

CIVILITY AND COMMUNITY IN LIBERAL DEMOCRATIC THEORY

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It was therefore a historical necessity that the man with whom the history of the idea of *raison d'état* in the modern Western world begins and from whom Machiavellism takes its name, had to be a heathen; he had to be a man to whom the fear of hell was unknown, and who on the contrary would set about his lifework of analyzing the essence of *raison d'état* with all the naivety of the ancient world. Friedrich Meinecke

I. Prologue: The Autonomy of the Political

Modern political thought began with Machiavelli, that is, with a negative. Christendom, represented by the hierarchical Church and its communicants, no longer was universal, no longer was omniscient, no longer as the alpha and omega of worldly existence or the only portal to meaning. It, along with its reformed off-shoots, retained its monopoly over salvation and remained powerful in this world, but it could not rule the minds of men and women, even believers, as it once had. For those to whom the idea of rule and its related concepts of authority and obligation, the state and citizenry, domestic and foreign policies, the structure and process of governing, war and peace, prosperity and stability were all important, that is, for political theorists, the Church was seen as an occupying force—to be resisted and finally banished from this world to its proper spiritual sphere. If the world had been a matter of indifference, at least theologically, to Christendom, the Church was soon to become a matter of indifference to the world. This was the intention of political theorists like Machiavelli. The great Christian affirmation, content-laden, morally-centered, ritualistic and mystical medieval world order was over. This community of believers was replaced in time by the formalistic, process-driven, self-centered, impersonal, pragmatic nation-states of Anglo-American liberalism. The community of virtue was eclipsed by civil society, all-encompassing Christendom by the "protective" or minimalist state. (See Chart One.) The apostle of the autonomy of political action, Machiavelli became the father of an impersonal, calculating civility, perhaps a fitting epitaph for a failed diplomat. Fitting also to begin a discussion of contemporary liberal political theory with Machiavelli, for his attack on the community of virtue represented by Christendom reverberates to this day in the writings of the critics of not only the modern nation-state but its theoretical basis in civility. Civility stands here for a collection of ideas which capture the formal relations among individuals (strangers) in liberal societies. Not only are intimate relations excluded but so are all emotively based connections. Civility is the more general analogue of the human relations characteristic of adversarial judicial proceedings, impersonal and impartial.

To define civility this way indicates the line of criticism more formal versions of liberalism have evoked. Civility, its mode of conflict resolution and perhaps above all its presumption of competition among members of the society, appears to generalize relations among strangers, if not adversaries, into a model of a properly functioning society. Even if one allows that friendship and intimacy cannot be generalized, due to their idiosyncratic and irrational basis, surely there must be room in any tolerable human gathering for the set of ideas and feelings that are captured by community, particularly in a society no longer dominated by face-to-face relationships. Absent the fellow-feeling community engenders and expresses society becomes a caricature of economic exchange at best and at worst a juridically sublimated Hobbesian state of nature. Partly, this longing for community is a revolt against the modern world, a shrinking from the horrors of the Nineteenth and Twentieth Centuries. Partly, it reflects weariness with getting and spending which seem to define success and provide self-esteem in civil societies. The desire for communities of virtue derives from an antipathy to the political and its premises in Hobbesian human nature, in conflict and competition, in uncertainty and danger, in risk and terror, and in human responsibility for human failure and success. The revulsion that the political inspires among many men and women today is an effect of the violence of this century of total war. The political and the rivalry of nation-states seem more than a historical confluence. The political and the rise of industrial and corporate capitalism are equally unfortuitous. "The emergence of states controlling substantial territories and the spread of free trade and the market economy had created an irreversible trend toward social and political heterogeneity [Held, p.56]." War, class conflict, emotional and physical insecurity—all seem products of the modern notion of the political or so closely tied to it that they reduce themselves to the same 'evil.' Its materialist balms of more and more things seems to produce only more alienation from what is properly conceived as the human community. In this view, liberalism is not seen as a way to accommodate the heterogeneity of modern life with a view toward maximizing freedom, national security and economic well-being. Rather, it seems to be a way of keeping people separated from their communal human instincts. Liberalism is held to conspire to keep communities of virtue from forming, in order to benefit those who can best take advantage of a society which pits all against all in one way or another under the false banner of freedom. Finally, and perhaps most importantly, the longing for communities of virtue finds its power in the search for Truth: monistic, absolute, timeless, and universal. Only on Truth can harmony be restored and the human condition made whole. Not only will heterogeneity and alienation be reversed, but security, peace, and equality will reign, for the sources of human conflict will be removed. Knowledge of the Truth will not only make human beings free, it will free them to impose the Truth on those who for one reason or another find it desirable or profitable to deviate. Civility is denigrated as 'repressive tolerance.' For the pious good manners are the devices of the devil-prince, just as a liberal conception of the political is his *modus operandi*.

CHART ONE

PROTECTIVE DEMOCRACY

Principle of justification

Citizens require protection from the governors, as well as from each other, to ensure that those who govern pursue policies that are commensurate with citizens' interests as a whole

Key features

Sovereignty ultimately lies in the people, but is vested in representatives who can legitimately exercise state functions

Regular elections, the secret ballot, competition between factions, potential leaders or parties and majority rule are the institutional bases for establishing the accountability of those who govern

State powers must be impersonal, i.e., legally circumscribed, and divided among the executive, the legislative, and the judiciary

Centrality of constitutionalism to guarantee freedom from arbitrary treatment and equality before the law in the form of political and civil rights or liberties, above all those connected to free speech, expression, association, voting and belief

Separation of state from civil society, i.e., the scope of state action is, in general, to be tightly restricted to the creation of a framework which allows citizens to pursue their private lives free from risks of violence, unacceptable social behavior and unwanted political interference

Competing power centers and interest groups

General Conditions

Development of a politically autonomous civil society Private ownership of the means of production

Competitive market economy

Patriarchal family

Extended territorial reach of the nation-state

From David Held, *Models of Democracy*

Few contemporary theorists, save theologians, make such views explicit. Yet, if we define the Truth as that sort of belief about reality (divine or natural) which stands outside and above human desire, preference, or action—a belief which therefore warrants the application of coercive force, its spiritual or supernatural base is clear. Human beings, collectively and individually, then have one and only one proper role, to be agents of this Truth, and to submit to the will of God. Whatever the differences of apprehending such Truth, whether received by grace, inspired by genius, revealed in natural law, or approached by reason, insofar as political philosophy is contained within moral (or religious) philosophy, it will be held accountable by its approximation of the Truth or its movement towards God. We cannot demonstrate such a large point. We can, however, make its relation to the political clearer by reference to a work written with an entirely different aim. In speaking of artists' attempt to render the faces of Christianity, Andre Malraux captures the distinction we are trying to make between political philosophy as a subset of moral philosophy and as an autonomous enterprise, notwithstanding its admitted moral implications and properties:

Imaginative as, under these circumstances, it had to be (since they had never seen [Him], it was a realism of sorts; for the sculptors were not expected to invent Christ's face as the pagan artists had invented those of Zeus and Osiris, but to recapture it. Christ crucified had existed and the sculptor did not aim at making his crucifix finer than 'other crucifixes, but more like Christ; he did not picture himself as creating, but as drawing a step nearer to the truth [Malraux, p.223].

