I'll speculate that they represent power. And just as people would like as much money as possible, they want as much power as possible. The power that a million or a hundred million dollars gives is something, and the power that billions and multi-billions of dollars give is that much greater. But what's the point of power?

[65] During the eighteenth century, patriotism was seen as a virtue of sociability, and often appeared together with values such as beneficence and humanity. It was a value that bound people together. From the wars of the French Revolution on, it was commonly replaced by nationalism, which tended to focus on hostility to other countries and their inhabitants.

Since we multi-millionaires and multi-billionaires are material folks living in a material world, we will use our power to further our interests, increase our fortunes, and gain influence. Being fairly clear sighted, I recognize that a state basing itself on the old-fashioned idea that the purpose of politics is to further the common good is not in my interest, or the interest of people and corporations that have hundreds of millions, or billions, of dollars at their disposal. That kind of state will want to tax me and take away a portion of my money/power. In a better-case scenario, it will take my money and apply it to the education, health and social well-being of all citizens of the state. In a worse-case scenario, corrupt politicians will use my money to line their own pockets. The state will likely interfere in labor relations, requiring minimal conditions for the workplace, and probably pensions for people employed over the long term. It will legislate to protect the environment in ways that reduce the profitability of companies I invest in. Yes, it will. You betcha. The principles of unlimited self-interest and unrestricted accumulation of wealth do not accept that sort of thing willingly. We people of wealth and power (speculatively speaking) don't mind the general population being comfortably off…just, not on our dime. So, what do the super-rich and the big multi-nationals do? They get into politics to further their interests. They work toward what is in effect a hostile takeover of the state. Economic power subverts political power and uses it in its own interests.

During the nineteenth and earlier twentieth centuries, the balance between states and corporations was very much in favor of the nation-state in that the states were much richer than the corporations, and beyond this the states had armies, which, for the most part, corporations did not. From the later twentieth century this balance shifted in favor of the multi-nationals as their wealth increased dramatically, as the corporations developed their own security services, as corporations began providing services that had formerly been carried out by states, such as postal services, and as corporate agencies and interests penetrated governments. Most of these features were not new, but they did reach dimensions that had not been seen before. In 2018, of the top hundred world "revenue generators," 71 were corporations. It is true that states outnumber corporations fourteen to six in the top 20 wealthiest entities.[66] Still, the power of corporations seems to be greater than it has ever been, and the wealth and influence of multi-nationals continues to grow. According to Sheldon Wolin, "…the truly profound change of the twentieth century [is],

[66] "Who is more powerful—states or corporations?" *The Conversation*, 11 July 2018.

the dominance of corporate power—politically, economically, and culturally…"[67]

In theory, politics and economics can be seen as operating in separate spheres. In practice they overlap. One example is the role of lobbyists. The job of a lobbyist is to further the interest of the company or corporation that pays him or her. Because lobbyists have contacts with government bureaucrats and legislators, they are able to put their cases for laws and regulations that further the interests of their employers. If their research is good and their arguments convincing, or if they are able to use other means of persuasion, they often succeed in getting the laws and regulations, de-regulations or re-regulations they want from the government agents in question. This is business not ignoring or working separately from government but working through government to get the things that businesses want, and that only governments can give them.

Another example of the way business and government overlap is international trade agreements. In theory, such agreements are between nations. If, however, multi-national corporations succeed in getting their agents involved in the negotiation of such agreements, or even manage to be included in drafting conditions and clauses of the agreements, then it is reasonable to expect that the agent of the corporation will see to it that the interests of the corporation are furthered in the documents in question. There is a problem here: rather than furthering the interests of nations and the citizens of those nations, agreements drafted by, or with substantial input from, multi-national corporations, will further the interests of the corporations. The interests of the corporations are narrow and self-oriented, and have nothing in common with the interests of the state, which consist, in the old-fashioned approach, in the common good. There is no way around this contradiction.

Aristotle, as we saw, classified government according to whether the people as whole, a part of the people, or a single ruler was sovereign -- democracy, aristocracy and monarchy and their corrupt variations. Quite recently, a new term has been added to existing classifications. The term is corporatocracy. One of the first people to use this term is John Perkins, an American who grew up in modest circumstances, joined the Peace Corps,

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[67] Sheldon Wolin, *Democracy Incorporated: Managed Democracy and the Specter of Inverted Totalitarianism* (Princeton UP, 2010), xiv. Wolin defines inverted totalitarianism as "the *political* coming of age of corporate power and the *political* demobilization of the citizenry." Ibid., xviii.

and was employed by a large consulting firm in Boston as what he calls an "economic hit man." He went into business for himself, and has engaged in public service activities since. His position in the large corporation he worked for was very profitable, but it gave him a bad conscience. This motivated him to leave the company and to describe his experiences there. Perkins sees himself as a patriotic American and a believer in capitalist economics. What he says has gone wrong with those economics is the over-emphasis on profitability coupled with disregard for the well-being of people, especially in developing countries, who are made to pay the costs of development while having their standards of living deteriorate and the environments in which they live gutted.[68]

In his memoir, Perkins describes corporatocracy as the integrated working of three agents: big corporations, international banks and governments. He calls it "the most subtle and effective form of imperialism the world has ever known."[69] As an economic advisor for a large American firm, Perkins' role was to draw up projections and analyses that would convince third-world countries to modernize by investing in massive infrastructure projects, such as hydroelectric power and ports, for which they would receive huge loans from international banks that were calculated in such a way that they could not be paid off. Local elites were encouraged to profit from this arrangement while ordinary people saw their standard of living decline and government services cut back. Manipulated into a position of irredeemable debt, the countries would be pressured to change laws to favor the corporations and interests which held their debt. If the governments in question resisted, the rulers might be offered bribes. If the bribes didn't work, there was recourse to threats and intimidation. If threats and intimidation didn't work, the troublesome politicians would be removed, either by privately contracted hit men, whom Perkins calls "jackals," by government agencies such as the CIA, and in extreme cases, by military intervention. What the corporatocracy has created, according to Perkins, is "…a global economy that fails everyone. It is based on war or the threat of war, debt, an extreme form of materialism that pillages the earth's resources and is consuming itself into extinction. In the end, even the very rich will fall victim to this

[68] John Perkins, *The Confessions of an Economic Hit Man* (New York, Penguin, 2006); a new and expanded edition is *The New Confessions of an Economic Hit Man: How America really Took Over the World* (London, Ebury Press and Penguin, 2016).
[69] Perkins *New Confessions*, 90 and 148.

death economy."[70] The corporatocracy has done what it has done, and continues to do, in pursuit of profit. Perkins' problem with this way of doing things was that he could not subordinate the values of his conscience, values which he regards as thoroughly American, to unrestricted pursuit of profit.

The distinguished American economist and winner of the Nobel prize in economics, Milton Friedman, quoted himself in a *New York Times Magazine* article to the effect that "…there is one and only one social responsibility of business—to use its resources and engage in activities designed to increase its profits so long as it stays within the rules of the game, which is to say, engages in open and free competition without deception or fraud."[71] Perkins was probably more aware than Friedman that powerful economic interests exerted great influence on lawmakers, and could often change laws they found unfavorable to their benefit.[72] Beyond this, he had a broader view of social responsibility, or perhaps better, his notion of responsibility extended beyond the bottom line of the businessperson to the broader good of society.

Countries will be run either for the common good, or for the good of private interests. Since democracies are in principle run for the good of the people, special interests, if they succeed in gaining political power, initially need to pretend that they are governing for the common good. This is not, and cannot, be the case but it is necessary that they pretend that it is. Enter ideologists, propagandists, and certain kinds of journalists working in corporately owned and run media. But conjure all the bogeymen they can, and try as they might, they cannot paper over the basic contradiction between what is good for the country as a whole, and what is most profitable for this or that corporation. Air pollution is not good for those exposed to it, but license to pollute contributes to the profitability of oil refineries. Degrading the environment harms the country, but increases the profits of the corporations engaged in extraction and processing of natural resources. There really is no separating economics from politics. As Joseph Stiglitz observed, in "…a political system that is so sensitive to moneyed interests,

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[70] Ibid., 215. See also 252.

[71] Milton Friedman, *The New York Times Magazine*, 13 September 1970. The book from which he cites himself is *Capitalism and Freedom*.

[72] Friedman saw no difficulty in co-operating with and advising the Chilean dictator Pinochet to establish "freer" market conditions in Chile after his coup. Naomi Klein, *The Shock Doctrine: The Rise of Disaster Capitalism* (New York, Knopf, 2007), 94-95.

growing economic inequality leads to a growing imbalance of political power…"[73] And as the distinguished American jurist, Louis Brandeis is alleged to have said, "We must make our choice. We may have democracy, or we may have wealth concentrated in the hands of a few, but we can't have both."[74]

Who's the Boss?

There is another important way that democracies and corporations differ, and that is in their notions of governance. The owner of a company is its boss, who is responsible to herself or himself. This makes sense in that the company is the property of the owner. The CEO of a large corporation is not the owner of the corporation, but is put in charge by a board of governors that is in theory appointed by shareholders. He or she is responsible to the board of governors and to shareholders, and must serve their interest, which is to maximize the profits of the corporation. No "We the people" here. It's "me the owner," or "we the owners," and our appointed executives. The model of governance in corporations is from the top down. Employees are given orders by the boss or his appointees. They have no input as to how the company or corporation is run. This economic model sounds similar to the political institution of monarchy. The king or emperor or sultan or czar or dictator is the boss. Top down.

With the idea of popular sovereignty that has its roots in classical antiquity and reemerged in the eighteenth century and the Age of Revolutions, another model of governance emerged. The sovereign people elects its leaders. Even though universal suffrage dates only from the twentieth century, the basic model is the same. It works through the flow of authority from the bottom up. In a democracy, the sovereign people chooses its leaders and legislators for a limited period. Political power derives from "We the people." It does not come from lobbyists or politicians who work for big corporations. In the West this has been the great tragedy of the last hundred years or so: the subversion of popular sovereignty and the replacement of democracy by authoritarian rule. Not too many modern states have kings. But they do have bosses. The boss in

[73] Stiglitz, *The Price of Inequality*, li.

[74] This statement cannot be traced to Brandeis. See Peter Scott Campbell, "Democracy v. Concentrated Wealth: In Search of a Louis D. Brandeis Quote," in Irving Dillard, ed., *Mr. Justice Brandeis, Great American* (St. Louis, Modern View Press, 1941), 42.

politics is called a dictator, and with him (or her) it's again the flow of authority from the top down. Formally, it's like the old systems of monarchy, except that the monarch believed, or wanted his subjects to believe, that he worked for the good of the country as a whole.

Modern dictators come from, and work for, the interests of a party, or other particular interests, and they inevitably establish totalitarian regimes. Whether in the USSR, many states of eastern Europe and China, or the fascist states of western Europe, the dictator was the party boss. None of these regimes tolerated limits imposed by viable constitutions or independent courts. Nor did they accept the limitations of codes of human rights. Typically, they become police states. Most people subject to totalitarian regimes do not care for them, so the regimes have recourse to great smoke screens of hoopla and propaganda and nationalist rhetoric designed to hide the sad realities of domination and unfreedom.[75] While both communist dictatorship and fascism have distinguished histories in the twentieth century, the former seems to be on the decline, while the stocks of the latter are rising.

[75] On this theme see the important study of Sheldon Wolin, *Democracy Incorporated*, and for Putin's Russia and its politics, Timothy Snyder, *The Road to Unfreedom*.

CHAPTER THREE

LANGUAGE, TRUTH, PERSUASION

> In the beginning was the Word, and the Word was by the Lord. And the Word was the Lord.
>
> John, I.1

> Our understanding is conducted solely by means of the word: anyone who falsifies it betrays public society. It is the only tool by which we communicate our wishes and our thoughts; it is our soul's interpreter: if we lack that, we can no longer hold together; we can no longer know each other. When words deceive us, it breaks all intercourse and loosens the bonds of our polity.
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> Montaigne, *Essays*, book II, chapter 18 (Screech translation)

> So revolutions broke out in city after city…To fit in with the change of events, words, too, had to change their usual meanings**.** What used to be described as a thoughtless act of aggression was now regarded as the courage one would expect to find in a party member; to think of the future and wait was merely another way of saying one was a coward; any idea of moderation was just an attempt to disguise one's unmanly character; ability to understand a question from all sides meant that one was totally unfitted for action. Fanatical enthusiasm was the mark of a real man, and to plot against an enemy behind his back was perfectly legitimate self-defence. Anyone who held violent opinions could always be trusted, and anyone who objected to them became a suspect.
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> Thucydides, *The Peloponnesian War*, Book III

We are a long way from the beginning, and from the role of the Word in the creation of the world. Yet for Montaigne, in a more restricted but still very wide sense, it is language that creates society and holds it together. It is language and the accurate use of language that make genuine human relations, and sound social and political interactions, possible. Misuse of language, for the French Renaissance thinker, can destroy the social fabric and political relations. It would be comforting to think that he was wrong. Probably he was not. In describing civil strife in Corcyra, Thucydides showed how violence generated by party conflict is reflected

in language, and how language deteriorates and meanings change when basic norms are disregarded in a context of conflict and crisis.[1]

In a way, what gravity is to the physical world, language is to society. Once we agree that words have certain meanings, we can use those words, and that language, to communicate with each other. Shared language with agreed meanings is necessary for a society to function well, and it is one of the most important things that hold societies together. But we need to distinguish between different kinds of language and the ways they are used.

There are technical and scientific languages that are used for practical purposes. These include systems of counting, terms for describing physical things, and how-to manuals, from recipes for muffins to maintenance manuals for jet planes. These languages have two things in common. One is the direct relation to what we call the real, or material, world. Engineers need to know exactly what the stress factors are of materials in a bridge they are building, and doctors need to know how drugs they are prescribing affect patients. The other is an aspiration to precision. It will not do to have approximations of the thrust of jet engines using specified fuels in maintenance manuals, and it is necessary to avoid terms, perfectly acceptable in literature, that have multiple meanings. In technical and scientific language, we assume that the word corresponds exactly to the thing or force that it stands for. The truths that this kind of language aspires to are judged by how closely the language corresponds to phenomena or techniques described, or how accurate the predictions based on the language and theory are.

Mostly our use of language is not scientific or technical. It doesn't need to be precise, just to get our needs or wishes or observations across to other people. In literature it is often a virtue to construct sentences that can be understood in different ways. There are no objective descriptions of beauty or love because esthetics and emotions are not objective. Often there are collective preferences for certain styles. For example, the rigorous, symmetrical neoclassical style of the eighteenth century was very different from the dramatic and woolly romanticism of the following century, but whether we prefer one or the other or neither is a matter of taste, and in matters of taste there are no objective criteria. There may be an integrity or coherence in each style, but there are no grounds on which

[1] Socrates makes a similar point about the way passions change the evaluation of things and the language used to describe them. Plato, *Republic*, 560 d-e.

one style can be said to be objectively better or truer than another style. We can like whatever we like.

While for the most part we do not expect objectivity in esthetics or literature, we do have such expectations in other areas such as philosophy, law, history and the social sciences. In physics and chemistry we aim to formulate laws that are true until disproven. The goals of history and the social sciences are more modest, and amount to providing adequate descriptions and explanations of social and political trends and events. The reason for this difference is the subject matter of the various disciplines. Physics and chemistry deal with matter, the different forms of which we assume can be readily classified, and which will always react (or not) in the same way under the same conditions. Pure water boils, and will always boil, at 100 degrees centigrade at sea level. People aren't like that.

