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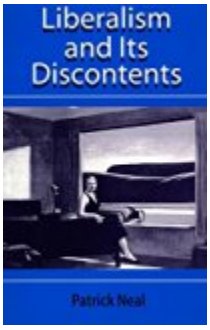
Patrick Neal. *Liberalism and its Discontents.* Washington Square: New York University Press, 1997. ix + 209 pp. $40.00 (cloth), ISBN 978-0-8147-5796-3.



Reviewed by Michael Harvey (Washington College)
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The Content of Liberalism

For those interested in current academic debates about liberalism, Patrick Neal's *Liberalism and Its Discontents* (New York University Press, 1997) will be both a rewarding and an irritating book. It's rewarding because Neal, an associate professor of political science at the University of Vermont, Burlington, ably surveys the major contemporary theoretical debates while taking pains to stake out more solid ground than that of the airy theorists. However, it's irritating because Neal's turn away from the theorists and their "perfectionist" rules and principles does not really leave him on firmer ground, but rather unmoors him into that hazy, self-indulgent self-consciousness of the post-modern thinker, in which one becomes afraid to make the most obvious moral judgments. Neal ends up refusing to draw–as a matter of principle–any line between what a liberal should and should not accept from others. Even when he singles out the cliched cases of slavery and Nazism, he refuses to draw a line between good and evil, for fear that once a line is drawn, it may be used by the evil to legitimize their own use of power–and what if, he asks, " 'we' are the evil ones? " (p. 13). In the end, the reader wonders, must the turn away from "perfectionism" leave one so thoroughly undone? But let us see how Neal arrives at this frustrating position, for along the way he says many sensible and lucid things.

What Neal and other academics mean by liberalism, of course, is not what the term connotes in popular discourse, where it implies an almost mindless compassion for life's victims and a meddlesome instinct to redress social ills. In its rather different academic sense, liberalism refers to the dominant political belief system of the modern western world. Stressing individual rights (including property rights), freedom, rule of law, and government by consent, liberalism blossomed in 17th-century England–the natural ideology, Marx and many others have noted, of the emerging bourgeoisie. But there are now many varieties of liberalism–some stressing liberty, some equality, some invoking the central role of markets, and some with a different emphasis altogether. Underlying the many faces of liberalism, at its core the term implies a regime and a public morality founded in some fashion on respect for the lives of individuals.

Neal is not concerned with sketching such an overview of all the intellectual varieties of liberalism. He restricts himself essentially to liberalism as it appears in the academic field of political theory, which is for the most part studiously agnostic about the relevance of markets and private enterprise to liberalism. Within this academic terrain, Neal distinguishes between two varieties of liberalism–neutralist and perfectionist. He argues that both of these are wanting, and he proposes a third model, "modus vivendi" or "vulgar" liberalism. This model is a turn away from the grand idealistic visions of recent theorizing, and marks a kind of postmodern return to the more minimalist moral and epistemic vision of the first great liberal theorist, Thomas Hobbes.

But rather than start with Hobbes or with an elaborate set of rules defining liberalism, Neal begins by appealing to the "spirit" of liberalism and, quoting Lionel Trilling, its "primal imagination." This is a good place to

start. It is appealing to begin a rigorous academic work about liberal theory with the recognition that liberalism is in some sense untheoretical (though Neal never says this explicitly, and for all I know might reject this strong formulation). Neal knows that liberalism is about something more than rules and regimes–that liberalism carries a spirit of skepticism, of corrigibility, of openness to criticism and new ideas, of possible exceptions to rules–"a lively sense of contingency and possibility," as he quotes Trilling. Indeed, this sense of work-in-progress, of corrigibility, is so central to liberalism (most famously, of course, in Mill's "On Liberty") that a complete, perfected liberalism should really be understood as a contradiction in terms. The complacency of perfection would be the death of true liberalism. The great and necessary puzzle of liberalism is that it has historically sought to reconcile this unrootedness with a fundamental moral claim about the equality of human beings, whether that equality is predicated on rights, utility, autonomy, or some other foundation. How do you combine a positive and enduring commitment to individualistic human values–rights, I would say, though many others would resist the term–with a willingness to debate the issue? Or, to put the question more politically, can a liberal regime rest on a purely theoretical rather than a coercive foundation?