The idea of discovering the Truth is to the liberal mind profoundly anti-political, for precisely the same reasons that it appeals to believers in it, it presumes a super-human standard of the political. Homo credens and homo politicus live in entirely different universes, not only of discourse but of reality. "It is clear enough that the antithesis of homo politicus is the homo credens of the Christian faith: the citizen whose active judgment is essential is displaced by the true believer [Held, p.36]." Displaced until Machiavelli ushered in the modern world by reviving pagan virtues, most particularly, political action freed from the constraint of any standard external to man. Again, Malraux is apt:

While to the Roman mind all that gave value lay in his mastery over a selected field of his personality—courage, intelligence, decision—and while every Roman virtue was a form of steadfastness, the Christian, even when capable of dying a martyr's death, knew himself for a sinner and in constant peril from the outside world; because the devil was its 'prince' [Malraux, p.217].

Neither Machiavelli, nor Roman thought was properly liberal: "Freedom, as he understood it, did not entail rights of free speech, expression, belief and association; that is, in his hands it did not yet embrace many of the elements that became central to modern liberalism [Held, p.47]." But Machiavelli's emphasis on the autonomy of the political, the possibility of human mastery of the world and the value of individual action have proved to be conditions of liberal states. At the same time, the worthlessness of the world, its control by the devil-prince, the ineradicable sinfulness of man, and the idea that the continued existence of the individual and the social order were secondary to divine will and truth are ideas that are fundamentally anti-liberal.

Again, we sense that the linking of contemporary political and moral philosophy with religious thought may be seen as extreme and unfair. But consider the following from a scholar who reveals no explicitly religious or ideological views:

A policy of expansion is, therefore, a necessary prerequisite to the preservation of the collectivity's liberty: the application of force is integral to the maintenance of freedom.... Machiavelli thus anticipated certain of the dilemmas of liberalism, but resolved them ultimately in a profoundly illiberal way, by granting priority to the preservation of the society by whatever means necessary [Held, p.46].

This remarkable statement is important for this essay, because it reveals the source of a great deal of discomfort not only with Machiavelli but with the modern world and its immersion in the political. What means are not appropriate to defend oneself against an aggressor or a tyrant? Is not preservation of the polity every sovereign's first duty? Or, is a willingness to allow one's people to go quietly into the ovens the hallmark of profound liberalism?

We do not wish to make too much of a perhaps off-hand statement. It is, nonetheless, symptomatic of many contemporary political theorists' unwillingness to see physical survival as a precondition to democracy to say nothing of democratic theory. Is it possible to imagine a majority of any non-cult group favoring suicide or, what amounts to the same thing, not being willing to use all means necessary for survival? Perhaps it is too obvious a proposition or what may amount to the same thing too empirical to warrant discussion? But then how can one account for the powerful negative connotation in which means of survival are shrouded? Only a belief in the existence of some extra-political (extra-human) standard against which the survival of the society itself may not properly survive. Moreover, the power to resist political annihilation (to say nothing of being able to

annihilate) seems questionable. There is more than an undercurrent in much contemporary democratic theory that to be powerful is in principle to be undemocratic or unjust. The very mastery (virtu) Machiavelli saw as the hallmark of political man becomes the enemy of Truth conceived as an extra-political measure of human society. If this is not a religious concept, if it would be improper to homo credens, we do not know what would be. That it is improper not only to a Roman leader, but to any sovereign (singular or collective) in the modern world is not only beyond argument, it is crucial to the validity of the political, to political man as a creator (not a discoverer) of, if not truth, political reality.

The discomfort with *raison d'état* is well-founded. There is no question that national security has falsely cloaked many actions of many regimes. Few concepts have been subject to as much abuse as *raison d'état*. Few modes of thought have been as concerned with the abuse of government power or tyranny than liberalism. The tendency for government to see itself as superior to its people is a premise of liberal thought. Liberal regimes are purposely hamstrung in many ways to prevent the tendency of all governments towards tyranny. What lies behind Held's statement is not a prudent regard for the separation of government from the people but a belief that under no circumstances could the 'end justify the means' rationale of *raison d'état* ever be justified. In other words, all means must be subject to some measure besides the survival of the polity itself. If one is referring to a liberal democratic polity, then this value must have the force to command not only a majority (unless one believes the minority will acquiesce in political or physical suicide) but everyone in the polity. Only a fanatical religious belief could have such power. It could only be enforced in what we call 'communities of virtue.'

By 'community of virtue' we mean a social system in which the goal is to remove the sources of conflict by having all citizens subscribe to the same set of beliefs. Conflicts are tolerated only regarding the interpretation or application of the belief system to the empirical world. The belief system is revealed and received. It is the duty of the citizen to conform to it, if not willingly, in lieu of state coercion. In civil society, by contrast, it is the duty of the citizen to conform to the rules of the society. Conflict, although often unpleasant and self-serving is seen as a sign and an effect or a cost of freedom. Its negative effects need to be contained without removing its sources in human nature and its entailed conflicts of interests. The success of civil society is not measured by harmony, but by the amount of conflict it can contain, because this is a clear indicator that the polity is as free as it can be. Community of virtue is defined, by contrast, a willingness to have the state impose substantive values upon the members of the community. Where a civil society might be contented with, say, equality of opportunity or some other formal equality, a community of virtue would require that equality be realized in fact, at least to some extent. Deviations from an absolute equality of results would require justification. Under civil society, by contrast, only deviations from formal laws would provoke enforcement.

