

A CONNECTED CRITIC

Can Michael Walzer Connect
High-Modernity with Tradition?

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FOREWORD

This work is the fruit of a seven year research in the University of Leuven. It first appeared in the form of a dissertation in 2003.

Studying in Europe is a wonderful adventure. From time to time, I have travelled to other European countries to get a first hand knowledge of the cities, the people, and their life. I would like to thank them for their hospitality. Thanks go particularly to the Belgians, my host, and to the residents of Leuven where I have spent most of my time. I am grateful to the European people for giving me an opportunity to understand their life, their social establishments, their history, and their culture. This experience has enriched and refined my framework of perception. Had I not lived in Europe, I might not have acquired the perspective to understand properly the paper world in the books. I am also very grateful to the university, my *alma mater*, who has provided me with an excellent learning environment, and granted me a scholarship through the Interfaculty Council for Development Co-operation from 1999 to 2003.

Another half of my adventure is intellectual and spiritual. It is done mostly in the lecture halls, in the libraries, at home, on my writing desk, and in my bed. For this part of the journey, I have to thank the professors of Leuven, especially the professors of the Faculty of Theology. Many of their lectures have stimulated my thought, and I have integrated their valuable ideas in my dissertation here and there. One name I do like to mention is Professor Johan Verstraeten. He has been my promoter for the entire eight years of my study. I am grateful for his teaching, his guidance, his encouragement, and his help. I appreciate deeply his criticism and his tolerance, through which he exposes my weaknesses without imposing himself. My wife Ka Yee is another name I would like to mention. Ka Yee is the boon companion of my adventure. She has had her own adventure, there is no doubt about it. But she has been my companion in the physical journey, and sometimes she joins me as well in my intellectual and spiritual journey. She has read my manuscript, criticized me, and improved my grammar and style. In my hard times, she would also take up extra housework. I sincerely thank her for all the things she has done for me. Looking back to the past years, I must say I am greatly content with my adventure.

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INTRODUCTION

Michael Walzer is one of the most prominent contemporary critics of liberal society. The critical quality and the import of his writings are recognized by both friends and foes. His works are widely read and commented. A collection of literature has thus gradually built up. The opinions of Walzer's critics are contradictory, and some of them are even formulated on the basis of inaccurate interpretations of Walzer. Moreover, most of the critiques are piecemeal journal articles centring around the just war theory and the theory of distributive justice. Few critics, if not none, have attempted to connect the former universalist theory with the latter particularist one, let alone to construct an overall view of Walzer's ethical theory.

This dissertation undertakes to accomplish two objectives in the view of filling in the aforesaid gap. One is to clarify and elaborate Walzer's theory, and the other to represent it in a comprehensive and systematic way. But a word has to be said as to why they should be done by a religious ethicist. In the first place, Walzer is a careful observer and a penetrating critic of liberal society and liberal theory. Through his criticism, we can gain a better understanding of the dominant social structures and their legitimating ideas. What is more, Walzer is following the example of the ancient Israelite prophets in his practice of social criticism. His career can be seen as a continuation of the prophetic tradition. The main task of prophet is to articulate the deepest aspirations of the people, which is embedded in their shared understandings. Walzer thinks that this task should also be the task of modern social critics. He thus dares to go into the morass of cultural traditions, to try to uncover the deepest aspirations of modern men and women, and to express them in their common language. This prophetic social criticism can to a large extent connect the deracinated modern man to his root. The exegete Walter Bruggemann, in a review of Walzer's book *Exodus and Revolution*, recognizes his effort in connecting biblical narrative with contemporary political theory and practice, and praises his contribution to interdisciplinary conversation.¹ Such remarks can actually be applied to Walzer's critical career as a whole. He has demonstrated one of the effective ways to revive the prophetic spirit in the modern world.