In general, we can assume that people are motivated by self-interest, which most of us are, most of the time. But there are some people who sometimes, or maybe all the time, put the interests of their family or community or country before their own immediate interests. There are people who are genuinely altruistic and patriotic, and people who genuinely believe in human rights. There are no patriotic or altruistic atoms. Inert matter does not have choices. Human beings do. And sometimes they make the most surprising and unpredictable choices. We can make generalizations about human behavior, but apart from medicine and physiology, we cannot formulate laws that describe or predict how people will act, or react, in every instance, or nearly every instance. The physical sciences can claim a level of precision and consistency that is beyond the reach of history or sociology or political science. If you come across someone who claims to have discovered the laws of history or of political behavior, beware. They are out to sell you something that probably you would not want to buy.

The Truth is Not the Truth

When Mr. Giuliani made the cryptic statement "The truth is not the truth," that is probably not what he meant to say. What he probably wanted to say was that in many areas we cannot know what is true and what is not, because that depends on how people see and understand whatever is under discussion. Usually people have opinions, and one opinion can be as good as another. Who is to say that overall, the Yankees are better than the Dodgers, or vice versa, or that Leonardo was a greater

artist than Michelangelo, or the other way round? There is a trend in academic scholarship that supports this claim. It is called postmodernism. Some students of literature go so far as to say that there is no such thing as a book in itself. There are only versions of the book as it has been read or understood by different readers. There is no misunderstanding of books because there are no books; there are just book-reader encounters, and who's to say that one reader's encounter with a text is more correct or better than another?[2] It's a matter of taste. Just as a person who prefers blackberry milkshakes to vanilla or chocolate cannot convince vanilla or chocolate milkshake afficionados that her preferred milkshake is "better" than other kinds (and vice versa), a person who has one interpretation of a novel or poem or play, need not be convinced by people with different interpretations. This is fair enough, and is more convincing the more the matter under discussion is subjective and concerns interpretation or taste. It is not that certain interpretations are less convincing than others. It is that in literary criticism and ice cream flavors there are no absolute, recognized criteria of right and wrong or true and false. The more objective the subject, the greater the probability that the people treating it will be able to agree on what correct and incorrect statements about it are.

When Dr. Anthony Fauci said that "Science is truth," he was not necessarily contradicting Mr. Giuliani. He was pointing out that there are areas in which it is possible to come to objectively verifiable conclusions. It makes no sense to build bridges from materials that will not take the strain that they will have to withstand, or to build aircraft with rivets that will not hold the plane together. We don't want bridges to collapse or airplanes to fall out of the sky, so we keep to the laws of mechanics that will prevent, or at least minimize, these things. Similarly, we know that arsenic has a severe and immediate effect on the human body, and so regulate its availability closely. We also know that refined sugar and saturated fats are not good for our health, but since their effects are gradual and depend on use, we do not expect governments to regulate them in the same way. Even where the effects of certain substances are known objectively, it is not always appropriate for governments to intervene.

[2] Actually, I would. Having read much of Northrop Frye's literary criticism, and being impressed with the extent of his knowledge and the depth of his understanding, I would be inclined to accept his interpretations unless someone could show that they were unfounded or mistaken, or had a better interpretation, something that is always possible.

Dr. Fauci's professional world is medical science. In that world many things, though not all, can be known with certainty, and others with a high degree of probability. Mr. Giuliani's professional worlds are the law and politics. Law involves drafting contracts and proving guilt or innocence, and where juries are concerned, of convincing jurors of what may, or may not, have happened in given circumstances up to, or beyond, a reasonable doubt. The law assumes that there is such a thing as truth, but that often probability will be the best we can do, and in the Anglo-Saxon tradition, that the best way of getting at the truth, or as close as we can get to it, is by confrontation of opposing views and arguments, each party adducing evidence and making arguments to further their case.[3] Scientists work differently, but that is fair enough since different methods are needed for different subjects. Mr. Giuliani is also involved in politics, and though perhaps they should not, politicians will say just about anything they think they can get away with, and sometimes things that they know they cannot. When politicians are in power, they may think that they can define and modify the truth as they wish. In George Orwell's novel, *Nineteen Eighty-Four*, which was a criticism of Stalin's USSR and a warning against becoming like it, the truth was whatever the Party decided it was. In the words of O'Brien, the Party apparatchik who was both torturing and lecturing the main character of the story to get him to see the light:

> But I tell you, Winston, that reality is not external. Reality exists in the human mind, and nowhere else. Not in the individual mind, which can make mistakes, and in any case soon perishes: only in the mind of the Party, which is collective and immortal. Whatever the Party holds to be truth *is* truth.[4]

Got it?

And if the Truth is the Truth?

Now, it is possible that Mr. Giuliani said "The truth is not the truth" because he was aware that what is traditionally seen as truth is

[3] Other systems, such as that of the French, take a more professional approach in that judges play a more dominant role. There are no juries, and judges decide whether there are sufficient grounds to open a case. If they determine there are, they hear the arguments from lawyers and witnesses from both sides, then make their ruling.

[4] George Orwell, *Nineteen Eighty-Four* (London, Penguin, 2008; first published 1949), 261.

inconvenient for the political forces he associates with. The traditional notion of truth, from Plato to John Stuart Mill and the X-Files character, Fox Mulder, holds that somewhere out there, there is such a thing as truth, and our problem is to find it. In technical terms this is known as the correspondence theory of truth. Our ideas, theories and values are valid, or correct, or true, insofar as they correspond to, or reflect, or in some way embody, the truths that are out there, and they are incorrect insofar as they deviate from them. Not too complicated, and so long as we agree about what truth is, not too hard to live with. But there is another theory of truth, that is illustrated in the following story.

Once upon a time a businessman needed an accountant. He put an ad in the local paper, with a time and place for applicants to come for an interview. Twenty accountants turned up, and each in turn was asked only one question: how much is two and two? The first nineteen applicants gave the arithmetically appropriate answer. The last applicant listened to the question and replied: how much do you want it to be? Suspicious lawyers and bureaucrats might see the twentieth accountant's position as openness to dishonesty. Philosophers, on the other hand, might see it as a form of what they call the voluntarist theory of truth, which maintains that the truth is what you want it to be. Or in Orwell's case, what the Party wants it to be. O'Brien is able to "convince" Winston that two and two are three or five, or whatever the Party wants it to be.[5]

In the Western tradition, the voluntarist theory of truth appears relatively late. Perhaps the first full presentation of this understanding of truth was put forward by the German philosopher Arthur Schopenhauer (1788-1860) in his book, *The World as Will and Idea* (1818/19). Adopting a more metaphysical than scientific approach, Schopenhauer emphasized the importance of will and perception in the way we see the world, maintaining, in effect, that what we see is to a considerable degree what we want to see. In another formulation this was expressed as the proposition that perception creates reality. Later in the century Friedrich Nietzsche (1844-1900) built upon and extended the importance of desire in his philosophy, and particularly in his posthumously published collection, *The Will to Power* (1901).

Neither Schopenhauer nor Nietzsche thought that wishing a broken leg to heal overnight would have the desired effect, or that willing a seven-figure credit in your bank account instead of its present overdraft, would

[5] Ibid., 262-64.

work. What they were writing about were human relations and the norms that govern these relations. The Bible requires that people do that which is good and right in the sight of the Lord. Plato and Aristotle and Seneca and Marcus Aurelius tried to define virtue and wanted people to act virtuously. Schopenhauer and Nietzsche thought you could decide for yourself what was good and right, or, as indicated in the title of Nietzsche's 1886 book, *Beyond Good and Evil*, that it was possible to do without those categories altogether. Whatever values they came up with, they had no connection to piety or virtue as traditionally understood. Nietzsche, particularly, tended to glorify power and violence. When it came to ethics and politics, if either nineteenth-century philosopher was asked what truth was, he might well have replied, like our twentieth accountant, with the counter-question: what would you like it to be?

Untruth

The voluntarist theory of truth plays out most spectacularly in totalitarian and fascist contexts. There is no scientific evidence for the existence of master races or ethnic superiority, though of course politicians can say, and hire "experts" to say, that there is. But if it is in the interests of certain businesses, or of members of certain states, or of racists, to believe such things, they will, and find justification for their beliefs. As Alice learned in her time in Wonderland, it is possible to believe six impossible things before breakfast. It is not that evidence for the falsity of certain beliefs is lacking. It is more that the force of wanting to believe something can be very strong, be that thing true or false. And if you dismiss the correspondence theory of truth, then the truth becomes whatever you want, irrational, fantastic or destructive as that may be.

The notion that there is objective truth runs deep in the Western tradition, and a correlative of this belief is that untruth is unreliable, and that those who follow it will not finish well. Thomas Carlyle (1795-1881), the rather odd nineteenth century thinker and historian who has one of the most tumultuous prose styles in the English language, wrote: "For if there be a Faith, from of old, it is this, as we often repeat, that no Lie can live forever."[6] This is not to say that for Carlyle lies, big and little, do not have a place in history and politics, only that they do not last. For Carlyle's contemporary, John Stuart Mill (1806-1873), freedom of speech should be

[6] Thomas Carlyle, *The French Revolution*, book VI, chap. 3.

unlimited.[7] As a leading spokesman of liberalism, Mill advocated maximum freedom of action for the individual with minimal interference from the authorities. For him the only acceptable limit to individual freedom of thought and action was the freedom of others. A person's freedom was not license to harm others. Respecting the freedom of others was, for Mill, the guarantee of one's own freedom.

Freedom of opinion, and the expression of opinion, necessarily includes saying or writing things that are false or just plain foolish. Mill accepted that there are all sorts of people, and that some of them sometimes say things that are silly, or untrue, or both. Mill has two main reasons for supporting complete liberty of expression. One is that to deny people the right to express opinions implies infallibility of those doing the forbidding, and whatever else human beings may be, they are not infallible.[8] His second reason, which has become more difficult for us to credit, is the assumption that on the whole, people are sensible and honest, and therefore would not accept, or be taken in by, nonsense and untruths. Mill adhered to the correspondence theory of truth, and believed that between them, empirical evidence and reason would discredit lies and nonsense, and assure the acceptance of the more reasonable and more probable view. By now it is clear that this is not so, as there are significant examples to the contrary.

Referring to some of these counter-cases, Frederick Hayek observed, "The moral consequences of totalitarian propaganda…are destructive of all morals because they undermine one of the foundations of all morals: the sense of and the respect for truth."[9] Hayek's vision is not so narrowly economic as is sometimes thought. Just as people cannot live together without language, so they cannot live together without morality. This point has been effectively made in a recent novel.

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[7] John Stuart Mill, *On Liberty*, C.V. Shields ed. (Indianapolis and New York, Bobbs Merrill, 1956; first published 1859), 13, 16, 47 and 68.
[8] Ibid., 21-22.
[9] Hayek, *The Road to Serfdom*, 155. The chapter from which this quotation is taken, chapter 11, is entitled "The End of Truth." Montaigne similarly thought that "The first sign of corrupt morals is the banishing of truth." (*Essays*, book II, chapter 18; Screech translation, 756). By contrast, Nietzsche begins *Beyond Good and Evil* by calling into question the validity of the concept of truth and the usefulness of truth seeking.

In *Spring*, by Ali Smith, a young internet whiz is marketing a site that offers obituaries of people who never existed. He calls this "storytelling," and when it is put to him that he is dealing in untruths, he replies "It's real if you think it is." The heroine of the novel then intervenes with the comment that, "What you've just said about reality and thought is, if we're speaking philosophically, both interesting and bankrupt…And very clever. It's the ultimate immorality."[10] This may be putting the case a bit strongly, but it is a clear statement of the linkage made by Montaigne and Hayek between truth and morality, and it raises one of the problems central to Western culture in recent times: namely, what becomes of morality when we deny the validity of the notion of truth.[11] The systematic formulation and propagation of untruths undermines anything that in the Hebrew and Greek traditions can be called morality, and in the long term, the viability of any society in which untruth is cultivated.

What we call truth has the advantage of putting us in contact with what we call reality. The cultivation of untruth is a sure way of losing touch with reality. There can be short-term advantages to living in fantasy worlds, at least for some people, but in the long term, this does not end well. It is possible to pretend that there is no such thing as climate change, or that, if the climate is changing, it has nothing to do with human activity. If you are in the fossil fuel business, there are bottom-line reasons for you to want to believe this, or at least for you to want other people to believe it. You can even hire publicists and some sorts of scientists to raise questions and put counter arguments. You may convince some people who are not invested in fossil fuels to ignore the solid consensus of climatologists at research universities and the empirical evidence of melting glaciers and ice fields, of the gradual but uneven rise of temperatures, of the increase in the number and extent of wildfires and of rising sea levels, but in the end, and probably well before the end, reality will make itself felt. There are models of what the world will be like with a three or four degree rise in

[10] Ali Smith, *Spring* (London, Penguin, 2020), 101-02.

[11] Since Hayek's time, neo-liberal economists, for whom economics is about maximizing profit to the exclusion of all else, have dropped the notion of morality altogether, and insist instead on market freedom. Older economists, such as Adam Smith, balanced the notion of a common good with their notions of economic activity. Neo-liberals and libertarians tend to ignore the broader political question of the common good, and when they have to say something on the question revert to the old saw of pursuit of self-interest somehow maximizing the common good.

temperature, and the picture is not pretty. We may not be there yet (not certain), but we are well on the way.[12]

This is why truth, which is not a properly political, or economic, category, is relevant to politics, at least politics understood as arranging things for the greater good or well-being of the citizen body. If truth is the way to reality, untruth is the way to unreality, or to realities that we would not care for. Now there are areas in which the category of truth just isn't relevant. There are, for example, matters of taste. Also, it is common for governments at all levels to support the arts. Usually, democratic governments will support both ballet and modern dance, will finance concerts of classical music and folk music (rock of whatever variety can usually pay for itself), and support galleries for all varieties of art. This makes sense in that there are no objective categories for what is "true" or right in these areas. They cause no harm, and one person's choice is as good as another's. Totalitarian regimes, on the other hand, will usually choose a style which they designate as official. It becomes the only acceptable style, and all others are condemned. It is typical of such regimes to select things in themselves indifferent and turn them into orthodoxies that they then enforce vigorously. And yet there are areas that are beyond taste and opinion, and that do enter into politics.

At a local level, whether or not roads are adequately maintained is a matter of real concern. Whether the municipality sees to it that potholes are filled in right away and competently is something that any driver will be aware of. There is, as far as I know, no pothole lobby, and if potholes aren't fixed in a timely way, it will not be because there is a difference of opinion about the desirability of maintaining roads so that they are safe and convenient, but perhaps because of budget shortfalls or more urgent maintenance needs. On a much larger scale, destruction of the planet's resources, pollution of air and water, and climate change all have objective harmful effects. This is true, and part of our reality. Businesses and politicians who deny the truth of all this are arguing for a kind of unreality. In the real world, you pay a price for thinking and behaving in terms of unreality.

[12] For two forceful but very different analyses of climate change and its implications see Naomi Klein, *This Changes Everything: Capitalism vs. Climate* (Toronto, Knopf, 2014) and David Wallace-Wells, *The Uninhabitable Earth: A Story of the Future* (London, Penguin, 2019).