One could almost at random find in current discussions of liberalism the tension between these two ideas. At the extreme of the liberal tradition, the notions of civility and community are seen as mutually contradictory, one or the other often being the principal if negative justification for the correct vision of society. The problem of this essay is to discuss whether some notion of community of virtue can be accommodated to liberalism. In other words, can the formality of liberalism live together with the substance of virtue: Our view is that they are necessary to one another, whatever the philosophical difficulties of combining them in a consistent logical formulation. Even if John Gray is correct in his assessment that the philosophical basis of liberalism is hopeless and inconsistent; as a set of principles, ideology, if you will, liberalism can be defended, if not philosophically, at least intelligently [Gray].

As is already apparent democratic theory is plagued by ambiguous terms. No important concept has achieved universal approbation, even by scholars within a given tradition. The cardinal terms of liberalism are no

exception. We propose, therefore, to give the least uncontroversial definitions possible, running the risk of vagueness in an effort to avoid irrelevant criticism. Accordingly, we have relied greatly on a recent survey by David Held of the terrain of democratic theory, not because we agree with him in all particulars but because his work represents an exceptionally intelligent descriptive analysis of the field. By 'civility' we mean the impersonal and impartial way conflicts are contained in a liberal, pluralist political system (See Chart Two). "[Liberalism] is used here to signify the attempt to uphold the values of freedom of choice, reason and toleration in the face of tyranny and the absolutist system [Held, p.41]." Pluralism refers to a political structure which contains many groups which not only struggle for power but have good chances for influencing, if not determining, policy, generally by blocking the development of sustainable effective majorities. Significantly, the political goal of liberal states is containment not eradication of conflict. Serious conflict is not merely tolerated but essential to the freedom and well-being of its citizens. There is a clear if wavering line of thinkers from Machiavelli through Hobbes, Locke, Hume, Mill, and Spencer down to Hayek, Rawls and Nozick, who believe that the state must be justified in terms of how it enables its citizens, conceived as individuals, to fulfill their wants, needs, and desires. For all their differences, these theorists believe that (1) the burden is on the state to justify its existence not on the citizens to justify theirs and (2) that citizens are collections of individuals, not that individuals are expressions of collectivities or communities. Shorn of omniscience by the very premises of liberal society, the state becomes a technical mechanism for satisfying the wants of an individualist and pluralistic polity. In various metaphors it becomes a 'night watchman,' a 'protector of rights,' a 'legal guardian of process,' a 'minimalist referee,' or a 'janitor.' The state is not properly a player with independent interests and values, but a provider of the conditions for a fair and free game which has self-originating and self-sustaining rules. The state will be judged accordingly, hired and fired at will by the sovereign and properly suspicious people. This is of course an extreme portrait of Held calls legal democracy (See Chart Three). It has been subject to a great deal of criticism from within and without the liberal persuasion. Nevertheless, it is not a distortion of the tendencies of liberal thought, however much practice may deviate from its logic and reality determines practice. It will serve for the purposes of this essay.

CHART TWO

CLASSICAL PLURALISM

Principles of justification

Secures government by minorities and, hence, political liberty

Crucial obstacle to the development of excessively powerful factions and an unresponsive state

Key features

Citizenship rights, including one-person-one-vote, freedom of expression, freedom of organization

A system of checks and balances between the legislature, executive, judiciary and administrative bureaucracy

Competitive electoral system with (at least) two parties

Diverse range of (overlapping) interest groups seeking political influence

Governments mediate and adjudicate between demands

Constitutional rules embedded in a supportive political culture

General conditions

Power is shared and bartered by numerous groups in society

Wide resource base of different types dispersed throughout population
Value consensus on political procedures, range of policy alternatives and legitimate scope of politics
Balance between active and passive citizenry sufficient for political stability

From David Held, *Models of Democracy*

Machiavelli provides a context that helps us to grasp many later developments. The developments themselves culminated in a new model of democracy—referred to here as 'protective democracy'.... David Held, *Models of Democracy*

II. The Problem of Equality in Political Perspective

It is useful to begin with a quotation from an excellent book *Contemporary Political Philosophy* [Oxford, 1990]. Will Kymlicka, its author, assumes that political philosophy is a subset of moral philosophy. While certainly a valid approach, it is not self-evident. It is important to note that Kymlicka is not an enemy of liberalism. His criticism of all viewpoints is exceptionally searching and fair-minded. For example, consider this examination of utilitarian equality:

Why should my neighbors suppose that the idea of equal concern gives them any claim over my share of resources? If they already have their own lawn, then I am not treating them unjustly in saying that my preference concerning my lawn outweighs or preempts their preferences. I still respect them as equals since I make no claim on the resources they have to lead their lives. But they do not respect me as an equal when they expect or demand that I give up my share of resources to satisfy their selfish desire to have more than their fair share.... We should not expect others to subsidize our projects at the expense of their own [Kymlicka, 40].

For many liberals this critique may seem too obvious to be worth quotation. Yet its assumption that the integrity of private shares can stand in the face of collective will, even when that will is correct in its assessment of the greater utilities which flow from its exercise, goes against the grain of a great deal of liberal (purportedly) thought. Kymlicka's discussion of Rawls' difference principle reinforces our point:

Let us imagine with Rawls that we have started with an equal distribution of resources which is enough for each person to get their desired land and start their tennis and gardening. The gardener will quickly come to have more resources than the tennis-player, if we allow the market to work freely.... Rawls would only allow this inequality if it benefits the least well off, i.e., if it benefits the tennis-player who now lacks much of an income. If the tennis-player does not benefit from the inequality, then the government should transfer some of her income to him in order to equalize income.... [Kymlicka disagrees and concludes:] When inequalities in income are the results of choices, not circumstances, the difference principle creates, rather than removes, unfairness. Treating people with equal concern requires that people pay for the costs of their own choices. Paying for choices is the flip side of our intuition about not paying for unequal circumstances. It is unjust if people are disadvantaged by inequalities in their circumstances, but it is equally unjust for me to demand that someone else pay for the costs of my choices [Kymlicka, p.74-5].

