

# Towards a Reclamation of Substantive Liberalism

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## 1. Introduction

Somewhere along the way, it seems, liberalism has gotten a bit off track. The central preoccupation of this paper is the defense of a specific, substantive and historically precedented conception of liberalism against three predominant criticisms that have been made against it. The reader will be correct in recognizing that my defense of this variety of liberalism carries with it the intended implication that one of the most influential among the more recent defenses of liberal theory is an impostor to the throne, motivated in large part by an over-estimation of the criticisms I discuss.

In chapter eight of [A Matter of Principle](#), Ronald Dworkin distinguishes between liberalism and conservatism in terms of how each position interprets the following principle of equality:

A just government must treat all those in its charge as equals - as entitled to its equal concern and respect.<sup>1</sup>

The liberal, argues Dworkin, interprets this principle as requiring ...that in order to treat its citizens as equals - respecting them equally and displaying genuinely equal concern for them - a government must remain neutral on what might be called questions of the good life.<sup>2</sup>

Dworkin then goes on to say that, according to the conservative understanding of this principle of equality, ...the content of equal treatment cannot be independent of some theory about the good for man or the good of life, because treating a person as an equal means treating him the way the good or truly wise person would wish to be treated.<sup>3</sup>

These two interpretations of the principle of equality are understood by Dworkin to be the constitutive commitments of Liberalism and Conservatism. There is, however, an ambiguity involved in the way this distinction between the liberal and the conservative is drawn. Without clearing up this important ambiguity there is really no clear distinction. We need some specification as to the level of generality at which the relevant questions and answers regarding the good life are entertained. This is because it is possible to think (1) that in order to treat a person as an equal you must treat her the way the good or truly wise person would wish to be treated, and (2) that therefore it is necessary to have an answer to questions about what constitutes the

good life, and (3) that the relevant question of the good life is one that is best entertained at a sufficient level of generality. For example, it might be supposed that the good life is the freely chosen life, and that the good or truly wise person is one who wishes to be treated in a non-paternalistic way - to be “given space” to decide for herself how she will live her life. That which is most essential to a life’s goodness is not the specific set of activities, occupations and projects that are chosen, but that they *are chosen*, with a sufficient degree of autonomy. On this view, it is recognized that there are many less general questions of choice for citizens in their respective lives. However, the state, because of its commitment to the more general good of self-determination, would not tolerate, let alone require, the institutionalization of some more specific valuation of the good life. In this sense, then, our hypothetical conservative would be committed to the liberal conviction that the state must be neutral on questions of the good life, where these are understood as those posed at the less general level.

The cleanest way of avoiding this consequence is to distinguish between the liberal and conservative in terms of the former’s commitment to, and the latter’s rejection of, the conception of the good life as the freely chosen life. This is the route I will be defending in what follows. A significant and widely influential alternative solution involves denying that liberalism is committed to the truth of even a general conception of value - such as that of the autonomous life - and is therefore neutral even with respect to those who do not accept this general value. I have my doubts that this is even a coherent option, though I do think it is one for which a defense has been attempted. The most notable of these would be John Rawls’s position in [Political Liberalism](#).<sup>4</sup> I understand such an attempt to dis-attach liberalism from all substantive moral and philosophical commitments as largely motivated by an overestimation of three popular criticisms of liberalism. After elaborating a bit on my preferred conception of liberalism I will proceed to evaluate these three criticisms in order to show that a substantive liberalism can withstand them. In defending this substantive liberalism I mean to imply that the move to a weakened sort of liberalism, of which Rawls’s most recent work is the best example, is unwarranted.