Nature is nature, and we ignore it at our peril. There are also ideas that seem attractive, but are ultimately destructive. One of these is the idea that people of one culture or nation are somehow better than peoples of other cultures or nations, and the better (by which is usually meant the more powerful) culture has the right to dominate the others. We find an early account of such a clash of cultures in the biblical book of *Exodus*. The story told here is about how the members of a very powerful, well organized and sophisticated civilization subjugated a simpler, powerless, foreign people, reducing them to slavery. A higher force liberated the slave people, then assured them a structured and viable freedom through a set of laws. It is a story that has resonated among the unfree through the ages and provided a language for all manner of struggles for liberation.[13] The desire to dominate and to establish empires seems to be a constant of history, as is the need of the oppressed and dominated to struggle for freedom. The will to power and domination is expressed in a variety of discourses that vary from cultural or pragmatic superiority, to racism, to divine mandates. The response of the oppressed peoples has been remarkably consistent: they demand freedom and recognition of their rights and dignity. They demand that slavery be ended and that conquerors and colonizers go home.

Cultivating Untruth

If you hold to a voluntarist theory of truth, then truth is not much of an issue. As in Orwell's *Nineteen Eighty-Four*, and the regime it was modelled on, truth is whatever the Party wants it to be. An updated version of this proposition is that it is whatever the corporatocracy can convince you it is. Whatever you want to be true is true, but you still need to convince other people that your desired truth is both true and good for them. If you hold that the truth is out there, then you need to prove that you have the truth by finding evidence and showing that it supports whatever theory you are advocating. The more objective and scientific the truth, the more you are guided --and limited-- by the evidence. The more subjective the issue, the less important the evidence, and the more important the ability to persuade. In areas where the truth-reality link is strongest and most obvious, it is more difficult to convince people of counter-factual theories. Difficult, but not impossible. Because not only can people say anything, they can be persuaded to believe just about anything.

[13] Michael Walzer, *Exodus and Revolution* (New York, Basic, 1985).

This distinction between fact and appearance was recognized by one of the first modern analysts of politics, at least of politics as they actually work rather than what they should be. Making a comment that could well qualify him as an early theorist of public relations, Machiavelli (1469-1527) wrote, "A prince, therefore, need not necessarily have all the good qualities I mentioned above, but he should certainly appear to have them."[14] He goes on to say that a prince "should appear to be compassionate, faithful to his word, guileless and devout. And indeed, he should be so. But his disposition should be such that that, if he needs to be the opposite, he knows how."[15] Which is to say that Machiavelli recognized that a prince "…in order to maintain his state…is often forced to act in defiance of good faith, of charity, of kindness, of religion."[16] In that his subject was "real" politics from the perspective of how to gain and maintain power, Machiavelli's disregard of ethics, or perhaps better, exclusion of ethics from politics, makes sense. Actually behaving honestly and ethically at all times would be politically "ruinous."[17]

Machiavelli's realism was based in part on his rather bleak view of human nature. He justifies his advice that the ruler need not keep his word if it is not expedient with the observation that "…because men are wretched creatures who would not keep their word to you, you need not keep your word to them." And beyond this, "Men are so simple, and so much creatures of circumstance, that the deceiver will always find someone ready to be deceived."[18] Machiavelli took an active part in the politics of his time and knew whereof he spoke. He was not a deep thinker, and his originality lies not primarily in knowing how politics really work, but in recognizing and saying clearly that politics is about power and that ethics and religion have no place in politics, other than as window dressing. Someone said that if Machiavelli had a disciple, the first thing the master would suggest would be that the follower write a book against

[14] Machiavelli, *The Prince*, trans. George Bull (Harmondsworth, Penguin, 1973), 100. The chapter in question, 18, is entitled "How princes should honour their word." Machiavelli wrote *The Prince* in 1513, but it was not published until 1532. In 1516 Erasmus published *The Education of a Christian Prince*. The purpose of this treatise was to serve as a guide for bringing up a ruler who was to be genuinely pious, charitable, just and virtuous. Erasmus was concerned about ethics and responsibility in politics. Machiavelli, on the other hand, was all about power.
[15] Machiavelli, *The Prince*, 100.
[16] Ibid., 101.
[17] Ibid., 100.
[18] Loc. cit.

him. Because that would look good, and looking good, rather than being good, is what this kind of politics is about. The political philosophy of Plato revolves around the ideas of truth and knowledge and how to use them to build a just society. Machiavelli's political science is concerned with power and how to gain and hold power for rulers and their families and friends. Little room for truth, less for the common good; lots of room for manipulation of people who are neither smart nor honest.

On the Surface and Below

Machiavelli's *The Prince* was a breakthrough in political theory, not political practice. It is probably fair to say that since time immemorial rulers have been aware of the mechanics of power and have devoted most of their attention to that. To say this openly was another matter.[19] In the Judeo-Christian tradition religion, ethics and sound politics go together. The same is largely true of the democracies of ancient Greece. Both Hebrew and Hellenic cultures were concerned about people being led astray. The Hebrews worried about false prophets within their own tradition, and the attraction of polytheism and idolatry from without. The Greek philosophers confronted sophists, who taught ways of prettifying untruth and making the weaker case seem the stronger. They were also concerned with demagogues, who in popular assemblies worked on the passions and ignorance of the people to enhance their own power. False prophets and demagogues may well have believed what they said. Machiavelli's separation of ethics from politics was new, and can be seen as the groundwork for the doctrine of reason of state, which developed in the following centuries.

Machiavelli's notion of political science required the elevation of politics above both ethics and religion, and a sound knowledge of what has come to be called public relations. To manipulate people effectively you have to know what people think, believe, and think they want. It is particularly useful to know what people fear, and what they can be made to fear. Toward the end of the nineteenth century some thinkers tried to get beneath the surface of our wants and calculations to what, on a deeper level, we really, really want. Schopenhauer has a claim to pioneering this territory, but Nietzsche was probably the first to hit pay dirt. His

[19] *The Prince* is not Machiavelli's only important treatment of politics. In his *Discourses* he shows a similar sense of political reality, but this is moderated by the classical republicanism of the Roman and Greek worlds which he admired.

explorations of human motivations that lay beneath consciousness led him to reject Christian ethics, which he thought was a slave ethic, and anything in the way of concern for others, and to focus on instincts of aggression and power-seeking. As he writes of his idealized warriors released into nature:

> There they enjoy freedom from every social constraint, in the wilderness they compensate for the tension which is caused by being closed in and fenced in by the peace of the community for so long, they *return* to the innocent conscience of the wild beast, as exultant monsters, who perhaps go away having committed a hideous succession of murder, arson, rape and torture, in a mood of bravado and spiritual equilibrium as though they had simply played a student's prank, convinced that poets will now have something to sing about and celebrate for quite some time.[20]

This glorying in violence and domination with a collectivist emphasis makes Nietzsche palatable to some of the darker political currents of the twentieth century. It also makes him a poet of hooliganism.[21]

Nietzsche's influence on the twentieth century was immense. He no doubt expressed the boredom of the better-off classes in Europe with the relatively long periods of peace enjoyed over the nineteenth century and with the materialism and philistinism of bourgeois culture. The political implications of his thought were obvious. But what perhaps had an even greater and less predictable influence, was his emphasis on the strata of consciousness below the surface. Freud read and was influenced by him, as were many of his contemporaries, and in a significant way Nietzsche deserves to be seen as laying the groundwork for, or at the very least, indicating the way toward, the discipline of psychoanalysis.

The great contribution of Freud (1856-1939) to modern thought was his investigation of the subconscious. Plato, Machiavelli, Voltaire and Mill all thought that the human species was basically rational, and that some people who were quicker than others, had more resources, or were better educated, could fool and mislead others for their own advantage. What motivated people was their self-interest, and the better they could

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[20] Nietzsche, *Genealogy of Morality*, trans. Carol Diethe, essay 1, part 2; (Cambridge UP, 1997; first published 1887), 23.

[21] Machiavelli, by contrast, saw violence as necessary to realistic politics, but thought its use should be minimal and restricted to circumstances in which alternatives were lacking. *The Prince*, 65-66. Violence was for him a necessary evil, nothing more.

recognize and calculate their interests, the better off they would be. Those who were sufficiently clever –rulers or priests, and often a combination of the two—could impose on the less sophisticated population, and manipulate them as they wished. It was a basic premise among many Enlightenment thinkers that by eliminating superstition they could free ordinary people from the more unreasonable burdens imposed by ecclesiastical establishments and secular rulers. Freud showed that things were not that simple.

Nietzsche romanticized and glamorized the beast within, and fantasized about the possibility of turning it loose. Freud, who thought more in terms of understanding civilization than destroying it, was more interested in how the beast was kept in check, and what the implications of doing so were. Whereas thinkers from Plato to Mill assumed that evidence and reasoned argument would prevail, Freud developed a three-part theory of man in which, to the self, or ego, were added a superego, or voice of society or conscience, and what he called the id, which stood for the instinctual forces beyond foresight, reason or concern for the well-being of others.[22] This way of seeing human beings was basically tragic. The superego and the id were not capable of sitting down together and working things out. They functioned differently and spoke different languages. If the id got the upper hand, something like the liberation of Nietzsche's beasts would occur, and society would be destroyed. If the superego predominated, an unruly but essential part of the individual would be stifled. There could be no true meeting of minds between them, because the id didn't have much of a mind, and the superego didn't have much else. The individual was the unending battle ground of these two basic forces, but was unable to harmonize them. The best possible, but still not ideal, outcome was for the super-ego and its social agents to restrain the anarchic and amoral properties of the id so that society could continue to exist.

As Freud argued in *Civilization and Its Discontents* (1930), the price for the repression of the darker side of our humanity was frustration and unhappiness, but the alternative was the dissolution of society. In drawing this picture of the relation of the individual to society Freud dismissed the utilitarian ideal of the greatest happiness of the greatest number and

[22] Plato also divided the soul into three parts. One was the source of appetite and had as its objective pleasure. A second was reason, which inclined toward the love of truth. The third was "spirit," which was the principle of action, and could serve either reason or desire. *Republic*, 435d-442.

shifted the focus of ethics toward reducing and managing the inevitable unhappiness of the human condition. He also effectively buried Enlightenment assumptions about the basic rationality of human beings and the feasibility of progressive reform.

Contrary to what is sometimes thought, the Enlightenment did not oppose religion. At least I know of no Enlightenment figure who denounced or criticized the ten commandments or injunctions to kindness and charity in the Hebrew and Greek Scriptures. What the thinkers of the Enlightenment opposed was superstition and persecution. It is true that Enlightenment thinkers shifted emphasis from things spiritual to things social, political and material. It has been said of the French that they don't care what you say, as long as you pronounce it correctly. We can say of Enlightenment thinkers that they don't really care what you believe, so long as you behave decently and respect other people. And they relied on rational thought and calculation of interests to achieve the improvements that they advocated. This is where Freud proved a real problem, because Freud and his followers brought attention to an aspect of life and experience that had largely escaped Enlightenment thinkers. Once you recognize, with Freud, that there is such a thing as the subconscious, that this is a powerful force, and that it is basically irrational, you enter a world in which neither Plato, nor Voltaire, nor Mill would have felt comfortable.

Freud found his way to the world of the subconscious through dreams, and through his analysis of dreams and early practice of psychoanalysis, he came to recognize sex as a powerful drive. As was well known before Freud, there is not much that is rational about this drive. Freud's project was to understand people in terms of the forces that really move them, and to help people recognize these forces and come to terms with the endless need to balance what we really, really want with what is feasible and socially acceptable. While Enlightenment thinkers worked to improve the condition of humanity by eliminating superstition, mitigating the conditions of backward economies to enhance material well-being, and assuring people greater liberty, all in order to achieve this-worldly happiness, Freud had a less positive vision of the world. For the founder of psychoanalysis, there was no garden of Eden in which people had lived happily before the Fall, or could live happily thereafter. There was only the unending and tragic conflict of the id with the norms necessary to maintain society. The best Freud could offer was recognition of this situation and a way of achieving a balance that made life livable.

What, you may be asking by now, has all of this to do with language? Actually, quite a lot. Freud's basic insights about the subconscious suggested, much to the chagrin of followers of thinkers such as Plato and Mill, that arguments based on reason and evidence had less power to persuade than arguments that appealed to the id and those very real and powerful forces below the surface that we are usually unaware of. For the good doctor, confronting and understanding these forces was a way of helping people to live more balanced and healthier lives. If neurosis was the price we must pay for civilization, then pay that price we must. But let us at least recognize the limitations that this situation imposes, and manage it as best we can. This is far better than escaping into fantasies of violence and domination that find their ways into lived experience. Other people and organizations saw different ways the subconscious could be used.

How to Appeal and What to Appeal to

There was a time when advertisers presented their products as the most reliable, long-lasting and functionally efficient. They would print up leaflets, or buy advertisements in newspapers and magazines, emphasizing these qualities, and their publicity would have more or less success. If, for example, you were selling a car, you would emphasize its mechanical soundness, safety features, reliability, aesthetic appeal, possibly its resale value, and so on. Marketing specialists aware of Freud's understanding of human motivation proceed differently, as did the doctor's nephew, Edward Bernays (1891-1995), who became a pathbreaker in the fields of advertising and direction of public opinion.[23] Advertisers found that if you put an attractive model on the hood of, or beside, an automobile, the car would sell better than one marketed with the most precise and accurate

[23] Edward Bernays was born in Vienna but was brought to the United States at a young age. He was educated in New York and worked for a number of large corporations, as well as the American government. During the First World War he was appointed to the government's Committee for Public Information at the Latin American desk, and during the Second World War worked for the United States Information Agency. Two of his early books are *Crystallizing Public Opinion* (1923) and *Propaganda* (1928). He played a role in the United Fruit-CIA coup in Guatemala in 1954. He also consulted on a pro bono basis for some non-profit organizations, among them the NAACP, and he was an enthusiastic promoter of his uncle's work in the United States. He is generally regarded as one of the founders of the study of public relations, in both its advertising and political aspects.

description of its mechanical qualities. The image is more effective than the language. Images can replace language.

It turns out that we often do not buy just products, but the way these products affect our self-image and speak to our below-the-surface desires and impulses. Aware that often people do not know what they want, advertisers can create images that cause us to feel needs for products that we never knew or imagined we needed, and which, in any objective sense, we do not need. The greater the affluence of a society, the greater the scope for newly imagined goods and products, and the greater the importance of convincing people that your product is the one they want or need.

One of the consequences of the realization that we are often motivated by subconscious urges and drives was the devaluation of rational discourse. It was all very well for Plato and Aristotle and Voltaire and Mill to develop ideas and arguments based on reason and evidence, but once it became clear that appeals to a whole different level of experience were more effective, interested parties appealed to those other motives. Advertisers knew that if the way they marketed their products enhanced the self-image of potential customers, or increased the potential purchaser's sense of power, or, in an ever more fragmented society, gave customers a sense of belonging to, and fitting into, some group, such an appeal would be more successful than simply presenting the objectively good qualities of the commodities they were promoting.

While we usually have nothing in common with the people in front of us or behind us in a checkout line in a supermarket, and will probably never say a word to them, supermarkets often refer to their in-house credit cards as "clubs," which implies that all holders of those cards are "club members". There are other terms that might describe the relationship, but for issuers of the card, there are good reasons why they market it as they do. Of course, there is nothing new about all this. Social scientists and analysts of the advertising industry have written comprehensively and effectively about this for generations.[24] And yet, making their insights

[24] See, for example, the still useful and insightful studies of Vance Packard, *The Hidden Persuaders* (Harmondsworth, Penguin, 1968; first published in 1957) and Herbert I. Schiller, *The Mind Managers: How the Master Puppeteers of Politics, Advertising and Mass Communications Pull the Strings of Public Opinion* (Boston, Beacon Press, 1974).

public has not reduced the effectiveness of advertising and the systematic manipulation of the public that the post-Freudian mindset makes possible.