The primary audiences in my mind are the Western readers and my fellow countrymen. They are two different groups of people. I will try my best to find a balance between their concerns. At the same time I will not ignore the broader audience, to them I will try to make myself understandable. The parts of the world where I have lived are liberal societies. I am committed to the concerns of ordinary people and intend to empower them to live a more conscious life by providing them with a coherent

1. "What is important about this book is not what is said," Bruggemann comments, "for it has been said before ... What is important is that Walzer says it... what he has accomplished is to show the enduring practical power of the Exodus narrative to be a source and legitimation of revolutionary thought and action... *Exodus and Revolution* is welcome because it invites interdisciplinary conversation around fresh stirrings in Scripture study." (W. BRUGGEMANN, Review of M. WALZER, *Exodus and Revolution* [New York, NY, 1985], in *The Christian Century*, 27 November 1985, pp. 1098-1099.)

view of the moral world they live in. With such purpose in mind, I am convinced by Walzer that moral theory is best to be couched in the common language understandable by ordinary people.

For a correct interpretation of Walzer's writings, it is crucial to locate him in the current map of thought. Recently, two trends have emerged and posed themselves as rivals to liberalism. They are commonly known as communitarianism and postmodernism. It seems to me that neither of them can adequately explain Walzer's project. Very often Walzer is categorized under the banner of communitarianism. If we take the broad meaning of communitarianism as a re-emphasis on the importance of culture and community, Walzer's theory can indeed be regarded as a communitarian critique of liberalism. However, there are signs revealing that Walzer intends to distance himself from the communitarians. First of all, Walzer never admits he is a communitarian, rather he repeatedly calls himself a "social democrat." In the article titled *The Communitarian Critique of Liberalism*, Walzer criticizes the communitarian endeavour as a meaningful but futile action. According to his analysis, liberalism is the mainstream political thought of modernity, and communitarian critique is but a recurrent feature of liberal politics and social organization. Communitarianism cannot exist without liberalism: it is a parasite of liberalism. In contrast, social democracy, notwithstanding the fact that it is a communitarian critique, has established for itself a permanent place in modern politics. Its success lies in the social democrats' acceptance of the market economy. They share the same commitment as the liberals to economic growth, but they deal with the subsequent social problems differently. This strategy has succeeded in promoting democratic socialism as an alternative to liberalism.²

Could Walzer's writings be seen as a kind of postmodern theory? Apparently, socialism has long been regarded as the post-capitalist social structure. Some people even believe that socialism will finally replace capitalism and become the dominant organizing ideal. Since capitalism is one of the main institutions of modernity, its downfall will definitely inaugurate a new social epoch. If Walzer is interpreted in this line of thinking, he may be called a postmodern theorist. But this is not how Walzer understands himself. In fact, he never acknowledges that he is a postmodern thinker. He seldom mentions the word "postmodernity." To my knowledge, Walzer only discusses postmodernity in the last part of his book *On Toleration*, where he discerns the appearance of a new social phenomenon—the multicultural selves, especially in immigrant societies, which may perhaps be called a postmodern condition.³ He then goes on to speculate whether this postmodern condition will eventually force him to rewrite his socialist programme. In the end, he insists that his programme is capable of accommodating the new condition. Indeed, the postmodern theory cannot adequately handle the tension between multiculturalism and individualism. Walzer believes that democratic socialism is the best political creed that can defend the kind of toleration needed in multicultural societies.

Walzer is neither a communitarian nor a postmodern theorist. He is rather a connected, marginal liberal critic who criticizes liberalism for its own sake. He is not trying to replace liberalism with some new theory of his own, he is simply working out a sociologically accurate liberal theory that matches more closely to the existing liberal society. Walzer observes that liberalism cannot satisfactorily deal with some situations emerged in the process of modernization. He sees it as his duty to derive an improved version of liberalism that will better serve modernity. Since his methodology, argumentation, and political proposals are distinctively different from traditional liberalism, his theory deserves the new name "democratic socialism."