We trust Kymlicka's liberal credentials are established. Our difficulty with Kymlicka (and contemporary political philosophy in general) is that it is insufficiently political not that it is insufficiently liberal. The reason

for this has already been suggested: the inability to separate sufficiently political philosophy from moral philosophy in the sense of universal moral principles on the one hand and from legal behavior on the other. Kymlicka realizes the impossibility of applying universal moral principles to specific social issues. Consider, for example, another discussion of equality:

The idea of moral equality is too abstract for us to be able to deduce anything very specific from it. There are many different and conflicting kinds of equal treatment. Equality of opportunity, for example, may produce unequal income (since some people have greater talents), and equal income may produce unequal welfare (since some people have greater needs). All of these particular forms of treatment are logically compatible with the idea of moral equality. The question is which form of equal treatment best captures the deeper ideal of treating people as equals. This is not a question of logic. It is a moral question, whose answer depends on complex issues about the nature of human beings and their interests. In deciding which particular form of equal treatment best captures the ideal of treating people as equals, we do not want a logician, who is versed in the art of logical deductions. We want someone who has an understanding of what it is about humans that deserves respect and concern, and of what kinds of activities best manifest that respect and concern [Kymlicka, p.43-4].

In terms of moral philosophy we, along with many other liberal thinkers, take little exception to this statement. It conforms to our intuitions, values, and style of reasoning. Kymlicka and we are moral liberals. Yet we profoundly disagree with these statements insofar as they are meant

to include the perspective of the political, as they must if political philosophy be considered a subset of moral philosophy. We believe this point can best be understood if we "translate" the last sentence into liberal political thought. "We, the citizens of this country, want a political process which reflects what it is about humans that deserves respect and concern and what kinds of activities best manifest that respect and concern." This statement is no mere institutionalization of Kymlicka's thought. It does not merely substitute 'citizens' for a universal 'we,' nor merely make explicit a political decisional process. It politicizes his moral speech by changing the level of discourse from a "someone who has an understanding etc." to a political process which arrives at decisions which reflect the citizens' understanding of these concerns. The new discourse reflects a new appreciation of reality, one explicitly political, that is, at the disposal of the citizenry, and not in the sense of the idea of citizenship in general, but citizens of a particular nation-state.

Consider what may seem his unobjectionable first sentence: "The idea of moral equality is too abstract to deduce anything very specific from it." Suppose it were not. Suppose there was an idea from which one could deduce very specific principles, even policies. While this may be an ideal or even the object of moral philosophy, its existence, real or pretended, potential or actual, would be antithetical to the political in general and liberal political thought in particular. Kymlicka himself offers convincing reasons why, albeit, in his discussion of Marxist perfectionism:

The heart of the Marxist critique, however, is an objection to the very idea of a juridical community. Marxists believe that justice, far from being the first virtue of social institutions, is something that the truly good community has no need for. Justice is appropriate only if we are in the 'circumstances of justice', circumstances which create the kinds of conflicts that can only be solved by principles of justice.... If, however, we could eliminate either the conflicts between people's goals, or the scarcity of resources, then

we would have no need for a theory of juridical equality, and would be better off without it [Kymlicka, p.164, emphasis supplied].

For "justice" substitute a "morality from which we could deduce specific principles," then Kymlicka's views become indistinguishable from Marxists, at least with respect to the need for the sort of conflict resolution method entailed in the political. Kymlicka sees the beam in the Marxists' eyes:

Justice is more than a remedial virtue. Justice does remedy defects in social coordination, and these defects are ineradicable, but it also expresses the respect individuals are owed as ends in themselves, not a means to someone's good, or even to the common good. Justice recognizes the equal standing of the members of the community, through an account of the rights and entitlements we can justly claim. But it does not force people to exercise these entitlements at the expense of the people or projects they care about. Justice constitutes a form of concern that we should have as members of our community, and enables us to pursue all the other forms of love and affection which are consistent with that underlying moral equality. The view that we could create a community of equals by abandoning these notions of fairness, rights, and duties is untenable [Kymlicka, p.169, emphasis supplied].

But he does not see the beam of an external, supra-political standard in his own eyes. Kymlicka's explicit words make him sound like a liberal exponent of civil society, as understood in this essay, but upon analysis he is an unwitting apostle of a community of virtue in the name of justice supported by an underlying morality impervious to the political.

Let us make the point in what may seem a perverse way. To be consistent with a liberal appreciation of the political, it is not enough to say we have not yet found a set of moral principles which is beyond rational dispute. Nor is it enough to say we have not yet found someone "who has an understanding of what it is about humans that deserves respect and concern, and of what kinds of activities best manifest that respect and concern." Nor would it be sufficient to say that such a moral vantage point or such a superior person cannot exist in principle. A liberal understanding of the political would have to deny the existence or the relevance of an external moral standard even if it were found or revealed. There is one and, we believe, sufficient reason for this denial of moral Truth; it would remove all significant public matters from the reach of the political. In a liberal democracy, this would mean that the affairs of the citizens would no longer be at their disposal. The only possible issues of any political character whatsoever would be "scientific", technical or administrative. "Does this fact situation fit the Truth?" Or, "How can we arrange matters so that the Truth is served?" In other words, political discussion would be limited to those statements which caricatured, all too accurately, Stalinist policy-making. If the superior someone were the source of the Truth, the caricature would be Hitlerian; the question, "What is the will of the leader in this case?" The liberal conception of the political requires the autonomy of the political in precisely the sense Machiavelli intended [Wolin]. It needs to be as separate from an "underlying morality" (or scientific truth) as it needed to be sundered from the Church five hundred years ago.

Consider another sentence from this quotation: "There are many different and conflicting kinds of equal treatment. Equality of opportunity, for example, may produce unequal income (since some people have greater talents), and equal income may produce unequal welfare (since some people have greater needs)." The political question is what to do with this state of affairs. What should incomes, welfare, job, or business investment policy look like? If a moral standard beyond the reach of the political is in principle anti-liberal, how, then, does

one decide controversial issues? The answer of liberal democracy is summed up by a system of freely elected representatives, operating within the domain of judicially guaranteed rights. As many critics have pointed out, on every conceivable ground, such a system cannot be supported morally, at least according to the canons of moral philosophy. But, according to liberal premises, as understood in the political sense of this paper, it need not meet this test. The only morality relevant to liberal policy-making is the morality of consent within the rules of the system, largely conceived as constitutionally defined. This is the consent of civil society, consent among strangers, consent on a legal and constitutional basis, which not only provides a legitimate political process but defines the people as a polity.

The contrast with the consent available in communities of virtue could not be more striking. The only substantive choice possible is whether to be or not to be a member of the community. One is not so much a citizen as a communicant. In civil society, the price of membership is keyed much lower. While in both sorts of political organizations one must obey the laws, the nature and scope of the laws in a liberal society are much less far reaching than under a regime of virtue. Furthermore, laws are agreements among the citizens, not stricture for virtuous behavior. Behavior presumed to be free except as it interferes with another's legal or constitutional rights.