Awareness of the subconscious and the way it works is applicable not just to market situations, but also to politics. If mind managers can figure out what to appeal to in order to sell certain commodities, they can also figure out how to influence, or sell, political views. But the deeper motives that can be used to direct political choice are, for the most part, not the same as the motives or assumptions that can be drawn on to make people want to buy a certain brand of clothing or aftershave or cigarette, which depend largely on enhancement of the self-image. The concerns and anxieties that political persuasion finds useful lie elsewhere.

Political Languages

In the contemporary world there are two basic approaches to politics, and at least two distinct political languages. One originates in what is often called the Age of Democratic Revolution.[25] The key values of the American War of Independence and the French Revolution were liberty and equality (in both cases compatible with Black slavery), independence, and for the French, fraternity. Their goals, for Americans, were freedom from arbitrary rule by a European power thousands of miles away, and for the French, a society based on equality before the law rather than different statuses and privileges, and representative government rather than absolute monarchy.[26]

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[25] The still basic work here is R.R. Palmer, *The Age of Democratic Revolution: A Political History of Europe and America, 1760-1800*. (Princeton UP, 2 vols., 1959-65). An updated edition was published in 2014.

[26] Initially the French sought a constitutional monarchy with elected assemblies, which indeed would have been a revolutionary change. They came to proclaim a republic in 1792 as a result of political dynamics and miscalculations that no one foresaw, or could have foreseen. While there are good reasons for taking the French Revolution and American War of Independence together, there are also important differences. Both the Americans and the French spoke in terms of human rights, which were thought of as both individual and national, but both retained the institution of slavery. The French state did not recognize the status of slavery at home, but was a major slave power in its colonies. Largely for practical reasons this status in the French colonies was eliminated in 1794, though it was later restored by Napoleon. Fraternity was significant in France, largely as a negation of a society of estates or orders, but it also contributed to a growing sense of patriotism. For Americans, racism and the institution of slavery made a notion

Coming toward the end of the eighteenth century, the American War of Independence and the French Revolution made many of the same assumptions and used a political language that preceded knowing exploitation of the subconscious. They were, for the most part, keyed to the material and legal interests of the majority populations of both countries. The Americans did not want to pay taxes to an administration in which they were unrepresented, while the French peasantry, which formed the great majority of the population, resented the seigneurial dues they were obliged to pay without getting anything in return, and the tithe to the Catholic Church, which seldom benefited the local parish and its inhabitants, as originally intended. The peasantry, together with the middle and commercial classes, resented the aristocracy and the regime of privilege which discriminated against them and exploited them. But to come back to the question of language.

The terms used by French revolutionaries and American opponents of irresponsible British rule correlated closely to social and political realities. In rejecting rule by the British, the Americans called for government based on the consent of the governed, an argument made nearly a century earlier by John Locke (1632-1704) in his *Two Treatises of Government*, especially the second work, entitled *An Essay Concerning the True Original, Extent and End of Civil Government* (1690), and on the traditions of republicanism which were kept alive in the curricula of secondary and higher education. These curricula were based on the Greek and especially Roman classics, and were taught throughout the West in the eighteenth century. The Americans wanted freedom from domination by England and self-rule, objectives that were clearly and forcefully put forward by Thomas Paine (1737-1809) in his widely-read pamphlet, *Common Sense* (1776).

Initially the French were less politically ambitious than the Americans, calling for a change from absolute to constitutional monarchy, but they were socially more ambitious in aiming at the elimination of separate orders, each with (or without) its privileges, and replacing it with one based on common citizenship and equality before the law.[27] It was

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of fraternity problematic, while a society of orders was seen as a flaw of old-world social and political organization that had no place in the new.

[27] The French constitution of 1791 enfranchised roughly six of ten adult males, excluding only the poorest through a modest property qualification, those without fixed residence, servants, bankrupts and those engaged in morally suspect occupations, such as acting. The constitution of 1793 granted universal male

opposition by the aristocracy and crown that increased tensions and conflict, and led to the demand for a republic after the King's flight to Varennes in the summer of 1791. Liberty, patriotism and equality of legal standing and opportunity, the category of slavery aside, were key values of both, and the language of the American Declaration of Independence and the French Declaration of the Rights of Man and the Citizen reflect this directly. Thomas Paine's *Rights of Man* (1791/92) speaks eloquently for both.

The rhetoric of conflict tends to exaggeration. Once the Americans, with considerable French help, had defeated the British militarily, that conflict was pretty much at an end. Many of those whose basic affinity was with the British Empire, rather than staying in the United States as disgruntled citizens of questionable loyalty, left for what became the Province of Ontario, which at the time was known as Upper Canada. This resulted in a bi-national and bi-lingual state, and the beginning of a tradition for American citizens who were in basic disagreement with aspects of American life or policy.

In Europe, on the other hand, the French Revolution began a period of division and contestation that lasted for more than a century. The ideals of the more radical phase of the French Revolution were democracy, secularism, civic egalitarianism, republicanism and national self-determination. These values could not be accepted by aristocratic states, or multi-national empires, or states deeply dependent on their churches. Hence the conflicts, military and ideological, between people and parties advocating the secularism and republicanism of the French Revolution and forces of reaction standing for aristocracy, legally differentiated rank, and clericalism. The republicans typically criticized their opponents for denying the rights and dignity of mankind, while the aristocrats, monarchists and clerics denounced the republicans for their godlessness, which, they argued, brought in its wake the violence and disorder of revolution that threatened to destroy the very fabric of society. In England, Burke provided an elegant and searching, if sometimes twisted, critique of what the Revolution was and stood for,[28] while in France the abbé

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suffrage, but was never implemented. The franchise was narrowed by subsequent revolutionary governments, then reduced to roughly one per cent of adult males under the Bourbon Restoration. This was doubled to two per cent during the July Monarchy. Universal male suffrage was achieved with the Revolution of 1848. Female suffrage was conceded in 1944.

[28] Edmund Burke, *Reflections on the Revolution in France*, 1790.

Barruel, Maistre and Bonald painted the Revolution as the monstrous offspring of antireligious Enlightenment thought, as well as the appropriate punishment for having gone astray after it. To the credit of both sides in this ideological conflict, it seems that they believed what they said. The use of ideologies and the uses they make of language in the twentieth century and beyond are quite different.

The polemicists criticizing and defending the French Revolution would exaggerate the faults of the other side, but they seldom made things up wholesale. They did, it is true, indulge in conspiracy theories. Some of the clerical critics of the Revolution maintained that freemasons, Protestants and Jews conspired to destroy the Old Regime, and some of the defenders of the French Revolution believed that behind the open hostility of the Catholic Church, there lurked darker and more secret forces. But for the most part, both critics and defenders of the Revolution spoke in terms, and on assumptions, that Plato, Machiavelli, or John Stuart Mill, would have recognized and understood. Both sides thought that they were dealing with a reality, and both thought that their understanding of that reality was true. In our own time this is often no longer the case.

Language without Truth

One of the turning points in the use of political language is known as the "big lie" technique, first widely and successfully used by the Third Reich. The assumptions underlying this technique are first, that you can make up a lie so far beyond normal expectations that it will not immediately be recognized as a lie, and secondly, that if you repeat lies often enough, and with enough emphasis, they will convince people, or at least enough people, for the purposes of the purveyors of the lie. The first point here is a rejection of the older philosophical doctrine that truth is primary and to be sought before all things. Schopenhauer, Nietzsche, Orwell's O'Brien figure in *Nineteen Eighty-Four*, and the accountant who was prepared to make two plus two equal whatever his employer wanted, had prepared the way for, or throw light on, this shift, and for what has now become the notion of "post-truth." The second factor owes rather more to Freud and his insights into the way the human mind works.

Freud read widely in many areas of European literature and culture, and was himself an ardent seeker after truth. He may not have liked what he found, but he accepted it, and thought that it had therapeutic value. Sociologists, advertising agents and propagandists soon recognized other

uses for his findings. Originally, there was no divorce between propaganda and truth. The Catholic Congregation for the Propagation (propaganda) of the Faith was founded in the seventeenth century to assure the orthodoxy of missionary enterprises throughout the world, and there can be no doubt but that the Catholic clergy involved in these efforts believed their doctrines to be true.[29] Other arms of the Church were, perhaps, overly heavy-handed in imposing what they believed to be the truth. But there is something very different in cases of opinion-makers who know that the opinions that they are furthering are objectively false, but nevertheless market them because they are commercially or politically useful.

Neither Plato nor John Stewart Mill would have taken the big lie theory seriously. Both believed that free and open discussion –in Plato's case, in the marketplace, in Mill's, in the press—would inevitably allow the case made for true, or more probable, opinions to better untrue ones. Both thinkers seem to have worked on the assumption that there were effective and readily available ways of verifying or disproving ideas. Both assumed that irrational arguments could not stand up to rational ones; that evidence, both empirical and rational, would carry conviction; and that where science, however defined, was applicable, science would prove decisive. And yet, reasonable as they are, those assumptions no longer hold, or at least they hold only among those who believe that truth, or something approaching truth, exists, which is to say, among pre-post-truthers. Post-truthers can, and do, say anything.

X-File fans know that Fox Mulder believed that the truth is out there, and that there are ways of getting at it. Post-truthers disagree. They maintain either that there is no such thing as truth, or if it exists, it is hidden from us, or, like the Party in *Nineteen Eight-Four*, that the truth is what the Party wants it to be, or that truth, if it exists, doesn't matter. What counts is what we want and how to get it. There was a time when this was a philosophical or academic argument. Today it is political.[30] The fact of

[29] The Congregation "de Propaganda Fide" was founded by Pope Gregory XV in 1622. Not only did this Pope and those involved in the founding of the Congregation believe that their work embodied the truth, but that they were propagating the supreme and absolute Truth. An English Society for Promoting Christian Knowledge was established in 1698 and has published many useful books, usually, but not always, from an Anglican point of view.

[30] Actually, this is not an altogether modern discovery, but taking it seriously is. See Plato's portrayal of Thrasymachus, who maintained that justice is the interest of the stronger. *Republic*, 338c-354b.

the matter is you can say anything, no matter how farfetched, nonsensical or objectively wrong, and get away with it. Some Americans, who found it hard to see a Black man in the White House, maintained that Barak Obama was not born in the United States. His birth certificate indicating the contrary did not impress them, and they continued (continue?) to believe what they wanted to believe without a shred of evidence, on the basis of a good deal of speculation and an emotional mix, not of the healthiest kind. Or to take a different example: the Church Father Tertullian (roughly 160-240) was telling a pagan friend about the virgin birth. His friend objected, "You can't believe that, it's absurd." To which Tertullian replied, "I believe it because it's absurd." His point was that things which go against common sense, everyday experience or science can still be affirmed by appealing to other criteria, such as faith.[31] Or, as Tertullian did not say, to interest, ideology or loyalty to party.

Sociologists and psychologists have found that constant repetition of opinions or ideas, especially when expressed with conviction, and in ways that appeal to the subconscious, can influence a large portion of the population. But for false opinions and prejudices to be accepted as true, it is necessary to limit or remove the kinds of reality checks that Plato, Voltaire, Mill and others relied on. In the earlier stages of the move toward totalitarianism, free discussion, especially in electronic and print media, is eliminated. Inconvenient facts must be disregarded or denied, and science incompatible with the doctrines of the regime ignored or repressed. Or, as in Germany of the Third Reich, pseudo-sciences that support the regime's prejudices are developed. Toleration of difference, which is a virtue in liberal societies, is a vice in totalitarian ones. As totalitarian regimes

[31] A distinguished American gentleman and scholar born in the nineteenth century helps to throw light on Tertullian's position. Henry Adams (1838-1918) belonged to an originally Puritan family that included two American Presidents. As a gentleman of leisure, he wrote a nine-volume history of the early United States, but also taught medieval history at Harvard for seven years before retiring at the age of 39. In the 25th chapter of his autobiography, *The Education of Henry Adams*, he describes his experience at the Paris Exposition of 1900 where he saw a dynamo for the first time, and found that it helped him understand the notion of the virgin birth, the common denominator being pure power. In his eyes, the dynamo was as miraculous as the Virgin Mary. Now, Tertullian's pagan friend may have been a regularity-of-nature fundamentalist, rather like Hume and Voltaire after him, or simply a sceptic who could not conceive of nature indulging in one-offs. Or he may not have been open to the symbolic significance of a physiological wonder as a harbinger of spiritual wonder. In any case, the question is not susceptible of proof, and so, as Tertullian gave us to understand, remains a matter of faith.

strengthen, they eliminate both people who do not conform ("vaporizes" them, as Orwell has it, or "disappears" them in the language of the CIA-backed Argentinian junta during its "dirty war" against its own citizens) and what remains of freedom of expression. In the world of *Nineteen Eighty-Four*, all Party members are constantly subjected to two-way telescreens that shower them with a constant stream of government propaganda and at the same time spy on them. This is the direction of totalitarian state control, but it seems that our televisions, corporate media, and smart phones, do a similar job not at all badly. What you lack in evidence you can make up for with speculation, imagination, emotion and repetition, repetition, repetition.

Attitude

A German-speaking friend of mine once described hearing recordings of Goebbels as listening to the voice of a higher power. There are people with deep, impressive voices who speak forcefully and convincingly, like a priest from the pulpit. Sometimes these prophets of new barbarisms devoutly believe whatever it is that they are saying. But such figures are rare in today's media, for a number of reasons.

There is, first, the fact that outside of official places of worship, people don't much like being preached at, so a lot of political preaching now masquerades as news. Political parties have always presented their policies and positions positively, and they try to appeal as widely as possible. Exposed to a variety of differing policies and opinions, how do we decide which ones we prefer? One way is to consider which position is best supported by the evidence, and which best meets the needs and interests of the people or country in question. Another, as Freud, and his nephew, Edward Bernays, knew, was to appeal to other, quite different, factors.

Obviously, news outlets have different ways of presenting information and misinformation. Perhaps the gold standard of an earlier generation of news presenters was Walter Cronkite (1916-2009). His attitude as anchorman for CBS Evening News during the 1960s and 1970s was impressively objective, and won him the title of "the most trusted man in America." He normally presented "the news" without comment, or intonation indicating approval or disapproval. His Attitude Quotient (AQ)

would have been close to zero.[32] This is not to say that Cronkite presented major national achievements without showing pride, or that his presentation was without shock or disapproval in reporting great crimes. He was not a machine. But great achievements and crimes aside, Cronkite aimed at, and usually achieved, a tone of neutrality, and so an admirably low AQ. In general, the lower a presenter's AQ, and the AQ of the company s/he works for, the more reliable the news.[33] The higher the AQ, the less objective the news, and the more likely that it is something else pretending to be news.[34]

In his discussion of freedom of thought and expression, John Stuart Mill observed, "With regard to what is commonly meant by intemperate discussion, namely invective, sarcasm, personality, and the like…" criticism is seldom evenhanded. Invective and disdain are often acceptable when used to defend the status quo, but are considered unacceptable when used against it.[35] Mill goes on to say that the state has no business intervening in matters of belief or disbelief, "…while opinion ought, in every instance, to determine its verdict by the circumstances of the individual case –condemning everyone, on whichever side of the argument he places himself, in whose mode of advocacy either want of candor, or malignity, bigotry, or intolerance of feeling manifest themselves…"[36]

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[32] However, he is credited with the statement that "America's health care system is neither healthy, caring nor a system," which may or may not be considered objective, depending on one's interests and point of view.