How should we then understand the newness in Walzer's theory? I suggest that it should be interpreted, to borrow Anthony Giddens's words, as a "high modernity"—"as modernity coming to

2. M. WALZER, *The Communitarian Critique of Liberalism*, in *Political Theory* 18 (1990) 6-23, pp. 6-7.

3. Cf. M. WALZER, *On Toleration*, New Haven, CT - London, 1997, p. 87.

understand itself rather than the overcoming of modernity as such.”⁴ Modernity is a critical enterprise. It is critical of tradition. But when it is in its early stage, it is not critical enough of itself. When modernity reaches its maturity, it becomes conscious or reflexive of its own true nature. It is driven by its nature to criticize itself. A mature modernity comes to acknowledge that it cannot reform the world as it wishes, and that it has to adapt itself to the consequences of modernization. Walzer’s criticism of liberalism is best understood as such. His theory is a liberalism of a mature kind, which attempts to reconnect modern men and women to the existing but suppressed tradition.

Walzer is hardly a systematic writer. One should not expect him to confine himself within a neatly constructed theoretical framework. Nevertheless, I choose to present him systematically in order to help my readers understand him. As it is a project on Walzer, I would limit the promotion of my own ideas so that the readers can see his portrait rather than my own. And in so doing, I hope to give the author his due respect.

The content of the dissertation is divided into six chapters. The first three chapters deal with the theoretical dimensions of Walzer’s ethical theory while the rest with practical moral issues. Walzer’s basic ethical standpoint will be developed at the outset. Walzer has proposed a new ethical position, namely particularism, which holds that moral culture is particular *per se*, but contains nonetheless some universal elements. His ongoing task then is to try to formulate a particularism that can accommodate universalism. Since he has argued for particularism in various ways, a historical approach may best serve to clarify his position.

Chapter Two explores the theoretical foundation of Walzer’s ethic—shared understanding. Walzer claims that his is a non-foundational ethic. Though Walzer refuses to connect his overall ethical theory to the nature of man, or to God, or to the cosmos, an investigation of his works shows that his theory has in fact a sociological/anthropological foundation, which supports his particularist position. What “non-foundational” really means is that the foundation needs not be systematically laid down. Since this approach has caused serious confusion, it is necessary to elucidate it further. Chapter Three continues to explore the interpretive method that is used to access the shared understandings. We will first establish the statement that ethics is mostly interpretive before we go on to extract, in the light of Fernand Braudel’s social time, four interpretive principles from Walzer’s writings.

Chapter Four investigates the reference point from which an intellectual can criticize the world. The Greek philosopher Archimedes is thought to have boasted: Show me a reference point, and I will move the earth. A reference point is also crucial for social criticism. But modern critical theorists try to defy this rule and propose instead detachment. They claim that detachment is the primary requisite of a social critic. Walzer opts for the traditional wisdom rather than the modern one. He opines that detachment is the main cause for the failure of the twentieth-century socialist movement, and insists that connection is necessary for a successful critical enterprise. For him, the *topic* intellectual is the ideal social critic. To prove his case, he erects the Israelite prophet as a paradigm of social criticism and substantiates his argument with the lives of eleven modern critics. We will argue that on the one hand Walzer’s prophetic criticism is a plausible paradigm for modern social critics, but on the other it is not entirely prophetic. Moreover, some of Walzer’s “true” critics do not comfortably fit into his prophetic paradigm. These critics, we will demonstrate, actually belong to another company of social critics which has its origin in Jesus of Nazareth.

After locating the standpoint of Walzer’s *topic* intellectuals, we will proceed to Walzer’s theory of domestic justice in Chapter Five. It is not surprising that as a *topic* intellectual, Walzer takes a particularist approach in his discussion of distributive justice. He argues not only that justice is particular, but also that liberal society has separate spheres which operate according to their own

4. A. GIDDENS, *The Consequences of Modernity*, Stanford, CA, 1990, p. 48.

principles of justice. But the autonomous operations in the spheres should never be allowed to undermine membership for the very reason that the existence of a political community is to foster a particular national identity. We will focus our discussion on three main issues: (1) liberal society has separate spheres of justice; (2) a mature liberalism necessarily passes into democratic socialism; (3) complex equality is a more plausible form of equality. The purpose of this chapter is to give an overview of Walzer's conception of a mature modern society and to clarify the above issues.