None of this is to suggest that a liberal state is necessarily relativistic. A liberal democracy no more would outlaw substantive or fundamentalist beliefs than it would mandate any form or belief or disbelief. It is because a liberal state expects its citizens to have incompatible fundamental beliefs that it does not wish to tamper with substantive beliefs, except when necessary to the functioning of the polity itself, that is, only to preserve its liberal nature. Liberal societies are filled with people who believe they have found the Truth in Kymlicka's or even David Koresh's sense. What is critical is that they cannot employ the power of the state to impose their views on others. This is the point of the 'protective' or 'minimalist' state. It is there to protect citizens from the tyrannical impulses of other citizens, while at the same time providing self-restraining ordinances against its own propensity to tyranny, whether of legislature, executive, judiciary or bureaucracy.

Let us make this point from another angle, perhaps the darker side of the political conception of liberalism we are pressing. Earlier we let pass Kymlicka's discussion of the tennis-player and the gardener on the grounds that we agreed with his conclusions as a matter of moral philosophy. Where we differ with him is in his apparent belief that his discussion has disposed of the issue politically because it has disposed of it morally. His conclusion is that the government cannot properly tax the gardener to make up for the self-selected consequences of the tennis-player. Governments not only act in this manner routinely they are, in my view, justified in these actions. From a political perspective there is nothing odd in having citizens tax themselves for any legal (and constitutional) purpose whatever. A government may properly, that is, legally and constitutionally, enact a tax that might be discordant with liberal moral philosophy, as Kymlicka suggests. This, we believe, is mistaken, unless one imports into liberal philosophy a rule, to wit, that under no circumstances should one group of citizens be required to sacrifice to support another, when the recipient group has been the author of its need. As Kymlicka says, "It is unjust if people are disadvantaged by inequalities in their circumstances, but it is equally unjust for me to demand that someone else pay for the costs of my choices." The basis for the injustice is the violation of something Kymlicka calls the "deeper ideal of treating people as equals".

There is little doubt in our minds that our brand of liberalism is a great deal more conservative regarding income distribution than Kymlicka's. At the same time, however, we cannot warrant that a liberal polity is

precluded from subsidizing any group, even if so doing entails great sacrifice from others on grounds of something like the "deeper ideal of treating people as equals." The mark of liberalism, at least of the political sort, is not a commitment to a substantive ideal like equality or property or individualism or market economies or whatever, although these are, in our view, immensely important. The minimum basis of the liberal state is the notion of constitutionally based legality, an overarching rule of law. All actions taken in the name of the government must meet legal/constitutional tests, not moral ones.

This, along with the notion of individual rights, is liberalism's major qualification of Machiavelli's realism. Raison d'état exists, and will in all probability be employed under certain circumstances without legal sanction. At that point the state ceases to be liberal. Until that point is reached, and this may have to wait adjudication, the state can reallocate resources any way it wishes. Not to grant this proposition, we believe, is not only unrealistic (naive), but inconsistent with the sovereignty of the people and therefore illiberal. The dangers of this viewpoint, dangers to more than morality, are obvious and immense.

Kymlicka frames the problem in moral terms:

Defenders of self-determination might argue that judgments of value, unlike judgments of fact, are simply expressions of our subjective likes and dislikes. These choices are ultimately arbitrary, incapable of rational justification or criticism. All such choices are equally rational, and so the state has no reason to interfere in them.... If people cannot make mistakes in their choices, then neither can governments. If all ways of life are equally valuable, then no one can complain when the government chooses a particular way of life for the community [Kymlicka, p.201-2].

If there be no justification of any value or action, then all choices are equally rational (or irrational). While this relativism may seem to justify liberty, it, that is, equal rationality, also fails to constrain government. So, by this reasoning, subjectivism fails in its effort to support liberty and, worse, lays the groundwork for unchecked (by reason) tyranny. By this reasoning Kymlicka denies the subjectivism or skepticism of liberalism. "Liberals do not endorse skepticism. One reason is that skepticism does not support self-determination [Kymlicka, p.201]." Liberals may or may not be skeptical in this regard. Our point is that, here as elsewhere, the yoking of liberalism to moral philosophy misleads Kymlicka. Liberals are skeptical of government employing coercive force. Their skepticism of governmental action sometimes stems from being subjectivists in the philosophical sense, but sometimes it arises from the opposite direction. Liberals often have deeply held views, many of which they believe are rationally supportable this warrants the notion of infallible (a government incapable of making rationally demonstrable errors) government, as Kymlicka suggests. Liberals believe in an asymmetrical relationship between their beliefs and the possible motivations underlying governmental actions. There is a much higher standard for governmental action, because it is general and coercive than for individual or private action. But this standard does not lie in the realm of rational philosophical moral justification. It resides in the consent of the people, a consent that is constrained by effective politically expressed majorities further constrained by constitutional requirements. Kymlicka is right that the people (as sovereign), recalling Rousseau, cannot make mistakes, but for the wrong reasons. Lack of a rational basis for action makes all action equally rational (or irrational in the sense of not being provable or justifiable). In terms of moral philosophy this is undeniable. In terms of political philosophy it is irrelevant. Kymlicka is wrong to conclude that, if moral subjectivism among the people were the case, this would

make all government actions equally rational. Rational justification of governmental action is made by an appeal to the politically relevant rules which comprise it. The people as sovereign cannot be wrong, because the only way they can express their sovereignty is through government acting legally at their behest. Government, on the other hand, can be wrong, insofar as it may be acting illegally, contrary to the rules laid down by the sovereign people, as understood by their constitution. It must be remembered that 'constitutional' implied that government comes into being under constitutional constraints and impetus. This is the reality of the phrase government under laws. This is the reality of the phrase that the people are sovereign and the government is their agent, nothing more. Having said this, it is important to stress that while the people acting as sovereign cannot be wrong, it is not to say that they may not undertake a series of actions which may result in their agent or to control their own majorities. It has been an often stated paradox of freedom that it contains the possibility of destroying itself, at least as a practical matter. While the sovereignty of the people cannot properly be given up under liberal premises, while the people always retain the right to rebel, in the conditions of a modern state, this right may be academic in the extreme. Hence the skepticism of government that underpins almost all liberal thought. Hence the protective or minimalist state. Hence the nearly absolute requirement of legality and the subordination of government to the law characteristic of liberal states. Only a direct, immediate, and serious threat to the survival of the polity qualifies this absolute requirement. Tyranny has many brothers: one is *raison d'état*; another is unconstrained majorities. Legality has often proved a weak obstacle to the juggernaut of state power or the mob. Nevertheless, the idea (and much practice) exists that the state, conceived as agents of the sovereign people, and majorities acting in the name of their will can be limited in theory and in fact by law. This is the modal aim of juridical democracy, the classic modern expression of the liberal state.