According to the view I wish to defend, the conservative is best understood to be one who holds that the ultimate value in a life has more to do with the actual content of the choices involved, and less to do with how those choices are made. Thus, any life in which the conservative’s privileged choices are not present is a less than maximally valuable life. Any liberal, on the other hand, will recognize the value in a plethora of lives that involve choices that she herself would not have made, precisely because what makes the lives valuable is not so much the content of the choices made but the manner in which they are made. To understand liberalism in this way is necessarily to recognize the limits to its neutrality. Liberalism is not neutral with respect to

conservatism of any form, religious, cultural, or despotic. The disagreement between the liberal and non-liberal is, moreover, a substantive disagreement regarding the fundamental moral and philosophical issues of value and personhood.

Given the above characterization, liberal neutrality is understood as neutrality between diverse specific choices of life plan and valuations. This neutrality is grounded in the prior recognition of autonomy as a higher-order good. I take this to be the most historically accurate understanding of the central feature of liberal theory and I believe that a successful defense of liberalism relies on its being presented in this way.<sup>5</sup> One of the consequences of understanding liberalism in terms of this central commitment, however, is that many self-described critics of liberalism may have to be seen as criticizing from within. This is due to the fact that many of the criticisms of liberalism, including some of those leveled by Marxists, feminists, communitarians, and post-modernists, have been motivated by the concern that some versions of liberalism are incapable of sufficiently promoting autonomy. However, it is not my primary interest to provide taxonomy of political theories. I am, rather, interested in the discussion of the concept of autonomy as supreme value and its implications.

The best place to start when thinking about the value of autonomy continues to be John Stuart Mill's [On Liberty](#). In this famous essay, Mill maintained that happiness is the one supreme good and, thus, that we ought to maximize the amount of happiness in the world. He further understood human nature to be such that true happiness, in large part, *consists in* living autonomously. Mill, in some of the most eloquent passages of [On Liberty](#), forcefully praises free, original (self) expression as the central component of a good human life. Autonomy ought to be defended, argues Mill, not only because it is a necessary condition for our being able finally to discover and rightfully appreciate significant and elusive truths about the world, but also on the basis of a prior truth: individuality, 'peculiarity of taste,' and 'eccentricity of conduct,' are essential components of human flourishing and happiness. In order to more fully appreciate Mill's valuation of the autonomous life, it is instructive to consider the conception of the good for humans that Mill took to be most antithetical to his own. The conception I am referring to is the "Calvinistic theory," according to which:

...the one great offence of man is self-will. All the good of which humanity is capable is comprised in obedience. You have no choice; thus you must do, and no otherwise: 'whatever is not a duty, is a sin'. Human nature being radically corrupt, there is no redemption for any one until human nature is killed within him. To one holding this theory of life, crushing out any of the human faculties, capacities and susceptibilities, is no evil: man needs no capacity, but that of surrendering himself to the will of God: and if he uses any of his faculties for any other purpose but to do that supposed will more effectually, he is better without them.<sup>6</sup>

Through his condemnation of the Calvinistic theory Mill makes clear his commitment to the value of autonomy understood as involving the continued development and exercise of distinctly human capacities, including the capacity to question as well as those capacities more generally identified as critical thinking and individual responsibility for one's choices.

Given the understanding of liberalism I am trying to defend, the liberal is committed to a certain conception of human nature according to which there are three fundamental conditions that must be met in order for an individual human being to flourish.<sup>7</sup> The first condition is that an individual's capacity to choose discriminately must be sufficiently developed. Secondly, an individual needs to be presented, more or less consistently over time, with a sufficient range of genuine options from which she can choose discriminately. Finally, individuals need to be, more or less consistently over time, in an environment in which the hindrances to the exercising of this capacity to choose are minimized both in number and strength.