The final chapter turns from domestic society to international society. Our *topic* intellectual is not indifferent to international affairs. On the contrary, Walzer concerns himself very much with the morality of war. Standing though on a particularist ground, he has no difficulty in finding a universal moral language to address the just use of violence in international relations. We will show that his interpretation of war morality from the deontological perspective is inconsistent, and that the overall structure of his argument is only partly correct. We will also contend that his argument for the mass killing of innocent people in supreme emergency is both unsubstantiated and morally wrong. As for the other issues in international relations, Walzer's chief objective is to maintain a balance of power. His proposals on the subjects of national toleration, national liberation and the future world system are not original. But his contribution of a political structure of signification is helpful for a better understanding of the characteristics of a global régime.

I. MORAL PLURALISM

A. THE RADICALIZATION OF UNIVERSALISM

Modernity is a project that strives to reshape the old pluralistic world into a uniform mode by using a standard universal rationality. Interestingly enough, the outcome of modernization in a liberal state such as the United States is anything but uniformity. What turns out, instead, is a religiously, morally, and politically pluralistic society. People living in a liberal state like this, Alasdair MacIntyre perceives, are entangled in conflicting claims devoid of rational justification. The picture he portrays is a fragmented society with fragmented selves. He attributes this phenomenon to the failure of modernity. Advocates of modernity believe in a universal rationality. But thinkers of the Enlightenment and their successors have been proved unable to reach a broad consensus of what this rationality is. They put forward a variety of conflicting answers. “One kind of answer was given by the authors of the *Encyclopédie*,” MacIntyre observes, “a second by Rousseau, a third by Bentham, a fourth by Kant, a fifth by the Scottish philosophers of common sense and their French and American disciples.” Each claim tries to compete with the others but without great success. Academicians are entrenched in their own positions and engaged in an endless contest. Their debates, so far, have done more harm than good, for the debaters have already determined not to be convinced by other rationalities and to meet every challenge by counter argument, yet ordinary people are confused by their arguments and become cynical to rational justification. Gradually this cynicism gives way to a kind of fideism. “Fideism has a large, not always articulate, body of adherents,” warns MacIntyre, “and not only among the members of those Protestant churches and movements which openly proclaim it; there are plenty of secular fideists.” “Consequently,” he continues, “the legacy of the Enlightenment has been the provision of an ideal of rational justification which it has proved impossible to attain.”¹

The unsettling American public life has also been documented by some sociologists. They are not satisfied with this situation either, and have suggested some solutions. MacIntyre’s proposal is different: he thinks that the ultimate solution has to be found in tradition. Modernity, he argues, doubly confuses us by excluding tradition from our sight. Its overemphasis on reason and its antagonism towards tradition blind its children from seeing the impacts of tradition upon their life. After having studied some prominent Western traditions, MacIntyre concludes that traditions are still present in liberal society, though often in fragmented and disguised forms. He reports that “it is indeed a feature of all those traditions with whose histories we have been specifically concerned that in one way or another all of them have survived so as to become not only possible, but actual, forms of practical life within the domain of modernity.”² Furthermore, people mix liberalism and fragments of traditions in their own ways: “they tend to live betwixt and between, accepting usually unquestioningly the assumptions of the dominant liberal individualist forms of public life, but drawing in different areas of

1. A. MACINTYRE, *Whose Justice? Which Rationality?*, Notre Dame, IN, 1988, pp. 5-6.

2. A. MACINTYRE, *Whose Justice?*, p. 391.

their lives upon a variety of tradition-generated resources of thought and action, transmitted from a variety of familial, religious, educational, and other social and cultural sources.”³ On the whole, the citizens of liberal states are neither liberal nor traditional. They live in a liberal social framework while unknowingly choose a combination of human values from different traditions. According to MacIntyre, a tradition that embraces rational enquiry as a constitutive part can provide people with a coherent understanding of their relationships with society and nature. Modernization has deprived us of our consciousness of tradition, and thus, of a way to the wholeness of life. Only by anchoring oneself to one particular tradition and engaging in dialogue with rival traditions can one overcome the drawback of the unfinished and unfinishable modernity.