One recent and influential answer is found in Ronald Dworkin's 1978 essay, "Liberalism," which is the subject of Neal's second chapter. (All of the chapters in Neal's book except the brief opening chapter have previously been published as journal articles between 1985 and 1995.) In his essay Dworkin argued that a truly liberal state must be–and can be–neutral on the question of what constitutes the good life. That is, it must not seek to impose some particular vision of the good on citizens. If it can achieve such neutrality, then a liberal state can give its citizens the scope to seek the good in their own way, while still policing the community in order to protect the interests of all. By claiming pure neutrality as the core of liberalism, Dworkin is trying in effect to lift it above the hurly-burly of debate. Neal quite powerfully calls this into question. Invoking neutrality, he says, unduly privileges liberalism, representing it as a sort of super-perspective–"liberal meta-theory"–ostensibly existing above other moral perspectives. But any state must force some to adhere to the standards of others–otherwise we have nihilism rather than civil society. Government also, Neal notes, inevitably shapes the "collective social fabric" of the community, promoting some forms of life and discouraging or excluding others. He concludes, "Neutrality is by its nature an unachievable goal for states" (p. 5). Liberal meta-theory must descend from the clouds and dirty its hands with the actual work of governing.

And once it begins to govern, the liberal state only seems to be neutral in its treatment of diverse conceptions of the good, for it forces all those within its reach to translate their self-understandings into the language of liberalism–that is, into the language of independent and separate selves. Yes, liberalism allows individuals to decide how to live, and even whether to unite their lives, their activities, and their conceptions of the goods with others–for instance, to define and work toward a shared conception of the good. But liberalism puts limits on this union: it "requires that individuals be the primary bearers of conceptions of the good" (p. 39). It simply does not allow people to define their selves as dependent on or subordinate to their relationship (except in the inadequate and false sense that they, as individuals, retain the capacity to assent to this dependence or subordination). Reflecting on recent American history, one is inclined to agree with Neal. Whenever the members of some splinter community seek to reinvent themselves as an essential collective, good liberals get nervous and itch to teach a refresher course on the virtues of individualism–perhaps with the assistance of the ATF or FBI.

Neal turns his attention in his next three chapters to the most influential liberal theorist of our time, John Rawls. These are intelligent, acute analyses of Rawls, from "A Theory of Justice" to his most recent work. But in these chapters the chief weakness of Neal's book is evident–the lack of close unity between its chapters. Because they are self-standing articles written at various times, they lack the kind of tight interweaving that would make the book easier to read as a whole. Perhaps I am simply admitting my lack of perception as a reader, but it does seem that over the course of the book too many competing terms arise, in particular, for all the varieties of liberalism on display: neutralist, first-generation neutralist, second-generation neutralist, perfectionist, political, metaphysical, deontological, ideal-based, modus vivendi, and vulgar liberalisms all clamor for our attention. Some are synonyms, some overlap in meaning, and the overall effect is to make it hard to keep a consistent sense of the architecture of Neal's argument. The book would benefit from a more thoroughgoing synthesis, both in the introduction and in the various chapters, of all these varieties of liberalism. To be fair, these three Rawls chapters do in fact fit with the theme: in them Neal does quite a good job of unsettling Rawls' argument about liberalism, as part of his effort to show why

Neal's own perspective is more satisfactory. And it turns out that one can perceive Rawls as a kind of "second-generation" neutralist, at least according to Neal (he uses this nomenclature later in his book, but it would have added clarity if brought in here.) Thus the discussion of Rawls can be seen, with effort, to follow organically from the discussion of Dworkin and other neutralist theorists.

When Rawls' "A Theory of Justice" was published in 1971, its "justice as fairness" model (JAF) seemed at first a bold new deontological (rights-based) alternative to out-of-fashion contract and utilitarian models of liberalism–it seemed, in short, the resuscitation of rights as the foundation of liberalism. But over the years, as JAF attracted vast amounts of criticism as well as praise, Rawls retreated from large claims about the universality of his theory, toward a concern with its practical political implications. Many have criticized the anti-theoretic, anti-universalist nature of Rawls's "practical turn," but Neal has a different focus: he wants to show that taken on its own terms the practical turn does not work. Rawls, he argues, does not succeed in shifting the ground of his thinking from metaphysics to empirical politics. Perhaps the most interesting of these chapters is "In the Shadow of the General Will," in which Neal examines the Kantian dimensions of Rawls' theory of justice, and the ways in which Rawls departs from Kant. Rawls intends to stake out his own ground on issues of right and autonomy, but Neal suggests that the logic of his thinking leads ineluctably to Rousseau, and Rousseau's simultaneous elevation and subversion of the ideal of autonomy–what Neal terms "the Rousseauean dilemma." Neal's treatment of this dilemma is skillful and thought-provoking.