[33] An interesting counter-example to Cronkite is Kenneth Copeland, a Texas televangelist, announcing that a number of news channels had declared Joe Bidden the winner in the 2020 presidential election. After making the factually accurate announcement, Mr. Copeland began fake-laughing, and carried that on for about 40 seconds. The laughter was meant to indicate that the information that he had just passed along was incorrect, and indeed, absurd. Mr. Copeland presented no evidence to support his opinion, and relied entirely on derision. A good example of no-evidence, all-attitude, presentation.

[34] Possibly AQ stands in an inverse relationship to IQ, whether of the presenter or the target audience. In Cronkite's time most news anchors were men. Today many women present news. Students of communications may be interested in comparing the inclinations of different stations to show female presenters' legs, and the tendency of different corporations to favor female presenters who wear their hair long or short, or whether they favor a particular hair color, and whether these things relate to AQ.

[35] Mill, *On Liberty*, 65. Today Mill would probably have included disdain in his list of tools in the arsenals of those who prefer emotionally charged presentation to evidence and reason.

[36] Ibid., 66.

From this point of view, it is not just what you say, but how you say it, that indicates how valid an argument seems. For Mill, and those who think like him, evidence should determine opinion, and reliance on attitude is a problem.

To the degree that news reports and discussion programs on the electronic media and writing in the press base themselves on the criteria of common sense, logic, fact and science they move in a linguistic world in which truth is thought to exist and to be, if not attainable, at least approachable. It is a world in which speech is measured and even, because usually matters of fact do not require emotional presentation. It is a world in which Socrates and Voltaire and Mill would have been comfortable. Where the media are geared to the expression of opinions lacking in factual or evidentiary grounding, the spokesfolk of these media still wish to convince their viewers, hearers and readers that the positions they publicize should be believed. They usually do so with a combination of enthusiasm, denigration and disdain, all indicating a high AQ. Typically, news is about informing a public, while propaganda is about convincing it. These are different enterprises and use different tools. Propagandistic outlets usually appeal to a combination of traditional tropes and aspects of our personalities that were little noticed and little catered to before the findings of Freud and those who exploit those findings for purposes Freud himself would not have approved.

"Flooding the Zone with Shit"

Attitude and heated presentation to influence the public and to convince it of things that would probably not be accepted on the basis of evidence involves an appeal to emotion and the subconscious. The expression "flooding the zone with shit," which we owe to the former White House adviser and communications executive, Steve Bannon, is quite different. It is an inelegant description of a sophisticated rhetorical strategy. This strategy involves introducing into any discussion all manner of observations, information, misinformation, speculation and arguments to confuse matters and move attention away from the main issues. The things introduced into the discussion need not necessarily be untrue. In complicated issues, such as climate change, there are often different interpretations that need time and further investigation to be understood. Once time has passed and more research has been done, a consensus emerges. If, for whatever reasons, you don't like the consensus, you can

turn to climatologists who are not yet convinced by that view.[37] You can also look for inconsistencies or contradictions in the consensus view, and speak to those. And if those tactics don't work, you can do everything from providing and propagating misinformation (especially if you control or influence cable networks known for high AQ) to raising deep philosophical questions, such as the nature of certainty and the possibility of reaching it.

In the eighteenth century, David Hume demonstrated that the notion of causality could not be proven philosophically.[38] Of course, we still use and depend on the category of causality, Hume's logically sound proof notwithstanding. We can't say with certainty what the future holds for us, because certainty is a very demanding category. It is a feature of the flood-the-zone strategy that it asks for certainty where only probability is feasible. In real life we rely on probability most of the time. Demanding certainty on most things outside mathematics is a way of derailing discussions. If your goal is to sabotage discussion of issues that you would rather not have discussed, that is not a bad way to do it.

Climate change is still happening, so we cannot know when and where it will stop, or what, exactly, the effects will be. But we can ask: is carbon dioxide really all that harmful? Are cows being unfairly singled out for negative scrutiny? Is it a bad thing that the growing season is getting longer in the north? Do we really need all those glaciers? Maybe climate change now is just another in a long series of climate changes that have happened, and we are fortunate to be moving away from another ice age? Isn't it true that not all parts of the globe are being affected in the same way? And if you think about it, haven't the models of climatologists been wrong as often as they were right (even if the errors have overwhelmingly underestimated the extent of the changes)? These are doubts that corporations working with fossil fuels want us to consider, not in order to arrive at a better understanding of the issues, but to confuse things so as to

[37] The directors of Koch industries hoped that a well-respected climatologist from Berkeley, Richard A. Muller, who had not come to any firm conclusions about climate change would show by his research that carbon dioxide and other hot houses gases were not directly responsible for global warming. The Kochs generously offered to fund his research. Professor Muller accepted the grant money, and to its credit, the Koch organization did not interfere with his research, which was duly carried out. The findings were that climate change was real and its cause was human activity. *LA Times*, 30 July 2012.

[38] Hume, *A Treatise of Human Nature*, Book I, Part 3.

prevent the formulation of policies and concerted action that would harm their short-term profits.

For multinational corporations, turning parts of the planet into desert and seeing other parts disappear under water are "externalities." That is, they are external to their accounting. They cost them nothing. But what is outside the accounting books of multi-national corporations are not beyond the interests of the citizens of the countries where these changes are taking place, and they are not beyond the world at large. The notion of economic "externalities" is a useful bookkeeping fiction for large companies. Strictly speaking, if you live on planet earth, there is no such thing as an "externality."

Many are the things and approaches that interested parties can use to "flood the zone", so as to cast doubt on theories and truths that they find inconvenient. It's an extreme case of saying anything. Thing is, if there is such a thing as truth, and if it does have a connection to reality, taking attention away from what really is happening, which is to say, what the evidence and the best science available shows to be happening, comes at a price. And if we knew that price in advance, we might not want to pay it. The scientists do know, or at least have a pretty good idea. The interested parties opposed to seriously addressing climate change know it too, but their tactic is to delay the implementation of measures that will begin to turn things around so as to maximize short-term profits. The consequences of this are potentially horrendous, but it looks as if the executives and owners of the companies and corporations in question believe that those who will have to carry the burdens of climate change will be poorer and powerless people, not themselves. This is probably a mistake.[39]

Saying One Thing, Intending Another: Inverted Discourse

A worm in the ground is one thing. But, as many a fish has found to its regret, the same worm on a hook is something quite different. The fish sees the worm and thinks of dinner. It does not see the hook and the danger of its becoming dinner. There are perceptions, and there are realities behind the perceptions. Usually, we count on our perceptions being pretty close to the realities. The whole point of political propaganda is to convince people to accept perceptions behind which realities hide that, in most cases, people would not accept if they knew that they were

[39] See, for example, Wallace-Wells, *The Uninhabitable Earth*.

there. Perhaps the greatest challenge to propagandists is to persuade people that you mean one thing, while what you have in mind is pretty much its opposite.

We normally expect that when someone says something, especially if they say it with commitment and forcefully, that they mean whatever it is that they are saying. It seems that we are hard-wired to assume this, largely because we are used to people meaning what they say, or something close to it, and as Montaigne said, any kind of social interaction becomes difficult if we cannot take language more or less at face value. That is true most of the time, and precisely because it is generally true, psychologists and public relations specialists have found that saying one thing can effectively disguise its opposite. It is one of the mechanisms that fascist propagandists have relied on in manipulating publics.

However, there is another widely held assumption that causes problems for salesfolk of inverted discourse and big lies. This is that, at the end of the day, there needs to be evidence to support whatever claims are being made. In business, the phrase that is sometimes used is "show me the money," which is a way of asking for proof that you have the assets and credit that make proceeding with the deal feasible. In a court of law, weeping, wailing and heated rhetoric only get you so far. The judge and jury are going to want to see the evidence. The public becomes accustomed to the standards of bank managers and judges, and for the most part, accepts them. You usually do better if you can show that you have the assets necessary for any business enterprise, or can bring evidence to show that you were not at the scene of the crime you are accused of.[40] This poses a problem for certain kinds of business folk and political propagandists.

A business person who wants to raise money for a project that the evidence indicates, and s/he knows, is liable to fail, would be wise to avoid the evidence, speak in generalities, groom themselves well, and let loose their entire arsenal of charm. Sometimes they will even make stuff up, and present it as fact. Buyer beware. Best not to allow oneself to be overly influenced by the charm, and to look very carefully at the evidence.

[40] There are people who have the gift of convincing others by means of attitude and rhetoric, without assets or evidence. Such people are called confidence men or women because they are able to win our trust or confidence without the help of fact or evidence.

Politicians have an advantage over bank managers and judges in that much of what they deal with is opinion, and in determining opinion, persuasion legitimately has a larger role. Still, when it comes to specifics, they often face the same issues. I read once about an American politician (I have not been able to find out who it was) who made the following comment when he heard that the results of an election had not been favorable for him: "The people have spoken—the bums." This was not elegant. It showed disrespect to the part of the electorate who had voted against him. But his reaction, did not question the integrity of the process, and it did not call into question the basic democratic mechanism of elections.

Recently in the United States a politician who lost an election claimed that the election had been rigged. Look as he might, he has not been able to find evidence of this. Nevertheless, he and his spokesfolk repeat incessantly, and with great conviction, their allegation. Some of the more impressive spokesfolk for this position imply that they do have evidence for their allegations. They refer to precise numbers of illegal votes that have been cast in specific jurisdictions; they speak of multi-volume collections of documents that prove their allegations; they claim to have evidence; and they often speak with obvious sincerity and a sense of urgency that carry conviction. Sometimes they do such a good job of presenting their case that we forget to ask to be shown the evidence. But when we, or the courts, or anyone else, asks to see the evidence, it is not forthcoming. There is attitude. There is rhetoric. There is hot air. There are references to evidence. But there is no evidence. They have been running on fumes.

These are not honest tactics, but this is not to say that they cannot be effective. Attitude, ramped up rhetoric, enthusiasm, and constant repetition can be convincing. And after all, would we expect that someone yelling "stop the steal" would be in the process of trying to do a steal, and indeed to be trying to steal the exact same thing? Normally, we would be inclined to think not. But to know for sure, we would have to see the evidence.

If a person speaks forcefully about the importance of protecting the environment, we would not expect that person to be actively involved in destroying the environment for his or her benefit. If a person holds forth on the importance of law and order, we would not expect them to be bank robbers or engaged in other forms of crime or corruption. If a person presents him or herself as a patriot, we would not expect that person to further the interests of other countries or entities at the expense of their

own country, or to work toward weakening their country in any way. This is why, perhaps on the advice of public relations companies who specialize in motivation and how best to manipulate large numbers of people, spokesfolk for oil and gas and logging companies will insist that they are safeguarding the environment, thieves will yell "thief," and traitors will wrap themselves in the flag.

If it is your intention to shift wealth from the working population to those who are already very rich; if you want to shift political power from the people and the nation to corporations; if you want to disenfranchise targeted section of the population, Machiavelli would likely warn you not to say these things openly. Better, he might suggest, that in designing a tax code that favors an elitist minority, you talk about freedom of enterprise. Better, while working to shift power from the people and the state to corporations, to praise the virtue of patriotism. Better, while working to deprive certain citizens of the right to vote and undermine a basic mechanism of democracy, to talk about the integrity and security of elections. If you are engaged in projects that are hugely unpopular, better to say that you are doing just the opposite of what you in fact are doing. The language no longer reflects the policies. It camouflages them.

In terms of acquiring and maintaining power, Machiavelli was correct to say that it was not important for a ruler to be honest, religious and devoted to the common good, but very important that he appear to be so. While this observation held for Machiavelli's world, in which government was in the hands of kings, princes and oligarchs, it is all the more relevant in a world in which broadly based elections determine, or should determine, who governs a country. If Machiavelli lived today he would probably be a public relations executive, or perhaps a director of propaganda for a government agency with ready access to the boss.

Key Words: Patriotism

The old-fashioned notion of politics as pursuit of the common good calls for minimizing harm and maximizing the well-being of the community, be that community a town, a city-state, or a nation-state.[41] The virtue common to all these forms of organization is love of, or devotion to, the homeland or country. It is generally termed patriotism.

[41] Empires don't fit this generalization because they are too big, and because the centers of empires inevitably exploit their peripheries.

There are two main forms of patriotism. One focuses on the positive well-being of the community or state, and is directed to doing good toward one's fellow citizens. This form of patriotism is relatively rare and restricted to conditions of peace and security, and it usually occurs where political units are roughly equal. The other kind of patriotism is oriented outward, and expressed in terms of hostility toward rival or enemy states or peoples. Given the consistent rivalries of different countries, competition for goods and resources, the need to defend one's country from invasion, and the frequency of wars in human history, it is this second kind of patriotism that has been more common.

There are also different kinds of outward-oriented patriotism. One is defensive, and consists in protecting one's own people and territory against aggression from outsiders. This situation can exist where there are a number of relatively small states or city-states that are more or less equal in power, so that the probability of one state being able effectively to dominate another, or a number of others, is small. Typically, defensive nationalism is found among states or peoples who are exploited by colonial or imperial powers. Such peoples usually desire nothing more than for the colonial power to go home and leave them alone. Their wars of liberation, when they become feasible, usually have no other stated goal. Another form of patriotism occurs where a state has, or is able to achieve, predominant commercial or military strength, and uses that superiority to exploit or conquer other states, and to impose its will on them, as the Romans did in antiquity and the British and other Europeans in the eighteenth and nineteenth centuries. This pursuit of national self-interest results in an aggressive form of patriotism that may appear commercial in nature but is supported by military force, and it usually comes with a sense of pragmatic and cultural superiority.

Whether defensive or offensive, love of country is regarded as a positive value, and in many ways, it is -- especially the defensive variety. It is necessary to defend one's country against aggression, though it is often portrayed as glorious to conquer and subjugate other peoples or countries (beware of glory). While patriotism can be a strong unifying force, it often obscures divisions within the polity, and is often used to paper them over and direct energies outward.

The Roman Empire can be seen as a huge protection racket that primarily benefited the patriciate, but also cut the plebeians into the action with bread and circuses and land grants for legionnaires who had served out their terms. But empires can also feed off, and harm, citizens of the

imperial centers. For example, in pursuit of maximal profits, corporations shift resources, funds and jobs abroad, at the same time reducing their contributions to the tax bases and job pools of the countries where they are headquartered. These tactics are justified by the pursuit of profit, which is the recognized function of business enterprises. This means that often the interest of the corporation is opposed to the interest of the home country in that the interest of the country is the well-being of its citizens, while the interest of the corporation is maximizing profit in the international market place. Now, if a political party were to say that it intended to shrink the tax base of the country, reduce the number of jobs for workers in the country, worsen working conditions and reduce salaries of employees for the benefit of stock holders and employers while deteriorating the environment, that likely would not get them a lot of votes. Which is why political parties that do these things tend to be shy about saying so, and prefer to market themselves with the language of national power, glory and superiority. Patriotism is no longer a value geared to protecting the nation from aggression and assuring the well-being of the citizenry; it is a way of keeping attention away from things that undermine the security of a country and compromise its well-being. The rhetoric of patriotism is one thing. Its purpose in the hands of politicians financed largely by multi-national corporations is something quite different.