MacIntyre’s proposal, though sounds plausible, is only a hypothesis. We have to wait and see how the project will be substantiated before giving our final judgement. Nevertheless, we can foresee the formidable, if not insolvable, problem of plurality, that is, how to construct, from the perspective of a particular tradition, a common morality, which will be accepted by other fellowcitizens holding other traditions. MacIntyre is not optimistic of finding a compromise among the traditions; he would probably just find a *pot-au-feu* of traditions so distasteful that he would never recommend it. He hints that the final solution must come as a result of the competition between rival traditions. In the end, only the fittest tradition will survive.

Another solution is to select a popular theory as the basic theoretical framework, and then brings in other theories as corrections so as to produce an improved version. Hopefully, the amalgamated programme will appeal to a wider audience. This strategy is adopted by John Rawls. In the preface of his *Theory of Justice*, Rawls underlines that utilitarianism has been the “predominant systematic theory” in modern moral philosophy. Since the great utilitarians such as Hume, Adam Smith, Bentham, and Mill were both social theorists and economists of the first rank, the moral principles they worked out could be fitted into the comprehensive scheme of political economy.⁴ Unfortunately, many utilitarian implications clash with our moral sentiments. One of the basic flaws often criticized is that the application of the theory often results in unfair distribution of goods, even though it intends to treat people justly. The utilitarian, as one critic succinctly sums up, “allows one person’s happiness to compensate for another’s misery.”⁵ With the intention to replace utilitarianism, Rawls sets out to reformulate a social contract theory based on the works of Locke, Rousseau, and Kant. First of all, Rawls affirms that every person has some basic rights and liberties which are inviolable and untradable. But he also recognizes that inequality is a persistent social phenomenon. In order to account for the differences among people, he allows some inequalities on condition that the benefit of the least-advantaged will be maximized. Based on the model of Kant’s categorical imperative, Rawls invents the Original Position. Then, by using “the English economics,” he shows that “good will” coincides with “practical reason”—both of them endorse the difference principle. The purpose of this synthesis is to provide a workable framework for a liberal society. “My hope,” Rawls declares, “is that justice as fairness will seem reasonable and useful, even if not fully convincing, to a wide range of thoughtful political opinions and thereby express an essential part of the common core of the democratic tradition.”⁶ As a matter of fact, Rawls’s enterprise has been widely praised, and his moderate objective has, to a certain degree, been realized.

3. A. MACINTYRE, *Whose Justice?*, p. 397.

4. J. RAWLS, *A Theory of Justice*, rev. ed., Cambridge, MA, 1999, pp. xvii-xviii.

5. P. PETTIT, *Judging Justice. An Introduction to Contemporary Political Philosophy*, London, 1980, p. 135. Pettit also gives an unhappy incident showing that treating people as equals in the utilitarian mould means treating them unequally (*ibid.*, pp. 130-131).

6. J. RAWLS, *A Theory*, p. xi.

Not everyone agrees with Rawls, though. MacIntyre would probably not accept his theory, and Walzer has constructed a new theory of justice to rival his. Looking from the perspective of MacIntyre, Rawls's proposal is at best a working theory that provides a *modus vivendi*. It scarcely touches upon the problem of how a person in late-modern society can respond to tradition and multiculturalism. On the other hand, MacIntyre's solution appears to be backward-looking. He proposes to return to tradition, but he has not sufficiently considered the present conditions. It seems that he is not sensitive to the "arrow of time," which carries society along an irreversible path.⁷ A better approach would be one that connects the present conditions with the past, and at the same time looks forward to the future.

Walzer is a connected forward-looking social theorist. By taking a long view, he perceives the present problem from a historical perspective, and proposes a solution which is a reasonable historical development of the past. One of the techniques he employs in finding the new directives can be summed up as the radicalization of modernity. He takes up the doctrines of modernity and uses them to measure modernity itself. If the standards of modernity are strictly applied to modernity, it will give quite astonishing results. For instance, if we apply universality to universalism, the result will be a pluralism.