## 2. Criticisms (and Defenses) of Substantive Liberalism

### 2.1 The Liberal Distinction Between the Public and the Private

The first of the criticisms of this conception of liberalism that I want to discuss is the claim that liberalism so understood confines virtue to the private sphere.<sup>8</sup> According to this criticism, the autonomy-loving liberal draws an overly sharp distinction between the public and private realms. Since the virtuous life is understood, quite generally, as the autonomously chosen life, the liberal places constraints against the state's being identified with any more particular and specific conception of the virtuous life. The critic argues that where the state lacks such an identification, and where the citizens are allowed (and even tacitly encouraged) to make particular decisions regarding the virtuous life on their own, they will fail to develop a shared sense of community. This shared sense of community involves identification with the goals and aims of the larger group. The absence of recognition of what we might call the civic dimension of the virtuous life is thought to be an essential feature and flaw of liberalism. Understanding the motivation behind this criticism reveals, somewhat ironically, that its authors share with liberals a deep commitment to the value of autonomy. This supposed absence of a recognition of the civic dimension of the virtuous life is a flaw according to the judgment that only through the shared projects of civic activity can an individual satisfactorily exercise self-government, and the exercise of self-government is an essential component of human flourishing. Thus, the argument against liberalism here is that, by constraining the state to neutrality between more specific conceptions of the good life, liberalism is self-defeating.

I begin my defense of liberalism against this criticism by claiming that liberalism, properly understood, recognizes that a necessary precondition for an individual's having a sufficiently developed capacity to choose discriminately is embeddedness within a community. What the liberal insists upon is that this capacity is most developed within a particular kind of community: one that is centered around a principle of tolerance, which incorporates a wide range of genuine options, and which is identified largely by its valuing of this capacity in its individual members. Included among the range of genuine options must be the option to drop out of the community, but not the option to choose to force others to drop out. Choosing to drop out of the community would amount to identifying oneself as *not identifying with the community*. Since the community is identified in terms of its commitments (to the value of the sufficiently developed capacity for autonomy, tolerance and plurality) dropping out would involve identifying oneself as one who does not share these commitments. For the liberal community, dropping out in this sense must be a genuine option. The acknowledgment of this option as a genuine option contributes to the genuineness of all of the other acceptable options. Given this genuine option of dropping out, I can choose to, henceforth, surrender my autonomy to an authority.<sup>9</sup> However, I cannot choose to force others to do so where this choice involves actually attempting to force another to drop out. A liberal community cannot tolerate this latter choice and it is not counted as a genuine option. No individual can choose, any more than the state can, to coercively limit the choices of other individuals. What the liberal denies, then, is only that there needs to be a community centering around some narrow understanding of the good life in order for each of the members of the community to be able to contribute to it in the way that is crucial to their self-government. The liberal believes that individual members of a vastly diverse population (a community that is not centered around a narrow understanding of the good life) can nonetheless contribute each in their own way to a shared, tolerant, freedom-loving community. The liberal even can (and should, on my view) agree that such civic contribution is necessary for an individual's properly realizing a maximally good life. What the liberal denies is that this activity can be coerced by the state, since this coercion is just as counterproductive, given the understanding of autonomous living as the ideal of the good life, as is forcing citizens to attend a specific church on Sunday, or to produce a poem on a given theme once a week during leisure time. When the liberal argues that there are some things the state cannot do and includes among these the coercing of citizens into making civic contributions, this should not be taken to entail either a positive disvaluing or even disinterestedness on the part of the liberal with respect to civic involvement.<sup>10</sup>

## 2.2 Liberal Reductionism

A second criticism leveled against the sort of liberalism I am defending argues that such liberalism is committed to a certain badly mistaken reductive analysis of the good.<sup>11</sup> The rough characterization of reductive analysis I have in mind involves an attempt to explain a diversity at one level in terms of a unified principle at a lower. The usual worry about reductionism is that it fails to appreciate the complexity of morality and of questions surrounding the nature of the good life. The fear is that reductionist views involve too narrow an understanding about what can count as valuable forms of life. Some valuable forms of life do not survive the reduction, which is to say they cannot be accurately countenanced as valuable from within the given lower-level framework. Thus, when the reductionist's account serves as the ground for political structuring, many valuable forms of life that are not commensurate with the reductionist's account are subject to an automatic and unfair elimination. Since the liberal does maintain that individuals who are remarkably diverse in terms of their idiosyncratic conceptions about how to lead their respective lives can nonetheless each contribute in their own way to a shared, tolerant and freedom-loving community, we must accept that the liberal is a reductionist, at least insofar as there is recognized by the liberal a way to capture the diversity of conceptions of the good under the umbrella of a singular shared conception of the good community. It is under the conception of autonomous living as flourishing and that of the community identified with such a conception that the diversity of more specific conceptions of the good are seen to be commensurable. However, it is puzzling how this can be the ground for a criticism of liberalism.