Key Words: Freedom

Like patriotism, freedom is a positive value. It is the assertion of the liberty of the individual against the collectivity, and of nations against domination and exploitation by other countries, forces or empires. Freedom is also the negation of unfreedom. For individuals, freedom is the opposite of slavery, which means loss of all personal independence, the reduction of the individual to the status of a chattel, and the denial of their humanity. For a nation, freedom means independence, or the ability to organize its society, allocate its resources, and determine its relations with other nations or agents as it sees fit. In these senses, freedom, or liberty, is a value of greatest importance. But there are also other ways freedom is understood.

There is, first, the question of how freedom is understood. There is freedom “from” and freedom “to”, and the two cannot always be separated. For example, if people are free to smoke, probably inflicting serious body harm on themselves, are they also free to smoke in the presence of non-smokers, causing similar damage to them? A generation

ago they were. Today they are not. Most places have designated smoking areas away from the non-smoking public.[42] In order to safeguard the freedom of non-smokers not to be exposed to cigarette smoke, the freedom of smokers is limited. This is a pretty good example of assuring both "freedom to" and "freedom from". Both sides have their basic wishes respected, but both also have to concede something.

It is also an example of the way John Stuart Mill understood freedom. According to Mill, one should be free to say or do anything, provided that it does not infringe on the freedom or well-being of others.[43] In other words, one person's freedom ends where another's begins. This is probably as wide a definition of freedom as one can give for social or political situations, at least where individuals and peoples have broadly equal rights. Where basic inequalities are assumed, as with racists and extreme nationalists, the subordination, or even elimination of others, becomes the condition for the well-being and freedom of the groups that consider themselves superior. This amounts to freedom through domination, which for Mill and most liberals, is a contradiction in terms. Freedom being so widely accepted and admired a value, it is often retained where it has little business.

The term "free market" is favored by liberal economists, but is more a metaphor than an objective description of economic forces. Markets are not free from self-generating market laws, such as supply and demand. What liberal economists mean by a "free market" is a market unrestricted by intervention of government, or monopolistic agents. During the eighteenth century in France, for example, there was no unrestricted market in grains, which were the basic foodstuff of most of the population. When grain prices rose beyond a point at which families who could normally find the resources to feed themselves could no longer buy basic foodstuffs, governments would intervene to moderate prices. In the event that the government was unable or unwilling to intervene, the local population would often take matters into its own hands by imposing reduced prices for grain on the merchants in the market place, something

[42] Many years ago, the cafeteria of the main library of the University of Cambridge had a glassed off floor-to-ceiling area for smokers that protected non-smokers, and allowed smokers to smoke freely. Non-smokers lost some floor space, and the smokers were limited to the glassed off part of the cafeteria. Limitations that both could live with. Smokers were free to smoke, non-smokers were free from smoke.
[43] Mill, *On Liberty,* 13 and 68.

known as *taxation populaire*.[44] Behind this traditionally sanctioned action was the assumption that starvation was not a legitimate or acceptable outcome of market fluctuations. Laissez-faire economic theory with its unrestricted markets did not share this assumption.

Another example of the "free" market in the eighteenth century was the slave trade. European shippers engaged in what is known as the "triangular trade." This involved outfitting ships with trade goods in the home country, sending them to the coast of Africa, where they traded their goods for Africans who usually had been captured by other Africans, then sold them as slaves at going market rates in the Caribbean or the southern American colonies, or to Spanish or Portuguese colonies in South America. They then returned to Europe with goods such as coffee, sugar and cotton. It may seem paradoxical to speak of a "free" trade in slaves, but the term refers to the unrestricted conditions of the market and not to the status of the human beings who were treated as commodities. In the unrestricted market the only categories that are recognized are commodity, buyer and seller. It seems to be a constant in human affairs that some human beings reduce other human being to the status of commodities, and buy and sell them.[45] So while it makes sense to speak of an unregulated market, there is something less reasonable and more propagandistic in referring to markets as "free." As Hayek noted, regulation is often a condition of freedom, not its enemy.

There are also instances where people disregard Mill's classic formulation of freedom as limited by the freedom of others. Before governments and other institutions took action against smoking in public places, smokers who disregarded the health and comfort of others, smoked in their presence. The free smoker disregarded the claim to freedom of the non-smoker. Recently, certain people who value their own freedom while

[44] This involved purchasers taking quantities of grain and forcibly paying the seller what was popularly considered the "fair" price, as opposed to the market price. The norm was not to steal or pillage the grain, but to pay a reduced price for it. This reflects a popular mentality that respected property, but also assumed a kind of selective right to life. Thompson, "The Moral Economy," and Cynthia Bouton, *The Flour War: Gender, Class and Community in Late Ancien Régime French Society* (Pennsylvania State UP, 1993), chapters 1 and 4.

[45] The economies of classical antiquity were based on slave labor. At the time of the civil war in the United States there were roughly four million slaves. According to the Global Slavery Index, there are roughly 40,000,000 slaves in the world now. Just over 70% of them are female, and about a quarter, children.

disregarding the well-being of others have taken to objecting to the requirement to wear masks over their mouths and noses to limit the spread of Covid-19. These people are right to say that the obligation to wear masks infringes on their personal freedom. It does, just as a speed limit of 15 miles an hour in a school zone infringes on our freedom to drive at whatever speed we like, and paying taxes infringes on our property. Still, most people slow down in school zones, and pay their taxes, because they see these things as reasonable and necessary. In some cases, where masks have been mandated by local authorities, refusal to wear them has been encouraged as a form of liberation. This is a claim for a special kind of freedom. It is not Mill's version of liberty, which requires respect for the freedoms of others. It is the me-only form of freedom, which recognizes only the demand of the individual, without regard for the well-being or freedoms of others. It is also anarchic in that it calls for disregarding the directive of a legally constituted authority. There is no middle ground here: either you claim the freedom to infect others, or you accept the need to cover your mouth and nose.

In such cases the language of freedom is used to subvert the well-being that is the goal of freedom. It is a subversion of Mill's socially responsible freedom with a grown-up version of a child's "I-wanna" kind of freedom. It is a claim for domination disguised as legitimate self-assertion. And it is contradictory. Ask a person who objects to wearing a mask or keeping a social distance whether he or she would allow a person with a communicable disease to be in a room with members of their family, and you will find that caution and common sense win out. But this is not obvious when people speak in vague and heated terms about freedom and the way government limits it. According to one author, populism will result in "…the death of freedom in the name of freedom."[46]

Politics can be seen in the old-fashioned way as an organized attempt to achieve the common good, or it can be seen, as Machiavelli saw it, simply as a struggle for power. There are always differing interests and interest groups in large societies, so the key question is: does the society work by allowing the different groups to negotiate and come to agreed solutions, or does a dominant group impose its will on the others? In democracies that are moving toward authoritarianism certain groups gain the upper hand and exercise more power. But while the society is still, at

[46] Jonathan Sacks, *Morality: Restoring the Common Good in Divided Times* (Jerusalem, Maggid, 2020), 129.

least nominally, a democracy, it is necessary for these groups to pretend to think and act for the common good.

It would not do, for example, for a group to announce that its objective is to concentrate all wealth and power in its own hands and to dominate the rest of society. This would not go down well with everybody else. Assuming that such groups do exist, how would they proceed? They would have to undermine values and institutions whose objective is the common good and they would do so with values and institutions that forward their particular interests. What is more, they would have to do this indirectly. To this end it would be useful, for example, to have executives of corporations hold positions in government. It would be useful to shift resources and services from governments to the private sector. It would be useful to denigrate the basic role and function of government, something it is easier to do the less efficient and the more corrupt governments are, and the more self-oriented the people who need to be convinced are. And to achieve all this it is useful to be able to replace respect for others and commitment to society with alternate values, turning a healthy individualism into egoism, concern for the common good into consumerism, a sense of common citizenship into suspicion or fear of subgroups within your society, and of course, mistrust, fear or hatred of other states and peoples.

Conclusion

In what I have said to this point I have tried to show which trends have become dominant in developed countries in our times, which forces and ideologies drive them, and where they are taking us. I have done so from specific points of view. I have worked on the assumption that there is such a thing as truth, that the truth is out there, and that the way to get to it, or as close as is humanly possible to get to it, is to accumulate relevant facts and evidence and to examine them critically. I have also assumed that there is continuity in human behavior over time and that history is relevant in helping us understand where we are and where we are going. Beyond this, I am aware that I hold certain values, and that these inform how I see the world and how I would like to see it change. The most basic of these values is respect for human life and the dignity of human beings. If I haven't made this clear before, it's better that I fess up now, as it has influenced everything that I have said so far, and will influence the rest of what I have to say.

One of the main trends in recent and current affairs is the corporate takeover of government. As a result, the objective of government has changed from the old-fashioned goal of achieving the common good to what has always been the prime goal of business enterprise, namely, to maximize profit. It is not so much a change in the way states and businesses have related to each other in the past, as a shift in balance of power between the two. There have always been political organizations of one sort or another, and people have always had to make a living, so as long as there have been organized societies, there have been economies as well as polities.

During the early Middle Ages both political power and economic activity were localized. The growth of towns and the beginnings of international trade, facilitated by the loosening of Islamic control of the Mediterranean, were the beginnings of significant change. In relatively recent times, say from the seventeenth century, the nation-state emerged as dominant, in part because the growing scope of conflict favored larger, more populous and better organized political units. The primary need for security made it reasonable for local authorities to cede power and prerogatives to emerging central governments that could wage war more

effectively. The state began to broaden and deepen, to the approval of all those who wanted their people, region and interests to remain independent of, or prevail over, those of rival peoples and states.

The absolutist states of the seventeenth and eighteenth centuries grew out of conflicts and wars with each other. The larger the area controlled, the better armed the military, the more heavily taxed the taxable population, the more effective the bureaucracy in collecting those taxes, and the deeper the state, the better its chances of success.[1] European nation-states strove for a monopoly on violence, both civilian and military. There were, of course, powerful banking houses and great trading companies in Europe during this period, but predominance of military and economic power lay with states such as Spain, France and England that managed to consolidate large territorial bases, and to finance and deploy military power most effectively. Italy and Germany only overcame their political fragmentation in the nineteenth century, and then played significant roles in the world.

Economic interests have always played a role in international politics. What shifted during the twentieth century was the increasing role and weight of business interests, particularly those of the large corporations. By the early twenty-first century, of the wealthiest one hundred entities in the world, more than half were corporations, less than half were nation-states.[2] In some cases, corporations found it in their interest to support one-party states that were expected to do their bidding. Big industrialists were among the supporters of fascism in both Italy and Germany, though while they did benefit in some ways from fascism, in both cases the parties showed more independence than the industrialists had wanted or expected.[3] In Russia after 2012, as Timothy Snyder has shown, a number

[1] When states compete with each other, they seek to strengthen themselves and weaken their rivals. Criticism of the "deep" state and hollowing out of a state's institutions works to the benefit of rival states. Criticism of a strong or "deep" state also works to the benefit of corporations which want to maximize profit, and find government regulation a hindrance to this. It is also in the interests of corporations to infiltrate and weaken government for their own benefit.

[2] See above, chapter 2, note 66.

[3] In both Italy and Germany fascist governments repressed unions and presided over significant reductions in the standard of living of the working classes. See Pete Dolack, "Don't Let Up. Fascism Isn't Dead Yet," *Counter Punch*, 8 November 2020.

of oligarchs have established a fascist police state.[4] As with totalitarian parties, so with business enterprises: the flow of authority is from the top down.

In other countries, such as the United States, democratic forms were maintained at home, while the government, following the wishes of the big corporations, or in cooperation with them, often imposed military dictatorships or fascist regimes abroad, notably in South and Central America, but not just there. John Perkins has described the government of the United States as a corporatocracy, in which the multi-national corporations have infiltrated democratic forms of government rather than overthrowing them.[5] This is convenient for the corporations since de facto control of government policy is sufficient for their needs, and it is neater and more efficient to run a government with the consent of the governed rather than to have to support an extensive and costly machinery of repression, though it is always prudent to have the makings of such machinery on hand, just in case. The problem with this arrangement is that it involves a basic contradiction: traditionally understood, the purpose of government is the well-being of the people and the state; the purpose of business is to maximize profits. If making profits means, as in Margaret Atwood's *Oryx and Crake* trilogy, dominating and impoverishing the people and trashing the environment, that's okay. Whatever grows the bottom line. For workers, who aspire to a good standard of living and would like to have decent working conditions, would rather keep the air breathable, the water drinkable and much of nature hikeable, it isn't so okay. The corporations have two main options: a police state that forces their policies on the people, who are hardly citizens anymore; or get the people to think and believe that what they are looking at in corporate dominance really is okay. If option two doesn't work, there's always option one.

An ancient Greek philosopher, Pythagoras, once had the idea of dividing the world into two categories: good and bad. Among the "bad" things he listed "the unlimited." If this philosopher were alive today, he would probably include unlimited profits among the unlimited things that he considers "bad." As a Greek, he would likely favor moderation, but if he looked closely at what was going on, he would have further reason to object to the unlimited pursuit of profit. Greeks were rooted in, and

[4] Snyder, *The Road to Unfreedom*.
[5] See above, chapter 2, note 68.

devoted to, the towns where they were born and raised, and usually had the well-being of their homelands and fellow citizens at heart. To people like this, reduction or elimination of programs aimed at maintaining or enhancing general well-being, such as medical insurance, disability and old age pensions, unemployment benefits and educational programs would have seemed counter-productive. So would shifting public responsibilities to private hands in order to enhance the profits of the private sector while reducing the scope and efficiency of these services. The notion of for-profit incarceration would have appeared incongruous.[6] And given the devotion to homeland of most classical Greeks, allowing business people to manufacture and trade anywhere in the world at the expense of the home city would have seemed barbaric. One's economic activity would have to fit with the interests of the homeland. This is one of the big differences between ancient and neo-liberal notions of economics.

There is a kind of down-to-earth common sense in the older view that one is part of a community, that one derives benefits from belonging to that community, and that one has obligations toward it. By comparison, there is a sense of unreality in assuming that we live in a way that recognizes no connection to, or responsibility for, others, or that we and our material interests exist in a world in which we are independent of, and unrelated to, others. Looked at exclusively from the perspective of the market, however, that is an assumption that some people make. Working on that assumption and motivated exclusively by the desire to maximize profits, it makes sense to export jobs to cheap labor zones, to impose retrograde labor practices on workers, whether at home or abroad, and to use production methods that contribute to global warming and damage the environment. From the point of view of the corporations, climate and environment are "externalities." For people experiencing these things, they are matters of life and death.

There is, then, a basic contradiction between seeing the world in terms of maximization of profits and of trying to achieve a common good. The belief that pursuit of self-interest is the best way of contributing to the common good is not borne out by the evidence, though it remains a convenient fig leaf for advocates for, and beneficiaries of, extreme self-interest. Adam Smith, to whom this argument is often traced, knew better. What Smith said was that the extreme mercantilist regulation of economic life by the state was harmful, and that more liberty in economic activity

[6] Ancient Greeks did not favor prisons. Their preferred method of removing citizens who posed a threat to the state or society was exile.

was desirable. In this he was right. But he was not unaware of the serious drawbacks in labor relations and systems of production current in his own time.[7] Nearly 200 years ago Tocqueville observed that the character of America was so thoroughly democratic and egalitarian that "No family or corporate authority can be perceived…"[8] Today it is impossible to ignore the wealth and influence of certain families and corporations. In our time, one of the key issues concerns the way these families and interests influence politics in formally democratic countries.