CHART THREE LEGAL DEMOCRACY

Principles of justification

The majority principle is an effective and desirable way of protecting individuals from arbitrary government and, therefore, of maintaining liberty

For political life, like economic life, to be a matter of individual freedom and initiative, majority rule, in order for it to function justly and wisely, must be circumscribed by the rule of law

Key features

Constitutional state (modeled on features of the Anglo-American political tradition, including clear separation of powers)

Rule of law

Minimal state intervention in civil society and private life

Free-market society given fullest possible scope

General conditions

Effective political principles guided by liberal principles

Minimization of excessive bureaucratic regulation

Restriction of role of interest groups (e.g. trade unions)

Minimization (eradication, if possible) of threat of collectivism of all types

From David Held, *Models of Democracy*

The central problem facing liberal political theory was how to reconcile the concept of the state as an impersonal, legally circumscribed structure of power, with a new view of rights, obligations and duties of subjects. The question was: how was the 'sovereign state' to be related to the 'sovereign people' who were recognized as the legitimate source of the state's powers. David Held

III. Juridical Democracy: Substance and Process

Let us try to reduce David Held's models of the protective, pluralist, and legal democracy to one set of principles under the heading juridical democracy. You will notice that will slight alterations Chart Four is a synthesis of Charts One, Two, and Three, following the line of development indicated by Held, although we are responsible for Chart Four. Like the other charts it is an amalgam of the experience of Anglo-American liberal states and liberal principles which by and large found expression at least as ideals in them. We can make not attempt to explicate this experience or even Chart Four in this space. We propose instead to use it to illustrate three statements we made earlier: (1) that even the most formal conception of a liberal polity has substantive properties and implications; (2) that liberal polities presume (indeed are designed to deal with) deeply held conflicting convictions among its diverse citizenry; (3) that liberal states depend upon the convictions of its citizens to form the basis of obligation without which the polity would dissolve into a set of utilitarian relations. We are aware of the limitations of liberalism from the perspective of moral philosophy: its lack of timelessness, its lack of an externally grounded measure, and its lack of objectivity of its principles. We are aware that these 'defects' comprise the oft repeated weaknesses of liberalism as a moral philosophy. Nevertheless, they condition liberalism as a political enterprise.

We began this essay with Machiavelli's grand negative, his denial of the relevance of Christendom to the political. Here we echo this denial and for the same reason: to indicate the autonomy of the political. We do not assert that autonomy is a natural fact, still less a natural law. It is a pragmatic metaphor, like that other metaphor which is a pillar of liberal thought, natural rights. A political system which actualizes this metaphor, makes it politically real, has met the first condition of a liberal polity. Once this has been appreciated it can then be seen how the 'deficiencies' of liberalism as moral philosophy become advantages in expressing the political. In the absence of an overwhelming presence—universal, timeless, objective Truth—human beings are not only free to disagree and compete, they are encouraged to do so, providing minimal rules are observed. Christian sin becomes politically transformed into liberal virtue. Freedom becomes not another term for obedience to God and Truth, but a principle of human existence and a mode of individual expression and political action.

So connected with liberalism, freedom has been criticized in many of the same terms.

Not only can it be demonstrated that freedom leads to all sorts of inequalities, inequities, and injustice, freedom is not desired by all human beings, even by all those born and raised in polities which attempt to socialize its members to its benefits. Freedom is, as critics of liberalism from Marxists to Feminists have pointed out, is ideological, class-biased or male-biased. One need not go this far, but the point is made. Freedom benefits only some in a society and hurts, directly or indirectly others. Therefore it becomes a collecting point for those who can most effectively use it for their own benefit. Liberal polities prize freedom, not only because they have a regard for the individual preferences of its citizens, but because the citizens who prefer it provide the polity with the wherewithal to carry out its projects. Freedom may not be a male-biased concept; it certainly is a middle-class one, if one defines 'middle class' as a 'deferred gratification, investment (of time talent and energy) oriented people, who believe these attributes give them first claim on the fruits of their productivity.' The

aptness of this definition is especially obvious in the United States and other immigrant-infused polities. A self-selected group of unhappy and ambitious members of one society undergo great risks and expense to relocate in a land of promise, a land where individual merit and performance will matter much more than any other characteristic. Whatever the reality, this motivation to the immigrant experience could not be more middle-class. The class nature of freedom, a fortiori, in free market societies cannot be denied. Like it or not, it provides a sound and enduring basis for liberal polities.

There is a danger in this, the fundamental danger of all liberal forms of organization: closure and stasis. Precisely because middle-class freedom has a class bias, it is important for it not to close upon itself or become frozen in any of its self-conceptions. This is not a call for altruistic behavior but an appreciation of the nature of liberal polities. Recall the tennis-player and gardener examples. It may be justifiable to tax the middle-class in order to give the tennis-player another chance to enter a productive line of work, for the same reasons it makes sense to have universal compulsory education.

There are two more general dangers of liberal polities. One is that its presumption of freedom may create too many conflicts for the polity to contain. Second, that its basis in impersonal civility may not create sufficient bonds to underpin the kind of sacrifice all political systems depend upon. This is a problem exacerbated by the congenital suspicion of government. Let us take the second problem first. Its most searching critics have argued that liberalism cannot provide a ground for the existence of a liberal state, largely because it cannot provide a basis for obligation, representation, or any other non-self-interested action. Insofar as a liberal state can be said to exist, it does so by virtue of unstated anti-liberal practices. For this view to be correct, all nonrational political phenomenon must be defined as illiberal or unphilosophical. If this were so, then it would be impossible in principle to resolve the central liberal dilemma of the relations between a coercive state and a sovereign people. On the other hand, if one accepts the irrational basis of all belief, including the belief in peoplehood, or in equality, or rationality, or, for that matter, what the proper form of political philosophy is, then liberalism can find a basis for obligation in one at least one form of nationalism. If this can be done, then the liberal state would no longer be a contradiction in terms or a mere label one can attach at will.

