

1995

Book Review: Liberalism at the Crossroads. by Christopher Wolfe and John Hittinger.

Michael Zuckert

Follow this and additional works at: <https://scholarship.law.umn.edu/concomm>



Part of the [Law Commons](#)

Recommended Citation

Zuckert, Michael, "Book Review: Liberalism at the Crossroads. by Christopher Wolfe and John Hittinger." (1995). *Constitutional Commentary*. 755.

<https://scholarship.law.umn.edu/concomm/755>

This Article is brought to you for free and open access by the University of Minnesota Law School. It has been accepted for inclusion in Constitutional Commentary collection by an authorized administrator of the Scholarship Repository. For more information, please contact lenzx009@umn.edu.

LIBERALISM AT THE CROSSROADS. By Christopher Wolfe¹ and John Hittinger.² Rowman and Littlefield: Lanham, MD. 1994. Pp. ix-183. Paper, \$19.95.

*Michael Zuckert*³

At about the same time that Simon and Garfunkel posed the question "Is the theater really dead?" in their classic song "The Dangling Conversation," the American Political Science Association and other authorities were pronouncing that, whatever might be true of the theater, political philosophy really was dead. In retrospect it is not clear that judgment was ever quite correct, but however weak the vital signs of the field appeared at that time, it now appears more than healthy—ruddy-cheeked, active and fecund.

Among the most lively parts of political philosophy is liberal theory. Where there was hardly a theorist of liberalism in the '60s worth noticing—one had to go back to Mill to find a clearly major figure—now there are so many liberal theorists and varieties of liberal theory that even an interested observer with a lavish book allowance and lots of free time has difficulty keeping up. This revivification of political philosophy has had an important impact, of course, on those in political science and philosophy departments who make the study of political philosophy their chief business, but also on those who make law their chief study and who perhaps have less time to keep track of the ever multiplying collection of liberal theorists than their colleagues more focused on political philosophy itself.

Christopher Wolfe and John Hittinger's collection, *Liberalism at the Crossroads*, is especially welcome in this context. The book consists of a brief introduction and ten chapters, each by a different author and each addressed to a different liberal philosopher. Several of the theorists discussed in the volume are particularly of interest to a legally oriented audience: John Rawls, Ronald Dworkin, David Richards, Roberto Unger, Richard Rorty, and Joseph Raz. Others are perhaps less central at the moment to legal discussion, but might be, or are of interest to legal readers for some other reason: Robert Nozick, Michael Sandel, and William Galston. The coverage is thus extensive, although a price has been exacted—the essays are all relatively

1. Professor of Political Science, Marquette University.

2. Professor of Philosophy, College of St. Francis, Joliet, Illinois.

3. Professor of Political Science, Carleton College, Northfield, Minnesota.

short. The coverage is also intelligent, if not perfect: one can always think of authors who might have been included, and perhaps even of some who might have been excluded, Roberto Unger, for example. This book is, after all, about the "liberal tradition," and it is not clear Unger belongs in this category. At the same time, there are thinkers who, if space had permitted, might well have been included: Bruce Ackerman, Stephen Macedo, the new Aristotelian libertarians like Tibor Machan, Douglas Rasmussen and Douglas Den Uyl; Charles Taylor and others who voice a modernized Hegelian liberalism are absent, as are all representatives of utilitarian liberalism.

This collection will almost certainly be useful to all but the most avid readers of recent political theory. The individual essays provide reliable (for the most part) introductory overviews of the authors covered. Most of the essayists succeed in giving a fair idea of what his theorist is arguing. This is both a strength and a weakness of the collection. The statements may strike the reader as too much mere summary, but this is only in part a justified reaction. To present in such brief compass systems of thought as complex as those of Rawls or Dworkin, or as elusive as Rorty, demands serious interpretation and not mere summary. The essays do range a bit in character. Michael Pakaluk's on Rawls, for example, has no critical aspiration at all, setting out instead to present a clear account of Rawls which can serve as a point of reference for reading the other essays, the subjects of which almost all take Rawls as in some sense a point of departure. The essay by R. George Wright on Robert Nozick, on the other hand, is frankly critical and hostile to its subject, in some places interfering with the orderly explication of Nozick's position. Most of the essays fall between these two poles, emphasizing explication over interpretation or criticism, but implicitly and lightly presenting a point of view on the author under consideration. For a reader wishing to know something of recent liberal theory as a body, or about a particular thinker within that tradition, this volume would be a good place to begin, for the authors, despite apparent disagreements with their subjects, are for the most part fair-minded, sober, non-polemical and reliable.