Obviously, the statement "Give us power and we will reduce you to poverty (if you aren't there already) and make your lives miserable" is not likely to get you a lot of friends, although it is the logic of zero-sum, profit-maximizing economics. Rather than saying this, you need to hide it. Given the chasm between what the corporations want and what they want the public to believe, this is not easy. But given sufficient resources, a sound understanding of human motivation, a manipulable population and enough determination, it can be done. In the contemporary world, there are institutions that are able and willing to craft the messages that the corporatocracy wants us to hear, and there are ways of getting these messages out.

Fashioning Opinion

Perhaps the best example of institutions that produce ideas and arguments to order are think tanks. If it is generally true that he who pays the piper calls the tune, never was this more true than in the case of these specialized research and publicity organizations, which in effect are founded and funded by interested parties to find the results that the founders are interested in. Two plus two can be whatever the funder wants it to be, and usually the founders and funders of think tanks pre-select their employees so that there are no misunderstandings on this score. In some cases, think tanks do what university departments do. The reason it makes sense for business interests to fund think tanks is that, at least originally, the objective of universities was to serve the community through pursuit of knowledge, and yes, truth. To the degree that such an ideal remained in place, universities could not be relied upon to come up with appropriate business-friendly results, as the Koch foundation found with respect to the

[7] See above, chapter 2, notes 7 and 8.
[8] Tocqueville, *Democracy in America*, book I, chapter 3.

climate scientist, Dr. Richard Muller of Berkeley. Still, the contrast between universities and think tanks is not that simple.

Universities have never been completely divorced from more down-to-earth interests. From the nineteenth century on in Western countries they have played key roles in developing historical narratives that enhance the importance of their home countries, often with negative presentations of other, especially competing, countries. In the last generation or so universities have also had their autonomy undermined by reduced funding from governments and increased reliance on donations from private sources. The growth of departments of business administration and commerce in modern universities has followed from large companies and wealthy donors providing endowments for professorships or whole departments. Here, as in other areas, the piper pipes what the payer wants. There are two great advantages to this for corporations. One is that it is cheaper than fully funding your own think tank. Another is having the findings of your researchers and departments presented in the name of an institution that initially, and ideally, was intended to serve the common good. The disadvantage from the point of view of the funders is that you might not get what you want. Still, between them, partially funded universities and fully funded think tanks provide the goods for the corporations and interests that want us to think that maximizing the prerogatives and reducing the taxes of multi-national corporations is an effective way of assuring the well-being of all.

Of course, institutions of higher learning and think tanks do not have a monopoly on forming and propagating ideas and values. Societies have always done this, whether through political, religious or educational organizations or local associations. Totalitarian regimes, in addition to completely dominating the media, typically have thought police, such as those described in George Orwell's *Nineteen Eighty-Four*, or Margaret Atwood's *The Handmaid's Tale*, or can be found in any number of real-world examples, fascist and communist. This may begin with selective book banning, but it does not end there. In all societies educational systems inculcate basic values broadly compatible with the regimes they serve. In addition to theologies, churches have ethical systems they teach. Even within the same religion, denominations differ widely in both doctrine and ethics. Catholics require that their clergy remain celibate and unmarried. Other denominations are happy to have their clergy marry, and reject monasticism. Most Christians are formally monogamists, Mormons are polygamists, and the Quakers, bless them, are pacifists. Various organizations of civil society, from folk song groups to hiking clubs, girl

guides, boy scouts and the National Rifle Association, all hold and propagate systems of values, be those values narrowly limited or broadly comprehensive. As agents of civil society, they are within their rights to do so.

In most democratic societies, religion is left to individual choice, and the First Amendment to the American Constitution wisely separates church and state. In his book on America written in the 1830s, Tocqueville wrote that the clergy:

> …filled no public appointments. I did not see one of them in the administration and they were not even represented in the legislative assemblies. In several states the law excludes them from political life; public opinion excludes them in all. And when I came to inquire into the prevailing spirit of the clergy, I found that most of its members seemed to retire of their own accord from the exercise of power, and that they made it the pride of their profession to abstain from politics.[9]

Times have changed. Politicians have discovered that the road to power can lead through informal coalitions with groups which believe themselves motivated by religious values, and feel themselves entitled to impose those values on society at large through legislation. Their beliefs may be sincere, but the politicians with whom they make their bargains are sometimes not the most spiritual or the most ethical of people. Rather like making a deal with the devil. But no matter, a deal is a deal, and each party gets what it thinks it wants from it. What is more, as the founders were well aware, the spheres of religion and politics are normally quite separate, and imposing what are believed to be religious values on non-believers in civil society is like asking someone else to have the courage of your convictions, and if they are unwilling, forcing them by law to do something that the law has no business imposing. Before Constantine, pagans fed Christians to the lions. After Constantine, in a variety of ways, Christians returned the compliment, though not altogether literally, and for good measure included sectarians, heretics and members of other religions in their persecutions of those who believed or thought differently. The wisdom of the founders in separating church and state is clear. The lack of wisdom of those who have reversed this principle for short-term political gain is clear too. It is one of the problems with thinking too much in the short term.

[9] Tocqueville, *Democracy in America,* book I, chapter 17.

Spreading the Word

Whatever your ideas and values, for them to have any influence you must get them out there. Before the printing press the only way to get to large numbers of people was by word of mouth. The main mass communicators of earlier times were the clergy, who ordinarily addressed their congregations in church on Sundays, and sometimes, in the case of popular preachers, their sermons could attract thousands or even tens of thousands of hearers. With the advent of printing, information and opinion could be made available on a vastly greater scale. Prayer books and Bibles were printed in huge numbers, and in times of crisis, such as the Reformation, the civil war in England or the Fronde in mid-seventeenth century France, news sheets and pamphlets were produced on a previously unthinkable scale. From the later seventeenth century periodicals also began to appear, though their press runs were usually modest, and most of them dealt with learned or polite literature.[10] Toward the end of the eighteenth century in France, Sunday sermons were still the main form of providing information on a large scale, and they were regularly used by the government as its principal means of communicating with the population at large. The press was heavily censored by governments in most of Europe, and when, during the early phase of the French Revolution government censorship was eliminated, publications of all sorts, but especially pamphlets and periodicals, mushroomed.

From the late eighteenth century through the first parts of the twentieth century, print media were dominant in the West. Complex though the history of publication and reading are during this period, two points stand out. One is that printing is a business, and to get something published, someone needed to pay for it, or the publisher had to think that there was profit to be made from it. This naturally gave an advantage to people with money, and to organizations, from churches to labor unions, that could collectively raise funds and direct publishing projects, though publication for profit existed from very early on. It also opened the way for popular literature, often escapist in nature, that could be produced cheaply and marketed effectively for wide audiences. The other important feature of the culture of reading at this time is that people, whatever their social

[10] In eighteenth-century France most periodicals did not have press runs of more than one or two thousand, and even with coffee houses often providing periodicals to their clients and people taking out joint subscriptions, the readership even of well-respected journals would reach only ten or twenty thousand for the whole country.

standing, seldom read to help them decide about important issues, political, religious, economic or other. They overwhelmingly subscribed to journals and newspapers, and read books, that confirmed views they already held. Rarely did the press, in any of its forms, offer readers fundamentally different ideas and values to choose between, because readers pre-selected their reading material to make themselves comfortable with, and to reinforce, their own ideas and values. You could give a person a book or a pamphlet or a newspaper, but you could not make her or him read it, or seriously consider ideas or values contrary to those already held.

Both of these things remain true with the introduction of electronic media. Radio and television stations must be built, paid for and marketed. They are in every way businesses, though governments did invest in both radio and television production, and in the cases of the BBC and CBC provided remarkably high quality programs without commercials, other than the odd public service announcement.[11] The tendency of certain newspapers to be identified with political parties or positions has, if anything, become more marked with electronic media. Nor has the tendency of most people to listen to, watch or read material that conforms to and strengthens views they already hold, changed. If you are a racist you will want to immerse yourself in racist media; if you are a liberal you will go to liberal broadcasters and publications; if you are a devoted member of a religion, you will follow the media of the spokesfolk of that religion. And so on. This tendency has probably been strengthened in significant ways.

Newspapers get a consistent orientation from the editorial board of the paper, which is usually appointed by the owner or shareholders. The editorial board will determine the overall slant of the paper, and it will also enforce norms on the nature and quality of the material it publishes. It provides a guiding hand, often not too gentle, so that both contributors to the paper and customers know what to expect. One of the major innovations of the internet is that guiding hands are in short supply. Often, they are completely lacking. This ensures maximal freedom of expression, but it also takes you-can-say-anything culture to extremes. And it can reach more people more quickly than traditional media. Evidence is not

[11] It has been a project of the private sector in the media to force commercialization on state-funded broadcasting, and where possible to defund it altogether to leave the field exclusively to for-profit media companies. The ideologies of privatization and de-regulation have contributed significantly to the decline of public broadcasting.

even optional. Often it just isn't there. Instead, there is opinion and attitude. This is an obvious advantage for conspiracy theorists and extremists of all stripes.

To take just one example: a politically slanted allegation of pizza parlor pedophilia, known as "Pizzagate." During the 2016 elections in the United States propagandists sympathetic to, or at the fringes of, the Republican Party, claimed that high level Democratic Party officials ran a ring that abducted minors and sexually abused them. It was also alleged that there was a Satanic element to the ring. The source of this information, it was alleged, was coded messages in the recently hacked internet account of John Podesta, the campaign manager of Hillary Clinton. It was further alleged that one of the sites of this activity was Comet Ping Pong Pizza in Washington, D.C. This story, according to Timothy Snyder, was cooked up by Russian cyber trolls.[12] Moved by what seems to be an admirable sense of moral outrage, a resident of North Carolina, one Mr. Welch, drove to the capital to look into the matter. By itself, there was nothing wrong with this. But Mr. Welch took his rifle along and discharged it several times in the pizza parlor. Fortunately, no one was hurt, but use of the firearm did result in damage and to Mr. Welch being sentenced to jail. In addition to Mr. Welch's visit, the owner of Comet Ping Pong and his staff were harassed, and repeatedly received death threats in connection with the alleged scandal. The Washington D.C. police investigated the matter, but found no evidence for the allegations. Nor has anyone else. This is not surprising in that the whole story was a piece of malicious fiction. But the allegation has not gone away. It is still being aired in tens of millions of posts, mostly by young people. It is worth considering why this should be.

Part of the explanation has to do with the mixed blessing of the internet and the way it works. First, you can say or post pretty much anything with impunity. Secondly, the net is geared to quantity, not quality. The more clicks you get, the better. So how do you get people to open or read your post? Well, you make it as attractive and attention grabbing as possible. There is a built-in incentive to sensationalism. And as speculation is free and libel enforcement on the net is not so easy, what we get, in many cases, is libel on steroids.

Consider what is involved in Pizzagate: sex always attracts attention, and especially sexual abuse of minors. The accusation is specifically

[12] Snyder, *The Road to Unfreedom*, 233 and 249.

political in a highly polarized political atmosphere. There is an element of mystery in that the story was hidden and had to be decoded. And for those with religious sensibilities, Satan has been drafted into the narrative too. Altogether a pretty potent mix. The only thing that is missing is evidence. But if your intention is to harm an opponent rather than to find the truth (assuming there is such a thing), then the headier the brew you are cooking up, the better. This is a good time to point out that fascism feeds on fantasy, and that the internet, even more than print media or radio, enables and enhances fantasy.[13] If you spend time on the net, beware of the fantasies on offer, and be really careful about the ones you choose to buy into. Their purpose is not to free you.

One of the most politically effective forms of fantasy is conspiracy theory. Hayek was certainly right in implying that we resent objectionable things more if we are able to ascribe them to recognizable agents. What conspiracy theories allow us to do is to identify those we believe, or imagine, are threats to us. They provide images and faces on which to focus our fears and anxieties. While conspiracies do sometimes in fact take place, they are hard to prove. This can also be a great advantage for purveyors of conspiracy theories: conspiracies are by definition secretive, and so, it is thought, they do not require clear proof. Allegation can take the place of evidence. Another great advantage of conspiracy theories is that they appeal to, and enhance, a sense of fear, and fear is a reactive and powerful agent of motivation. In addition, conspiracies allow us to understand threats, or imagined threats, that are otherwise diffuse, intangible and inexplicable. Believing, or pretending, that we understand a situation, especially a threatening one, soothes anxiety and is more comforting than admitting that we have no idea what is going on, which, more often than not, is the case.

One historical example of a conspiracy theory that had no basis in fact, but still had a major effect on the course of events, is known as the "Great

[13] There are newspapers and magazines that make a point of basing their reporting on evidence and carefully fact-checking whatever they report. There is also a branch of the press that has specialized in sensationalism. Everything from three-headed calves to sexual extravaganzas to a wide selection of conspiracies to abductions by extra-terrestrials. The same libel laws apply to newspapers of record and the yellow press. Three-headed calves and extra-terrestrials don't bring court cases, and vague wording and smart lawyers often make libel difficult to prove. The yellow press and those parts of the internet that work the same way can expect to have long, profitable lives ahead of them.

Fear." It occurred in France in the spring and summer of 1789. It began with a rumor that the nobility intended to starve the people. They of course did not, and no evidence for such a plot has been discovered. But the usual shortages of grain just before the new harvest, rumors of bands of brigands roaming the countryside, and long-standing resentment of the authority of the seigneurs and the dues they exacted inclined the peasants to believe in the rumored conspiracy. In parts of France the peasants rose in mass. They demanded the record books (*terriers*) in which seigneurial dues were recorded. They assumed that if the legal records of these dues disappeared, so would the dues. If the peasants were given the deeds they wanted, they usually burned them, often helped themselves to wine from the cellar of the chateau, drank their health, and went home. If record books were not turned over, the peasants often burned the chateau down, on the usually well-founded assumption that the *terrier* was somewhere inside. There was considerable destruction of property, but little loss of life.[14]

What is exceptional in this case is that this virtually instinctual recourse to violence had the long-term effect that the perpetrators desired. On the night of 4 August 1789 the National Assembly decreed that personal seigneurial services were abolished without compensation, and that obligations derived from real property could be redeemed against a cash payment. In the event, seigneurial property rights, too, disappeared without compensation. Thus, in the exceptional circumstances of the early French Revolution, a conspiracy theory with no basis in fact helped bring about a major progressive reform. Usually, however, conspiracy theories lead people in directions they do want to go. They are another, often effective, way of "flooding the zone."

The conflict between the British authorities and the American colonists also had its conspiracy theories. The colonists, not surprisingly, ascribed the harsh and impolitic demands of Parliament to interested groups of British merchants and politicians. At the same time, some British politicians and men of letters thought that the unreasonable opposition of the colonists was the work of local American conspirators.[15]

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[14] The basic studies of the Great Fear are Georges Lefebvre, *The Great Fear of 1789: Rural Panic in Revolutionary France*, trans. Joan White (London, NLB, 1973) and Clay Ramsay, *The Ideology of the Great Fear: The Soissonnais in 1789* (The Johns Hopkins UP, 1992).

[15] Bailyn, *The Ideological Origins of the American Revolution*, 144-59.

It seems that people are not comfortable unless they have explanations of things that they can understand. And what is easier to understand than that it is the intention of enemies, or malevolent people or forces, to do you harm? Propagandists of various stripes have recognized how effective conspiracy theories are, and have made extensive use of them. It is because we seem to be psychologically so receptive to such theories that we should be especially careful in requiring evidence for them.