But what can imbue the political process with sufficient energy and zeal to keep those who believe in a single Truth within its bounds? From the other extreme what could imbue an individualist with a sense of obligation to anything? Is it not utopian to expect the average citizen—true believer or skeptic—to revere a constitutional process or juridical democracy to a degree sufficient to overcome self-interest or deeply held convictions? Who would die for the constitution of juridical democracy, save a few geriatric liberal theorists (ourselves included)? This weakness of liberalism has long been noted.

As Harrington pointed out, [Hobbes] ignored that the effective force of the sovereign was crucially dependent on the support of private power. Therefore, as long as power was dispersed in private hands, the covenant remained 'but words and breath', a 'toy'. The sovereign who sought to overawe the wealthy by waving the sword conjured up the picture, not of mighty Leviathan, but of a 'mere spitting frog' [Wolin, p.285].

If this were true of the authoritarian Hobbes, what of more pluralistic liberals? Self-interest cannot hold the state together. But is this dispositive? Must a liberal polity be held together by self-interest or nothing?

One answer to this line of criticism was prefigured by Machiavelli, well before liberalism assumed its Anglo-American juridical structure. What would bind the citizens over and above rational self-interest of an otherwise anarchic (in its tendencies) state would be their peoplehood, that is, their devotion to being Italians. Of course, a

dependence upon nationalism to form the community of feeling necessary for a sense of obligation to obtain among citizens opens another line of criticism, theoretical and historical. Laying aside these arguments for another time, the question most relevant here is, can there be a belief which underlies liberal principles which can be the functional equivalent of nationalism? Or, alternatively, can nationalism develop around a set of principles rather than a 'tribal' group?

We realize that for many political philosophers the very consideration seems to leave the realm of rational discourse. This is not a view we share. But neither will we quarrel a view that this entire paper has been an exercise in ideology, because philosophy is conceived rationally justifiable, universally applicable, and coherently articulated principles. If the problem of liberalism, is as Held stated it, "How can the sovereign state be related to the sovereign people," then it strikes us as essential to discuss the notion of 'peoplehood,' despite its emotive, self-defining, historically grounded subjectivity. Furthermore, far from seeing this as a necessary empirical obstacle to an otherwise purely rational discussion of liberalism, we see the notion of a sovereign people as a way to resolve some of the most glaring limitations of the liberal state, not perhaps philosophically, but pragmatically.

Earlier we suggested that there may be a form of nationalism which avoids the fundamentally anti-liberal principles of tribalism or nationalism of blood, actual or mythical. The form requires that the citizens believe in the underlying principles of the liberal polity (See Chart Four) to the degree that they would rather lose a fairly fought battle than leave the polity, either actually or by alienation. In other words, the citizens believe in the legitimacy of the political processes of their polity independent of their securing favorable substantive outcomes. In Anglo-American polities, most especially the United States since the Civil War, have obtained this kind of allegiance from the overwhelming majority of its citizens. American nationalism coalesces around a set of constitutional principles, and extra-constitutional practices, emotionally buttressed by shared experience and destiny. For these reasons no one would call the United States a "spitfrog".

One of the principles which enable nationalism to work in the absence of a single tribal feeling and in the presence of multiple ethnic and racial groups is that of limited government. The less obtrusive government is, the more it keeps open access to power and economic well-being, the wider the scope of civil and political liberties and rights, the easier it is for a given ethnic group to accept an inability to become a majority. There are two importance reasons behind this acceptance: (1) Their most important rights will be protected even against the majority's will; (2) Ethnicity need not be the most powerful organizing factor in an individual's life. Thus an individual may become a member of an effective political majority which forms on some other principle. Both these reasons underline the point of having the political keyed to civility and not community. Nevertheless, an energetic, restless, individualistic, competitive population comprised of scores of ethnic groups and all the races will have more than its share of disputes. The United States is the most litigious society the world has ever known and not without reason.

This brings us to consideration of the first danger of liberal polities: that freedom will consume itself in an endless round of unresolvable conflicts. The centrality of legitimate conflict resolution for liberal polities should by now be obvious. So should the juridical emphasis for this version of the liberal polity. Juridical democracy combines—all too awkwardly for many political philosophers—the formalism of legal democracy, the diversity and complexity of pluralist democracy, and the rights-driven basis of protective democracy. All this should be relatively easy to accept. What may require some discussion is that juridical democracy has a door open to substance of community.

Any true political decision, that is, any resolution of a conflict that is more than a verbal confusion, entails the application of decision rules to a concrete set of circumstances. The archetypal example is a judicial case, but a judicial decision is only one of a series of juridical decision which take place every day in liberal democracies. Most decisions are routine dispositions of who gets what, when, where, and how. They do not bring into relief the cardinal problem set of liberal democracy, viz., the wedding of process and substance, legality and justice, fairness and legitimacy, self-interest and obligation, liberty and equality. These issues are critical for liberal polities, because pluralistic social orders do not admit of the solutions available to necessarily more monistic communities of virtue. Liberalism implies the conflict of equally valid substantive beliefs. Validity here only means that one value cannot properly eradicate another, logically or politically without violating the basis of the liberal democratic polity. The solution that "x is wrong, because x is inconsistent with the given community of virtue" is generally unavailable to juridical democracy, because the existence of a single community of virtue contradicts the premises of the pluralistic polity. At the same time, a formalistic avoidance of the conflict of substantive values also denies the basis of juridical democracy. The purpose of the liberal polity is to resolve those issues which would otherwise dissolve the state into virtuous communities. It is after all the inconveniences of the state of nature which metaphorically drove humanity into civil society. It is the removal of these Lockean 'inconveniences' that justify the liberal state. Not only must conflicts between equally valid points of view be settled, they must be settled in accordance with the felt necessities of the times without violating the premises of the liberalism. Conflict resolution must not only be efficient and fair, it must be legitimate. Even losers, even criminals, must feel they have more to gain by remaining within the liberal order than they would have by leaving it or otherwise rebelling from its authority.