On the other hand, these essays can be no more than a beginning, for their brevity prevents them from getting very far into the thinkers at hand. Readers already knowledgeable will see interesting interpretive moves and the germ of a critical stance, but none of this is sufficiently developed here to take the reader very far. The writers of the essays introduce us to the positions

and debates within liberalism, but do not get us to the point where we might enter into these debates. Perhaps that is more than a volume such as this should be asked to do. Many of the essays do arouse the reader to want to read more, and that seems the most, and perhaps the best, contribution such a volume could make.

The book is valuable not only for the individual essays, but for the effort to provide a topography of the universe of contemporary liberal theory. The editors' brief introduction presents not only a summary of the essays to follow, but makes more explicit some of the background thinking out of which many or all of the essays appear to emerge. That thinking begins in a deep sympathy with pre-liberal thought, which is understood to be marked in its classical form by a view of political community as natural, and of the ends of political community as "perfectionist," that is to say, as the promotion of human excellence or flourishing. This orientation was modified, but not overturned, with the coming of Christianity. The moral ends of politics came to be construed in terms of that amalgam of natural and biblical themes that goes under the name of natural law. Although the authors do not obtrude him into their discussion, Thomas Aquinas seems to be the looming presence more or less silently serving as a touchstone here.

This pre-modern tradition is not liberal, because within it "the ultimate purpose of the political community was to foster a certain way of life, some idea of what it meant to be truly and fully human, some form of human excellence." Liberalism emerges when this dignified and comprehensive goal is replaced with the narrower and more freedom-affirming end of securing rights, as formulated classically, for example, by John Locke. As the American Declaration of Independence puts it, government is to secure the right to the pursuit of happiness, as more or less defined by each for him or herself, not to define and comprehensively attempt to provide for flourishing or happiness itself.

Liberalism from the start is thus anti-perfectionist and along with this is individualist and more or less libertarian. Within earlier liberalism there is an ambiguity as to the grounds or root of the fundamental liberal commitment to liberty—is it utilitarian, or is there some other moral principle at bottom? Contemporary liberal theory, at least as represented in this book, follows Rawls in rejecting utilitarian foundations. Other than that, the editors rightly point out, Rawls and those contemporary liberal theorists closest to him (Dworkin, Richards, Nozick) retain much con-

tinuity with the earlier liberal tradition. Especially they retain the anti-perfectionism and individualism (rights orientation) of the earlier tradition.

The book is titled *Liberalism at the Crossroads*, and by that the editors seem to mean that liberalism now stands before a fork in the road that poses a set of fundamental questions as to how it can proceed from here. The book is organized to bring out an internal dialectic within contemporary liberalism, according to which the Rawlsian branch is confronted with challenges from two different variants of liberals. (One senses that this internal critique is a substitute for the external critique the authors might be inclined to bring in their own names.) First is a communitarian version (Sandel, McIntyre, Unger, Rorty [?]), which challenges the individualism of Rawlsian liberalism; second is a perfectionist version (Raz, Galston), which rejects Rawlsian anti-perfectionism. Although it is not brought out explicitly, it is worth noting that these two paths from Rawlsian liberalism echo the two elements of pre-liberal political philosophy that were rejected by classical liberalism: the view that politics is natural, or that the community is (somehow) prior to the individual, and the view that politics is to provide a comprehensive ordering toward happiness, or flourishing, or human excellence.

The crossroads before which contemporary liberalism stands, therefore, represents the editors' belief in liberalism's need to move forward by reverting to one or another of those pre-liberal commitments. The implicit point seems to be that liberalism has itself come to recognize its own deficiencies—the return of the repressed, perhaps. The essayists' criticisms of the last two sets of theorists suggest further that these reversions to pre-liberal elements are insufficient as well. A more robust perfectionism and a more concrete and naturalistic communitarianism are called for (although not much argued for) in the relevant essays. Perhaps the real cross-roads the editors have in mind is the choice whether liberalism will remain liberalism or will revert, as the authors here seem to prefer, to a liberalized pre-liberalism. That, I take it, is the ultimate question to which this valuable collection brings us, even if it leaves that question dangling by its failure to provide much by way of a conclusive answer to its own question. That such a question can be so seriously posed proves that whatever may be true of the theater today, political philosophy is far from really dead—not only do

separate traditions thrive, but healthy and respectful engagements between traditions are occurring. Vive la philosophie politique.