It seems that if all attempts at conceptualizing the plurality of the good as fitting within a consistent framework of evaluation are doomed to failure - if, as it were, *even* the sort of reductionism which I ascribe to liberalism is illicitly constraining - then we are left with no alternative way of accommodating the plurality of defensible conceptions of good within one community. The sort of critical thinking that leads to this most strident form of anti-reductionism has the ironic consequence of inescapably having to recommend the disavowal of the usual motivation for critical thinking. That motivation is to gain understanding and further progress. If, as this strident anti-reductionism suggests, it is in principle impossible that any community can accommodate fairly the plurality of defensible conceptions of the good life then there is no hope for successfully formulating a political theory that would govern such a community. Once again, it is of interest to note that (at least a part of) the inspiration behind this criticism is a tacit appreciation for the value of autonomy and aversion to coercion. Liberalism, according to this criticism, is troubling because through its embracing of the reductionist account of the good life it becomes incapable of accommodating certain legitimate conceptions of the good and thereby stands as an illicit threat to the autonomy of lives lived in accordance with those recalcitrant conceptions of the good. The potential incoherence of this strict anti-

reductionist position rests in its tacit valuing of autonomy and simultaneous rejection of the possibility of a single framework within which otherwise competing conceptions of the good can be countenanced. The upshot of the rejection of this possibility is that meaningful judgments about better and worse political theories cannot be made. Once such a position is adopted there is no arguing against liberalism that it is worse than any alternative since there ceases to be any basis for the comparison. When anti-reductionism takes on such an extreme form it becomes an unavoidable consequence that there is no method for settling disputes beyond the domination of one side by another. Moreover, such domination cannot be morally condemned. Some philosophers apparently accept this sort of consequence whenever they suggest there are only relations of power in the world. It is important to recognize, though, that to adopt such an extreme anti-reductionism is tantamount to throwing any normatively forceful idea of justice out the window.

### 2.3 The Historicist Critique of Liberalism

The final criticism of liberalism I wish to consider here is one which starts with a commitment to the truth of one or both of two versions of a thesis I shall call historicism and an understanding of the truth of that thesis (in either or both of its formulations) as entailing that liberalism is false because it is, in a specifically derogatory sense, an ideology. In my discussion, I shall reconstruct this criticism in an admittedly contrived way. I do so in order to best illustrate the thinking behind the criticism. That this artificiality does not render me guilty of the straw-man fallacy will emerge only at the end of my discussion, when the criticism is seen in its entirety. My response to this criticism, then, will begin with showing that liberalism is perfectly compatible with the first version of the thesis of historicism.

The first version of the thesis of historicism amounts to the claim that all ideas are situated historically. This is to say, the appearance of any given idea or set of ideas in the world is to be explained as one event in the law-governed chain of historical events that has made its way from some indefinite past time to the point of the given idea's (or set's) appearance. Suppose, then, it is true that liberal commitments are an historical achievement, where this means the ideas of liberalism are located on a line in history representing a causal chain of ideas.<sup>12</sup> Moreover, suppose human beings are such that all their ideas are in this way an historical achievement. A liberal can be quite prepared to accept this and to accept this entails, in a very specific sense, that liberalism is therefore an ideology. This sense of ideology is that of a set of ideas and commitments, located in a given community, whose presence and duration is explainable only by reference to the ideas and material conditions that constitute the community's history up to and including the present. Given the truth of historicism and this definition of ideology, all ideas would necessarily be ideological. The history of ideas and material history<sup>13</sup> that has led up to (and now, perhaps, through and