Kant formulates the universal rationality as the categorical imperative: "Act only according to that maxim whereby you can at the same time will that it should become a universal law."⁸ Kant's universal rationality involves an act of will. By willing it universally, I decide that other people will it too. Undeniably, the success of modernization rests on imposing a unified will on society and the environment alike. But this is only half of the modern art. The other half relies on the ability to adjust one's will in response to the reactions of the others. In science, we do experiments and use the data to modify our theories. In politics, we set up democratic system and accommodate the preferences of the people. This mechanism is commonly called "reflexivity." Rawls takes up reflexivity in philosophy too. He claims that he is using the method of "reflective equilibrium"—that is, by going back and forth between principles and moral judgements—to formulate his two principle justice.⁹ Nevertheless, one may still criticize his primary aim. His philosophical intuition for unity, one may say, has overcome his reflexivity so that he fails to reflect upon the proposition of a single unifying principle. He wills to find a simple set of universal principles. But could this adequately accommodate the complex and often conflicting moral opinions of peoples? Reflexivity requires us to doubt even the fundamental tenet.

In reality, we have a variety of rationalities. There never exists a single universal principle that rules over the world of opinions regardless of time and space. This phenomenon is probably due to the fact that human beings are creative. We have commonalities because of our human nature, and we have differences because of our creativity. It thus follows that what is really universal is not our rationality but our commonalities and differences. Walzer takes this position as his point of departure. He says, "We are very different, and we are also manifestly alike. Now, what (complex) social arrangements

7. The term "arrow of time", which is explained in chapter 3, comes from Ilya Prigogine. Cf. I. PRIGOGINE & I. STENGERS, *Order out of Chaos. Man's New Dialogue with Nature*, London, 1984; I. PRIGOGINE, *The End of Certainty. Time, Chaos, and the New Laws of Nature*, New York, NY, 1997.

8. I. KANT, *Grounding for the Metaphysics of Morals*, in J. W. ELLINGTON (trans.), *Ethical Philosophy. The Complete Texts of Grounding for the Metaphysics of Morals and Metaphysical Principles of Virtue*, Indianapolis, IN, 1983, p. 30.

9. J. RAWLS, *A Theory*, p. 18.

follow from the difference and the likeness?"¹⁰ The proposal he gives is a moral pluralism that can accommodate both universality and particularity.

B. ABUSIVE UNIVERSALISM

The struggle between moral universalists and moral relativists has a long history. Both sides have had their own faithful adherents and outstanding spokesmen. Sometimes one camp gains the upper hand, and sometimes the other. But so far, neither side has won a complete victory. It seems that the debate will go on and on without a foreseeable end. Walzer is reluctant to go into this battleground for fear that once inside, there will be no way out. His interest lies more in the practical moral issues: how to make moral decision, what justice requires here and now, when to intervene, etc. Nonetheless, as an ethicist, Walzer can hardly ignore the issue that the universalists and the relativists are struggling for. He recognizes that universality and particularity will always be two permanent features in morality, but he does not conceptualize them from either the universalist or the relativist perspective. He chooses to look at this problem afresh—from the standpoint of making practical moral decision. Thus, the question for him is no longer whether morality is relative or universal, but rather how to give a reasonable explanation to the two seemingly antithetical phenomena displayed in morality.

Walzer is sympathetic to the relativist claim that morality is uniquely connected with a particular society, which is *prima facie* a historical reality. Such historicity has always been the Gordian knot for the universalists, who have long tried to transcend it by various means. The pragmatic response, for Walzer, is neither transcending particularity nor denying the universality of humanity, but to find out their functions in practical moral reasoning. He thus allocates universality to international justice, and particularity to domestic justice. If each of them is confined to its own domain, there will be no more conflict. To distinguish himself from the universalists and the relativists, Walzer calls himself a "particularist."¹¹ His argument for particularism consists of two main parts: a refutation of universalism and a harmonization of particularity and universality. It is important to lay out Walzer's criticism beforehand in order to explain his apparent favouritism towards particularity. He has two good reasons to disparage universalism. First, universalism is often used by aggressive countries as a cover to stage an attack on another country or to expand their territories. Second, universalism leads to a single-minded pursuit of simplicity, which overlooks the complexity of the real moral world. The undesirable elements in universalism stem from two sources: one from Judaism, and the other from Greek philosophy. In what follows we will look into them separately and then explore their misuses.