In taking on first Dworkin and then Rawls, Neal has sought to problematize some of the main currents of contemporary liberal thinking–"neutralist" liberalism, deontological liberalism, and "political" liberalism (the latter two representing the early and later Rawls, respectively). But there remains another target for him: perfectionist models of liberalism. In sharp contrast to neutralism, perfectionist models seek to ground the liberal state on a particular ethical view, a particular answer to the question of the good. The two perfectionist models that Neal examines are those of Joseph Raz and Ronald Dworkin (in a later, non-neutralist incarnation–one of the complexities of Neal's topic is that thinkers like Rawls and Dworkin present moving targets).

Perfectionist models of liberalism reject neutrality as the correct foundation for the liberal regime. Perfectionist liberals accept that the state cannot be viewed solely as an impartial arbiter–it has also made the rules (and can change them), keeps some would-be players off the field, must make judgment calls on what is and is not acceptable, makes the final decision on who wins and who loses, and above all does whatever is necessary to make sure the game goes on (many free-market enthusiasts forget or overlook the critical role of the state in establishing and maintaining the "free market," and even, as in the case of antitrust legislation, defining freedom). None of these activities can be viewed as purely neutral. So, since the state emerges as an interested party, perfectionists must figure out what kind of interest it can validly uphold–what kind of good life should the liberal state defend? Joseph Raz chooses personal autonomy as liberalism's core value. Dworkin is a bit fuzzier, and Neal charges him with stumbling over the fine line between perfectionism and neutrality. These are intelligent but complex chapters, and again–especially in the treatment of Dworkin–I would have welcomed more explicit connections between them and the rest of the book.

In his final chapter, Neal lays out his own model, which is in effect Thomas Hobbes's model, of liberalism. What distinguishes this model from neutralist and perfectionist models? In a nutshell, rather than impose a particular moral order on society, Hobbes (and Neal with him) is willing to build his liberalism on the actual balance of power in society. The "linchpin of a liberal order" becomes, in Neal's account, "the Hobbesian spirit of seeking and relying upon a rough equality of power" (p. 199). Given this reliance on crass power, there's an evident instability and transience to Hobbes' model–highly discomfiting for theorists wishing to build a regime for the ages. To guard against such instability, the Hobbesian will look not for a better or purer theory, but for what James Madison in Federalist 51 called "auxiliary precautions" (in a phrase well chosen by Neal). Neal supplies a tart present-day example of this thinking: "the Hobbesian approach is to distribute condoms rather than preach abstinence" (p. 200).

With *Liberalism and Its Discontents*, Patrick Neal has written an intelligent book. Is it also a wise one? In many ways, yes. Neal does a fine job of showing the flaws in leading academic theories and accounts of liberalism. He shows the amazing vigor of Thomas Hobbes's ideas, now more than three centuries old and still in many ways the clearest and best expression of the liberal order. And he provides a salutary cold shower for those grand dreamers among us who want liberalism not only to order our lives, but also to inspire, to shape, to teach us: "A liberal order cannot even nearly fulfill the longings of the

heart and soul which move us" (p. 201).

And yet. Is this indeed what the liberal thinker must be content with, a rather arid vision of the proper–one must not say the "good"–regime? Neal says yes: "A sparse and desolate beachfront" is his image of the liberal order, and he acknowledges that such a view "has little to recommend it in and of itself"–but, he concludes, the desolate beachfront "appears in a somewhat different light seen from the wreckage of a ship at sea," by which he means the flotsam and jetsam of perfectionist and neutralist models (p. 10). Perhaps Neal solves a theoretical problem, but he merely points to a much deeper problem with modern political theory (and by modern, perhaps we mean since Hobbes). In Neal's telling, there is an enormous chasm between what political theory can speak to, and "the deepest needs of the human soul." Does this suffice? Is this all that political theory can achieve?

I think not. I hope not. I have no answer for Neal, except a question: are we content with a political order and a set of rules that dare not distinguish between the oppressor and the victim, between, say, the Nazi and the Jew at Auschwitz? Must we say "maybe" or "well, I oughtn't to judge" to such evils as slavery, race hatred, or genocide? Neal does not care to explore this question: "nothing is easier and cheaper than to speak such a 'No' now" (p. 12). Yet sometimes the easiest and cheapest answer is still the right answer. Neal began by criticizing theory, and ends by turning to Hobbes's more politically grounded model. But his unwillingness to venture a moral principle makes his venture seem awfully airy itself. Perhaps those theorists seeking a foundation of ideas and ideals, who seek after actual theories of justice, understand something after all. And surely the spirit of liberalism, that siren with which Neal begins his book, is calling us to more than a shy hesitation about making any moral claims at all. There are some things, at least, that we know: I am reminded of Frederick Douglass' comment on slavery: "There is not a man beneath the canopy of heaven, that does not know that slavery is wrong for him." Amen, and let the theorists take heed. In short, there's work to be done.

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