beyond) liberalism is the same history that stands behind the critics of liberalism. The only difference is that the critics of liberalism have more of this history behind them than do the earliest proponents of liberalism. Thus, the progression of ideas (including for example those regarding the nature of the human subject) from the Renaissance, through the Enlightenment and beyond into the twentieth century can be traced directly through what we might call the liberal era into the ideas of the post-modernists with their competing recommendations. However, we must be cautious in what we make of the significance of this. While it may be true that liberal commitments are historically situated and that, therefore, in order to understand what they are it is necessary to understand from whence they came, the same must be said of the ideas and commitments of the anti-liberal post-modernists. Thus, it is no argument against liberalism and towards post-modernist commitments (or any other commitments for that matter) to point out that liberalism is historically situated. The force of the argument that involves pointing to the situatedness of ideas must lie elsewhere.

One suggestion regarding the relevance of the historicist thesis to a criticism of liberalism is that the problem with liberalism is not that it is situated but that the set of ideas, which in combination we call liberalism, includes a particularly troubling, false self-referential idea. This is the *specific* idea that the liberal *set* of ideas is not historically situated.<sup>14</sup> Liberalism is objected to, then, because it understands of itself that its presence in intellectual and cultural domains at a certain point in history is not to be explained by that history of which it is a part. In other words, liberalism fails to incorporate recognition that it is situated. Therefore, certain anti-liberal ideas (Marxist and post-modernist ideas, for example) have at least this much of an advantage: they, unlike their modern liberal predecessors, involve a reflexive awareness of their own situatedness. But this, by itself, also is not a decisive argument against liberalism since there is no reason why liberal theory cannot incorporate an awareness of its own situatedness. The *historicist liberal* would readily concede that his critic is right when he says to him: “You wouldn’t be a liberal, nor would your community be a liberal community if it weren’t for the historical conditions, including the history of ideas, leading up to and including those of your era.” Such a liberal can accept this because *his* commitment to liberalism is not a commitment to any propositions about how he or anyone else came to have or to be committed to these ideas. His commitment is, rather, a commitment to the truth of these ideas.

If the thesis of historicism is going to provide support for the disavowal of liberalism, then, it must do more than reveal the situatedness of liberalism. Furthermore, it must not rely on characterizing liberalism as necessarily in denial of its situatedness.<sup>15</sup> For these reasons, the thesis of historicism might be shifted into a second formulation. The



second formulation can be seen to be drawn from the first by a process of radicalization.<sup>16</sup> According to the second thesis of historicism, the appropriate conclusion to be drawn from an understanding of ideas as historically situated and understandable only in the context of their situation is the following.<sup>17</sup> Since even the ideas of “history,” “reason” and of “subject” (or “self”) derive from their situation within a holistic, complex, dynamic nexus of ideas, the liberal idea of “autonomous individual subjects,” for example, does not refer to anything that exists independent of the (liberal) symbolic structures that provide the idea with meaning. This version of the thesis is, perhaps, ironically labeled historicist since it denies any independent existence even to “history.” All conceptions of history, just like all conceptions of subjects (Marxist history/subjects, Hegelian history/subjects, Liberal history/subjects) are merely products of distinct nexuses of symbols and none of these products points to anything beyond or outside of their nexus.<sup>18</sup> At any rate, if this thesis is true, then there are no subjects and if no subjects, no defense of prescriptions justified by reference to such subjects. Insofar as liberal prescriptions are justified on the basis of a commitment to independently existing autonomous individuals, it seems that this formulation of the thesis of historicism, if true, offers a devastating criticism. But, does it destroy too much?