But how can this legitimacy be achieved? If fairness be the long suit of liberal decisional processes, and the basis of legitimacy, its weakness is injustice, the canker of legitimacy. It is notorious that fair application of the law, or any other body of formal principles, can result in injustice. So what is it to say that liberalism as a formal process helps to guarantee a fair process? How much justification can be gleaned from the proposition that formalism (conceived of as an impersonal and impartial application of the law) yields formally fair or procedurally correct decisions? Is it proper for juridical democracy to boast that it applies the law forbidding begging or stealing equally to the rich and poor? In the final analysis, can juridical democracy provide sufficient content to justify its formalism without violating its premises?

We believe the answer is 'yes' for two related reasons. First, the formalism of juridical democracy is overstated. In any real social order, no set of principles is content-free. This is little more than acknowledging the long time criticism of liberalism that it is fundamentally an ideology not a philosophy. Its 'neutral principles' are biased, that is, they benefit one group of people to the detriment of another. All political principles have content. None is neutral. While most often this understanding of the inevitable ideological basis of all political principles has been used to criticize the overstated neutrality of liberal theory, to us it can also constitute a defense against the charge that liberalism fails because it cannot transcend its formalism. In other words, if liberalism cannot be entirely neutral in its principles, it thereby must have an opening to substance. While it may emphasize process and see itself as distinctively process-driven, it inevitably deals in substance. The opening to substance sometimes serves to reinforce the injustice which inheres in its very formalism, as radical critics would have it, but sometimes serves to provide just solutions which would be out of reach of purely formal applications of the rules were such possible.

We should like to proceed by considering juridical democracy in its most formal setting, a judicial decision, albeit, the most political of its type, constitutional adjudication. If substance can be found in these forbidding

halls, then its presence in the more ordinarily political legislature and executive can be presumed. Those readers familiar with American constitutional history can think of ready examples from the long career of the concept of substantive due process. Without being needlessly technical, substantive due process can be defined as a sense of justice or injustice, as virtual absolutes, which underlies constitutionalism. It is akin to a moral principle, although it need not be universal or rationally demonstrable. The point is that its operation should be beyond the interference of government, even when the government acts in the public interest or the common good and has otherwise proceeded properly. In the American system, according to the advocates of substantive due process, its provisions have been located in the constitution and not only in the Bill of Rights. Many cases have been decided on substantive due process grounds, often striking down federal and state legislation in the bargain. The most notorious have concerned property and contract rights in the period between the Civil War and the famous switch of the Supreme Court in the 1930's.

Substantive due process has often been proclaimed dead. Most jurists dislike the idea, perceiving it as an extra-legal absolute, much preferring positive law based on explicit constitutional provisions. But it will not die, and is often resuscitated by jurists who in other venues and on other days would have thrown substantive due process with Justice Sutherland or his ilk. Most recently it has arisen as the right to privacy, quite pointedly a concept unknown in the words of the Constitution or the Bill of Rights. Substantive due process, in the terms of this essay, is the way concepts which find their origin in communities of virtue can become appropriate for juridical democracy, notwithstanding its emphasis on civility and positive law. Substantive due process is another opening to substance in a system which is self-consciously biased towards process and uncomfortable with notions of justice which reach beyond fairness (procedural due process).

The second reason that juridical democracy may not die of its own sterility is that its antipathy to substantive virtue has been overstated. What liberalism cannot accommodate is the triumph of a single community, no matter how virtuous. Liberalism welcomes diversity and conflict, not so much because it welcomes error but because it is afraid of the Truth. As members of religious communities have long understood, as the Church appreciated throughout its long history, the Truth is singular. Error is plural. As liberalism needs to remind itself almost on a daily basis, if error is implied by pluralism, so is freedom. The 'Truth shall make you free' only if it is never found, much less revealed and capitalized. If liberalism finds the Truth anathema, it finds those who believe in it essential. Only when belief in the Truth so consumes an individual or a group that it is willing to subordinate the political order to it—including its defense of those who believe in other Truths—does the Truth become too dangerous to be allowed to act in accordance with its logic. For those who may be disturbed by the pragmatic nature of this exposition, we can only say that liberalism's expression in juridical democracy has been the only way so far devised by human beings in modern times to allow notions of freedom, fairness, substantive justice, civility and community, not only to coexist, but to support each other in circumstances of unprecedented and widespread prosperity

CHART FOUR POLITICAL DEMOCRACY

Principles of justification

Citizens require protection from the governors, as well as from each other, to ensure that those who govern pursue policies that are commensurate with citizens' interests as a whole

The majority principle is an effective and desirable way of protecting individuals from arbitrary government and, therefore, of maintaining liberty

For political life, like economic life, to be a matter of individual freedom and initiative, majority rule, in order for it to function justly and wisely, must be circumscribed by the rule of law

Nevertheless, minorities can often function as if they were majorities, especially in sub national settings, like states and localities

Minorities function as a crucial obstacle to the development of excessively powerful factions and an unresponsive state

Constitutional rules embedded in a supportive political culture

Key features

Constitutional state (modeled on features of the Anglo-American political tradition, including clear separation of powers)

Centrality of constitutionalism to guarantee freedom from arbitrary treatment and equality before the law in the form of political and civil rights or liberties, above all those connected to free speech, expression, association, voting and belief

Sovereignty ultimately lies in the people, but is vested in representatives who can legitimately exercise state functions

Regular elections, the secret ballot, competition between factions, potential leaders or parties and majority rule are the institutional bases for establishing the accountability of those who govern

Citizenship rights, including one-person-one-vote, freedom of expression, freedom of organization

Competitive electoral system with (at least) two parties

State powers must be impersonal, i.e., legally circumscribed, and divided among the executive, the legislative, judiciary, and the administrative bureaucracy

Separation of state from civil society, i.e., the scope of state action is, in general, to be tightly restricted to the creation of a framework which allows citizens to pursue their private lives free from risks of violence, unacceptable social behavior and unwanted political interference

Minimal state intervention in civil society and private life

Free-market society given fullest possible scope

Governments mediate and adjudicate between demands of diverse range of (overlapping) interest groups seeking political influence

General conditions

Power is shared and bartered by numerous groups in society

Wide resource base of different types dispersed throughout population

Value consensus on political procedures, range of policy alternatives and legitimate scope of politics

Balance between active and passive citizenry sufficient for political stability

Development of a politically autonomous civil society Private ownership

of the means of production Competitive market economy

Extended territorial reach of the nation-state

Effective political principles guided by liberal principles

Minimization of excessive bureaucratic regulation

Restriction of role of interest groups (e.g. trade unions)
adapted from David Held, *Models of Democracy*

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