Originalism

In the United States there is currently a trend among conservatives to revert to what they think, or believe, or imagine, was the original meaning, or intention, of the framers of the Constitution. There are a number of problems here. How do we get at the intentions of people long dead? How does the use of language, and sometimes the meaning of words, change over time? What shifts in meaning occur in the same terms in different contexts, say political and legal? In order to know what was going on in the minds of Washington, Jefferson, Hamilton and the rest, one needs to know quite a lot about not only assumptions common in the eighteenth century, but also about the social and economic conditions that helped shape those assumptions. We cannot take for granted that the politicians and members of the legal profession who take the original intent of the founders as an ideal have that knowledge.

More than this, social and economic conditions have changed a good deal since the eighteenth century. Most notably, we have experienced several industrial revolutions that have enormously increased the wealth of societies that have undergone them. Ordinary people today enjoy things, such as central heating and air conditioning, that Louis XIV might have liked, but could not have had. Nor was he able to enforce government policy. During a subsistence crisis in 1693 he issued an ordinance requiring local authorities to provide food for the poor. In certain parishes it was ignored and people died of starvation.[16] Hence, probably the most powerful king of his time could not enforce a responsible and necessary law during a serious crisis. Average people today benefit from things, such as extended education, adequate food and vastly improved travel and transport, that in the eighteenth century were the prerogative of elites.

[16] See the journal of a parish priest of the time in Pierre Goubert, *The Ancien Régime: French Society 1600-1750*, trans. Steve Cox (London, Weidenfeld and Nicolson, 1973), 47-48.

While the principles of separation of church and state and freedom of assembly and expression are unaffected by technological and scientific advances, the same is not true of all assumptions and arrangements enshrined in the Constitution.

To take one of the more glaring examples: the Constitution recognized slavery. Modern liberal societies do not. No one in their right mind would advocate restoring slavery in a modern society. Of course, in most areas of the economy there is no need to, as unlivable minimum wages do pretty much the same thing, without needing an initial investment in human capital. Still, this is a clear example of the obsolescence of something accepted in the Constitution. In Thomas Jefferson's first draft of the Declaration of Independence there is a paragraph strongly condemning slavery, and putting the blame for it on the British Crown. Congress deleted that paragraph in the final draft of the Declaration for reasons that are fairly obvious.[17]

Another relevant example is the electoral college. In the eighteenth century, democracy was not a popular idea. This was partly because the elites of that time were educated with the Greek and Roman classics, and democracy had a very bad reputations among the writers –virtually all of them aristocrats—of classical antiquity, so the students of the eighteenth century learned mistrust of the popular element in politics from their school texts. It was also partly because ordinary working people of the eighteenth century lived close to the level of subsistence, could rarely afford more than a few years in parish schools before beginning to earn their livings, and in their daily lives were dependent on masters and employers. The widely held view at the time was that without education, leisure, and property, people were not qualified to take part in politics. A common formulation of this view was that the state could only be properly administered by those who had a "stake in society." The stake in question was generally understood to consist in landed property. This posed a problem for elites who opposed aristocracy and monarchy. The rather elegant solution they found was indirect, or representative, democracy.

In the early stage of the French Revolution all adult males with permanent residence and paying a modest level of taxes could vote in

[17] See Carl Becker, *The Declaration of Independence: A Study in the History of Political Ideas* (New York, Vintage, 1942; first published 1922), 180-81 and Danielle Allen, *Our Declaration: A Reading of the Declaration of Independence in Defense of Equality* (New York, Liveright, 2014), 71 and 153-54.

primary assemblies. What the citizens in the primary assemblies elected were not their representatives, but electors who met separately to elect the representatives. An advantage of this system was that it included a very large proportion of the adult male population in the political process, while leaving important decisions to the propertied, educated and leisured members of the community. In short, to the better people, who, it was assumed, would not be carried away by their passions, or misled by demagogues, as was feared with respect to the working population. The same logic held, and holds, for the electoral college in the United States.

During the nineteenth century the French switched to direct election of their representatives. It is an open question whether this was because of a better understanding of what democracy was supposed to be, or because by then the elites had figured out that they could safely guide the masses to making the choices they thought appropriate. One result of this is that in France it is necessary to get more votes than your adversary to be elected president. One of the incongruous features of the American system is that a candidate can get fewer votes than his or her adversary, and still win the election by having a majority in the electoral college. This is what can happen in a democracy that does not trust the people.[18] The precautions the founders took in protecting the country from the unwashed, uneducated and politically incompetent people, was, given the basic assumptions of the time about what made for political competence, and the conditions imposed on the working population by pre-industrial economics, pretty much inevitable. However, those conditions have changed, and assumptions that had some validity in the eighteenth century don't have much today.

Mike Lee, a Republican senator from Utah, recently addressed the place of democracy in American politics by observing: "The word 'democracy' appears nowhere in the Constitution, perhaps because our form of government is not a democracy. It's a constitutional republic."[19] He expanded on this view, writing, "Democracy isn't the objective:

[18] The incongruity of electoral colleges is obvious and has been frequently commented on. It has not been corrected, which in theory it could be, because historically it has benefitted one party, and that party is unwilling to part with it. Members of that party have no problem with undemocratic procedures, provided they help them to gain or retain power.

[19] Mike Lee, cited from *The Observer*, 8 October 2020. Mr. Lee might also have mentioned that the right to vote appears nowhere in the Constitution, that the Constitution recognized slavery, and that it denied women the franchise.

liberty, peace and prospefity [sic] are. We want the human condition to flourish. Rank democracy can thwart that." Republicans also sometimes point out that America is not a "pure democracy."

Most people would probably agree that Lee's point about democracy not being the objective of politics is fair enough. It isn't. But arguably it is the best and most effective means of assuring the desired objectives. As Winston Churchill said, democracy is a very bad form of government, except compared to all the others. Governments of the few tend to govern for the benefit of the few. And if "We the people" are sovereign, as the founders seemed to think, then government should be directed toward the well-being of the whole people. Republicanism and democracy are not mutually exclusive, though some members of today's Republican Party and their backers seem to think so.

The claim that America is not a "pure" democracy, is probably a way of saying that it is not a direct democracy. A direct democracy is one in which the people, or citizen body (demos), meets to deliberate and make policy, as it did in classical Athens. This is what, up until the end of the eighteenth century, was what democracy was taken to be. As we have seen, the ignorance and political incompetence of the common people made this form of government a non-starter for most political thinkers down to the nineteenth century. Montesquieu, probably the most widely read political theorist of the eighteenth century, and one who had an influence on the formulation of the American Constitution, maintained that democracy was suited only to small states, thus ruling it out for his time.[20] The predominant opinion during the Age of Revolutions was against empowering the politically incompetent people with the right to make critical political decisions. And yet, to deny the legitimacy of monarchy and aristocracy, it was necessary to assert that the "people" was sovereign. The solution to the problem of a politically incompetent sovereign people was indirect, or representative, democracy: the common people have a role in choosing their representatives, but the representatives are restricted to

[20] Montesquieu, *The Spirit of the Laws* (first published 1748), Book viii, chapters 16 and 20. The term that Montesquieu used here was republic, of which he recognized two varieties, aristocracy, where a portion of the people was sovereign, and democracy, where the people as a whole was sovereign (ibid., book ii, chapter 2). When the founders spoke for "We the people," what they had in mind was the propertied, educated and broadly competent section of the adult male population.

the better, or wealthier, levels of the population.[21] In this way the sovereign but incompetent people has a voice in government, but real decision-making is in the hands of better and more competent folk. What this arrangement does not avoid, and what it was never intended to avoid, was a form of government that amounts to de facto aristocracy or oligarchy. This unspoken tendency of the founding fathers is what present-day Republicans are reverting to in their criticisms of "pure" or "rank" democracy. Their problem is to convince a better off, better educated and more politically competent citizen body than existed in the eighteenth century that they should defer to elites of wealth and power, and they count on a certain kind of constitution-worship to help with this.

Some values are matters of faith or principle and retain their force regardless of social and economic conditions. Such values include separation of church and state, liberty of the individual, and equality before the law. Some of the values quietly accepted in the Constitution are no longer acceptable today, such as gender prejudice and the racism that conferred equality before the law on white people only, imposing on people of color subhuman status, and for most, slavery. It made sense to extend the principle of equality to all people, but the founders, being men of their time and place, did not do so. Making this change required a civil war.

Admitting that certain core founding values of one's polity are wrong is not easy. But it is better to admit old errors than to continue to maintain them. What should be easier, but often isn't, is recognizing that advances in technology and science create new conditions in which new policies are applicable. The pre-industrial economies of the eighteenth century, which were heavily agricultural, were, with the exception of some sea-going commercial areas, subsistence economies in which scarcity was the rule. In ordinary times, most peasants and workers had enough to eat, though they often suffered malnutrition (a category which was not part of the vocabulary of that time), while in years of bad harvests people starved. The very shallow state of the eighteenth century, having developed capacities for taxation and warfare, but little else, left what we today call social services to the church and private initiative, which were often well intentioned, but were woefully inadequate. But then governments did not have the resources to do otherwise. In advanced modern economies, which

[21] This is precisely Montesquieu's view. He insisted that the people, if they were competent for little else, could be trusted to choose their magistrates. Ibid., book ii, chapter 2.

produce massive surpluses, there is no reason for government not to provide a wide range of social services. While the notion of nutritional security would have seemed utopian in the eighteenth century, today it is part of the programs of many advanced states. So is much more that the eighteenth century could not have thought possible, such as old age pensions, a minimum of ten or twelve years of education at state expense, and health care for the population at large.[22] That those things were unavailable and largely unthinkable in practical terms at the time the French Declaration of Rights and the American Constitution were written is no reason to ignore them now that they are perfectly feasible.

The tendency to return selectively to the founding documents of the constantly evolving American democracy is often presented as conservative. It is in the interests of certain economic and political actors to make this claim. Conservatism, after all, is a matter of keeping things as they are, a way of respecting and valuing tradition. But reverting to practices that came from pre-industrial technologies and conditions of scarcity, and from racial and gender prejudices of earlier ages, is not conservative. It is reactionary. It can be a way of justifying a return to policies that deny the rights and dignity of first nations and people of color. It can be used as an argument for policies of voter suppression, or to reduce or eliminate programs of social security that did not exist, and could not have existed, in conditions of scarcity in pre-industrial economies. Those who wrote important constitutional documents during the eighteenth century did not think, and could not have thought, in terms of an equitable distribution of goods that resulted from the combined efforts of scientists, entrepreneurs and workers achieved in the nineteenth and twentieth centuries. In many ways the French Declaration of the

[22] Thomas Paine did in fact propose old age pensions in the second part of *The Rights of Man* (London, Penguin, 1999; the first part was published in 1791, the second part in 1792), 242. Britain and the United States did not institute old age pensions until the early twentieth century. There is also the case of a Philanthropical Society in Paris during the 1780s that provided an early form of old age pension. To qualify one had to be an unskilled laborer of 80 years or older, resident in the city for three years, and have proof of good conduct from the parish priest of one's parish. Initially the Society provided a small monthly sum to 12 elderly folk who met their criteria. Catherine Duprat, *Le Temps des philanthropes: La Philanthropie parisienne des Lumières à la monarchie de Juillet* (Paris, C.T.H.S., 1993), 70-72. To put this initiative in perspective we should note that the government never considered providing for the aged, and that Paris at this time was a city of between 600,000 and 700,000 residents, and that during the eighteenth century life expectancy in France was about 37 or 38 years.

Rights of Man and the Citizen, the American Declaration of Independence and the American Constitution are admirable documents. But even admirable documents written at one time need to be understood and interpreted in the context of their time, and a distinction made between principles that are universal, and those that depend on circumstance.

The founding fathers did not think that women should vote, and made no provision for them to do so.[23] It was not until the nineteenth amendment to the Constitution in 1920 that this right was conferred on women. There was, of course, no question of emancipating slaves or allowing them the vote in the Constitution. Still, not even the most reactionary originalists openly call for depriving women of the right to vote, or for reinstating slavery, even though these things were taken for granted in these founding documents.[24] A selective return to these documents and the mind-sets they reflect is not conservatism. It is regression in the name of tradition for the benefit of the over-wealthy and privileged few. It is reaction. In that the objective of the American War of Independence was elimination of domination from abroad and of privilege at home, the originalist selective appeal to the Constitution is also a denial

[23] New Jersey was a unique exception. The Constitution of 1776 of that State granted the right to vote to all residents of the State who had been there for a year and who had property valued to fifty pounds, so residence and wealth were the only criteria for the franchise. Married women could not own property, so they could not vote. Unmarried women of legal age could and did. In 1807 the franchise was reduced to tax-paying white males. I am indebted for this information to Sharon Halevi, an historian of gender and the United States at the University of Haifa.

[24] There is no mention of slavery or skin color in the Declaration of Independence or the Constitution. The Constitution stipulates that for purposes of the census for Representatives, the calculation was to be made on the basis of "the whole number of free Persons, including those bound to Service…, excluding Indians not taxed, three fifths of all other Persons" (Article I, Section 2). It also determined that "Persons may be imported into the United States until 1808" (Article I, Section 9), and stipulated that a "Person held to Service or Labour" fleeing to another state must be returned (Article III, Section 2), in contravention of Deuteronomy 23:16-17. Well, religion is religion, and freedom is freedom; but property is property. Slavery was abolished by Lincoln in the Emancipation Declaration of 22 September 1862, and finally in the Thirteenth Amendment of 1865. The Declaration of Independence refers to the First Peoples as "merciless Indian Savages," while the Constitution excludes First Peoples "not taxed" from the franchise for the House of Representatives (Article I, Section 2) and the Fourteenth Amendment of 1868 retained this provision.

of some of the key values of that Constitution. The criticism of "pure" or "rank" democracy is in effect an attack on democracy of any sort for the benefit of an oligarchy that is disinclined to speak its name. People who point out that the term democracy does not appear in the Constitution are probably not too keen on the modern understanding of democracy, which minimally means one adult, one vote.

The point of political reaction is reversion to conditions and policies that benefit small elites at the cost of the population at large. This can be done in the reasoned but skewered terms of the originalist interpretation of the Constitution. It can also be done by demagogy that says one thing, but means and intends another. And both these approaches can be enhanced by uncontrolled and unrestrained use of social media. With the exception of social media, but including intense programs of propaganda, these methods were used in the 1920s and 1930s and paved the way for fascism. The fascists of the twentieth century used the procedures and mechanisms of democracy to destroy democracy. We need to take heed. Reactionaries and fascists will take every advantage that the law allows, and will manipulate elections in every way they can. They will use and invert a rhetoric of freedom, and proclaim themselves doubleplusgood duckspeaking[25] patriots. And if they convince enough people of their virtues and succeed in cancelling the votes of those whom they have not convinced, they will achieve power. Having achieved power, the law will become what the Party says it is, and elections will become unnecessary. While the last few sentences are in the future tense, they refer to things that have happened in the past, and that are all too liable to happen again. If you care for the version of democracy you have, enjoy it while you can. There is no guarantee that it will be there tomorrow. And if those who value it don't stand up for it, they will end up dealing with one of the forms of government that, according to Winston Churchill, make democracy look good.

[25] Orwell, *Nineteen Eighty-Four*, 322. See the appendix, "The Principles of Newspeak."

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