The rejection of liberalism on the basis of this formulation of the thesis of historicism is interestingly similar to that which I described as coming out of the first formulation of the thesis of historicism. According to the first formulation, the problem with liberalism depended on its failing to incorporate a self-understanding of its historical determination. Liberalism is false only insofar as it mistakenly characterizes itself as a set of ideas independent of material and ideological history. Since neither denial by omission nor a conscious denial of the historicist’s first formulation is essential to liberalism, this criticism has little force in the end. In the case of the second formulation, the problem with liberalism is again located in its involving a sort of inherent self-delusion. The charge here is that liberalism is false because it reifies or hypostatizes its conception of the self (as well as other of its conceptions). The liberal harbors what, according to the criticism, amounts to a delusional commitment to the independent existence of, among other things, the self. The sort of liberalism I am defending cannot be modified to accommodate this second formulation of the historicist’s thesis. To accommodate the thesis, I shall argue, is to give up on the notion of normative evaluation altogether and thus to deny the possibility of any justice worthy of the name.

The critical question for the defense of liberalism is whether or not the second formulation of this thesis is true; that is, whether or not there are subjects with a certain independent nature. The historicist denies this but what could count as a reason to believe this denial? This thesis is similar to other famous skeptical theses

from the history of philosophy. It is not that the thesis is logically incoherent (at least no more so than Descartes' evil demon hypothesis). The problem, rather, is that if it is true there is still no reason *for us* to believe that it is true. A consequence of its truth is that we are doomed to mass systematic error.<sup>19</sup> In any case, one who believes this thesis and its denials of extra-nexus reality cannot avoid inconsistency in making arguments against liberal *values* and *recommendations* (where these are understood independently of their usual liberal justification on the basis of the reality of the self) and in favor of anti-liberal *values* and *recommendations*. This is because the denial of any nexus-independent reality is tantamount to a denial of all nexus-independent justification. What is left is a competition between nexuses each attempting to overpower the others by (non-rational) force. The appropriate response to the normative criticisms and competing recommendations forwarded by critics who believe the second formulation of the historicist thesis is no response. This is because the values and recommendations of such critics are, by their own admission, groundless - unsupported by any reason or nexus-independent conception of human nature. Without any ground there is no grist for the critical mill - nothing for the liberal to be engaged with in building a rebuttal - so it is useless to run the mill. However strongly the critic persists in accusing the liberal of being just as much without grounds, the liberal can remain steadfast because the challenge (if there be any) rests in the truth of the thesis and this truth is apparently insupportable.

### 3. Conclusion

I mentioned in my introduction that there is an influential formulation of liberalism that I find needlessly appreciative of these three criticisms. The formulation I have in mind is that which is most famously defended by John Rawls. In an impressive series of articles and in the book [Political Liberalism](#) (which can be seen as the culmination of the work represented by the articles), Rawls has defended a version of liberalism he understands to be dis-attached from any controversial philosophical - normative or metaphysical - commitments.<sup>20</sup> The liberalism he defends is justified primarily on the basis of ideas that are shared by otherwise diverse citizens. Rawls argues that while there may be significant differences between the individual citizens of modern Western democracies in terms of the sorts of lives chosen (including the sorts of religious and philosophical outlooks adopted and the conceptions of what is valuable in life), there will be an overlap of these conceptions in which we find at least much of what we need as a basis for a just system of governance. Among these ideas are: a certain conception of rational persons, the idea of primary goods as necessary currency for developing any life plan, the idea of acceptable life plans and the idea of a well ordered society. At first blush, these ideas seem to be strikingly similar to those of the substantive liberal. The conception of a rational person and the conception of acceptable plans of life (which involves the understanding that a plan

must not be such that its realization would unjustly interfere with others in their attempts to realize their own plan) are especially reminiscent of the justificatory commitments found in Mill. However, on Rawls's view these ideas are not substantive because the commitment to these ideas is not a commitment to their truth or to the truth of any views about, for example, human nature. Instead, the justification for the commitment to these ideas as a basis for constructing a political theory rests entirely in their being shared by the (already liberal) group to be governed. In making the move to this non-substantive version of liberalism Rawls is able to effectively dodge the criticisms discussed in this paper. Each of these criticisms is directed at the substantive commitment to a certain conception of human nature and its flourishing. Rawls's theory can be justified without depending on such a commitment. All that is necessary for Rawls is that the subjects of his theory share these ideas - not that they be true ideas. The troubling consequence of this move, though, is that the theory can only be justified *to those who share the ideas*. The theory gives up on maintaining any justificatory force against the conservative who does not share these ideas. The argument of this paper has been to show that the criticisms that *might* motivate a move in the direction gone by Rawls *need not*. This is because these criticisms can be responded to while remaining (substantively) committed to substantive theses about human nature and flourishing. It is on the basis of these commitments, moreover, that liberalism can hope to have persuasive, argumentative force against its detractors.

## Notes

1 Dworkin, Ronald. [A Matter of Principle](#). Cambridge, MA: Harvard Univ. Press, 1985. See p.190

2 *ibid.*, p. 191

3 *ibid.*

4 Rawls, John. [Political Liberalism](#). New York: Columbia University Press, 1993. Dworkin, in [A Matter of Principle](#), characterizes the constitutive position of liberalism as the commitment to neutrality between conceptions of the good which gives rise to the ambiguity I am here discussing. Without the sort of clarification I am suggesting, it remains a possibility that Dworkin understands liberalism as essentially involving the sort of absolute neutrality Rawls defends. However, I think that much of Dworkin's later writing establishes his commitment to a more substantive liberalism that is non-trivially non-neutral with respect to competing theories that disavow the value of autonomy. In particular, see Dworkin, Ronald. [Freedom's Law](#):

[The Moral Reading of the American Constitution](#). Cambridge, MA: Harvard University Press, 1996.

5 It is worth mentioning here that this proposed “central feature” of liberal theory can be seen as shared by otherwise diverse liberals. In spite of their more specific disagreements, for example, both libertarian and egalitarian strands of liberalism have involved a fundamental interest in the promotion of autonomy.

6 Mill, J.S. From *On Liberty*, in [Utilitarianism, On Liberty, Considerations on Representative Government](#). Edited by Geraint Williams, The Everyman Library edition. London: J.M. Dent, 1993. See pp. 129-130.

7 Cf., Raz, Joseph. [The Morality of Freedom](#). Oxford: Clarendon Press, 1986. Especially section V.

8 Regarding this criticism see: Taylor, Charles. [Philosophical Arguments](#), (esp. chs. 10,11, &13). Cambridge: Harvard University Press, 1995. Fraser, Nancy, “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracies” from [Habermas and the Public Sphere](#). Ed. Craig Calhoun. Cambridge: MIT Press, 1992. pp. 109-142. Lacey and Frazer. [The Politics of Community: A Feminist Critique of the Liberal - Communitarian Debate](#). Toronto: University of Toronto Press, 1993. Benhabib, Seyla. [Situating the Self](#). New York: Routledge, 1992. Moon, J. Donald. [Constructing Community: Moral Pluralism and Tragic Conflicts](#). Princeton: Princeton University Press, 1993. Pateman, Carole. “Feminist Critiques of the Public / Private Dichotomy,” In [Public and Private In Social Life](#). S.I. Benn and G.F. Gaus, eds. New York: St. Martin’s, 1983.

9 The character of this choice as acknowledged within the liberal state is not going to be the same, perhaps, as it is seen by one who might make it. In making the choice, the chooser may very well understand this to be a choice to end all choices - a choice characterized by its finality. The liberal state, however, can only regard this as a choice that one must continue to make - but only for as long as one wants to continue to make that choice. Thus, if it were to happen that the drop-out came one day to decide to re-join the liberal community, the “authority” to which the drop-out had submitted would not have a claim against the drop-out (when she becomes a re-joiner) that she owes him for breach of contract. On this issue, Cf. Mill’s discussion of consenting to be another’s slave in [On Liberty](#), pp.171-3 (for full citation see note 5, above).

10 I am here understanding “civic contributions” to include a wide range of community involvement. Some examples would be voting, engaging in dialogue with neighbors about what might good for the neighborhood, a parent’s making the effort

to be aware of any significant matters surrounding his children's school, and volunteer work.

11 Charles Taylor is a leading proponent of this sort of criticism. For a clear and concise discussion of this problem see his article, "Can Liberalism Be Communitarian?," *Critical Review*, Spring 1994.

12 Perhaps it is better understood as a network of parallel and intersecting lines extending backwards and liberal ideas are, rather, a group of ideas that are located roughly adjacent to one another on these lines- for my purposes these metaphysical specifics of the purported causal history of ideas is not of primary importance.

13 I am happy to allow that these be one and the same thing. Drawing the distinction here is not meant to suggest any ontological thesis about the materiality or immateriality of ideas.

14 I understand this to be a criticism of liberalism from a Marxist perspective or "in the spirit of Marx." However, this is not meant to be a complete presentation of Marx's theory of ideology or of his critique of liberalism on the basis of that theory. A good starting point for understanding Marx on this issue is the Preface to [A Contribution to the Critique of Political Economy](#). Translated from the second German edition by N.I. Stone, Chicago: Charles H. Kerr and Company, 1904, pages 10-15.

15 A more thorough presentation of the Marxist criticism would, for example, incorporate Marx's understanding of the forces and relations of production in a capitalist society as being the primary determining ground of the liberal ideology combined with his view that the inevitable shift to socialism is to a state of affairs that will make possible the final lack of necessity of the liberal ideology and in this lies the ultimate falsity of liberalism. The case can be made that once the Marxist criticism moves beyond charging Liberalism with failing to be aware of its situatedness, the debate that remains is a debate within Liberalism and regarding the question as to which among the alternatives are the best derivative commitments. This debate might be seen as between Marxist liberals and more Libertarian liberals each of whom shares the commitment to autonomy.

16 The following formulation of the thesis, and the criticism of liberalism it inspires, is meant to be representative of the views of those who fall under the label "structuralism" or "post-structuralism." Of these, Foucault is an appropriate representative. See, for example, his [Discipline and Punish: The Birth of The Prison](#), trans. Alan Sheridan. New York: Vintage Books, 1979. A similar criticism of liberalism can be found in Naomi Scheman's article, "Individualism and the Objects

of Psychology,” in [Discovering Reality: Feminist Perspectives on Epistemology, Metaphysics, Methodology, and the Philosophy of Science](#). Eds., Sandra Harding and Merrill B. Hintikka. Dordrecht: Reidel, 1983, pp. 225-44.

17 The phrase “appropriate conclusion” might, though it need not, mean “logically necessary conclusion.” Whether or not any particular defenders of this view arrived at their respective support for the view in the way suggested or whether any saw it as entailed by the weaker formulation of the thesis is an interesting side issue that I do not here weigh in on except to point out that this conclusion, in fact, is not entailed by the weaker formulation of historicism.

18 It is probably more accurate to say that while many such ideas do point to (insofar as they intend or *suggest* the independent reality of) something beyond the nexus in which they occur, there is, nonetheless, nothing outside and, *a fortiori*, nothing outside which is being pointed to.

19 The use of the word “us” in the previous sentence and the use of the term “we” here are admittedly (by whom?) problematic since, if the thesis is true, there is no we. The awkwardness involved in discussing the thesis further supports the suggestion that its truth entails that there can be no reason to believe that it is true.

20 Among the articles in the series see: “The Independence of Moral Theory,” Presidential Address to the 71st Annual Eastern Meeting of the APA, Washington, D.C. 12/28/74, “Justice as Fairness: Political Not Metaphysical.” From *Philosophy and Public Affairs* 14, 1985, “The Idea of an Overlapping Consensus,” *Oxford Journal of Legal Studies* 7, February 1987, and “The Priority of Right and Ideas of the Good” *Philosophy and Public Affairs* 17, Summer, 1988. See note 4 for the citation of [Political Liberalism](#).