1. Jewish religion

Judaism can be interpreted as a universal religion.¹² In its creation narrative, the God of Israel is described as the creator of the universe. He creates the world in six days, and assigns a function to every creature he brings into existence. Thus the world is transformed from the primordial chaos into

10. M. WALZER, *Spheres of Justice. A Defense of Pluralism and Equality*, Oxford - Cambridge, MA, 1983 (repr., 1996), p. xii.

11. See M. WALZER, *A Particularism of My Own*, in *Religious Studies Review* 16 (1990) 193-197.

12. Judaism may have gone through various stages of development before it finally produces a monotheistic theology. But I would refrain from discussing its history here.

an ordered paradise where men and women stage their adventure. Among the nations on earth, God chooses Israel, and gives them the Law. They are to live as a kingdom of priests, a holy nation, and a light unto the world. One God, one Law, one Chosen Nation, these three make up a seedbed for universalism. Generally speaking, universalism means a comprehensive view of the whole. But there can be many equally valid views of the unity, and thus different versions of universalism. In fact, the canons of Judaism and Christianity themselves have already contained different kinds of universalism.¹³ As it is not our purpose here to explore the various kinds of universalism, we shall focus only on a specific universalism which has dominated the Western world. Walzer calls it the “covering-law universalism.” This universalism, as Walzer elegantly articulates, “holds that as there is one God, so there is one law, one justice, one correct understanding of the good life or the good society or the good regime, one salvation, one messiah, one millennium for all humanity.”¹⁴

The notion of the covering-law universalism can be found in some prophetic books, especially in Isaiah. In one passage, we are told that the end of human history will be the final victory of Yahweh, that his holy mountain Zion will be exalted over all mountains, and that his law will prevail forever. All nations will be subdued, weapons will be destroyed, and a perpetual peace will be established on earth:¹⁵

And it shall come to pass in the last days, that the mountain of the Lord's house shall be established in the top of the mountains, and shall be exalted above the hills; and all nations shall flow unto it. And many people shall go and say, Come ye, and let us go up to the mountain of the Lord, to the house of the God of Jacob; and he will teach us of his ways, and we will walk in his paths: for out of Zion shall go forth the law, and the word of the Lord from Jerusalem. And he shall judge among the nations, and shall rebuke many people: and they shall beat their swords into plowshares, and their spears into pruninghooks: nation shall not lift up sword against nation, neither shall they learn war any more.

The vision of all nations going up one mountain, prostrating before one God, and walking under one Law was a hope shared among the Jews in the prophetic period, or at least among the literary élite.¹⁶ It is repeated thrice in Isaiah that the servant of God will be “a light to the Gentiles.”¹⁷ Who this servant is is unclear in the texts and hence open to speculation. Perhaps he is a certain king of Judah, or a future leader of Israel. Or he is just a symbol of the whole Israelite nation, or he is indeed Jesus of Nazareth as the Christians have proclaimed. No matter who this servant is, the passages point towards a universal history: Israel is chosen not only for its own sake but also for the whole human race; the Jews are erected as the representative for all nations. It follows that only the history of Israel has meaning and significance; all the other nations are living purposelessly waiting to be enlightened.

13. For discussions of different kinds of universalism, see J. D. LEVENSON, *The Universal Horizon of Biblical Particularism*, in M. G. BRETT (ed.), *Ethnicity and the Bible* (Biblical Interpretation Series, 19), Leiden, 1996, 142-169; J. M. G. BARCLAY, *Universalism and Particularism. Twin Components of Both Judaism and Early Christianity*, in M. BOCKMUEHL & M. B. THOMPSON (eds.), *A Vision for the Church. Studies in Early Christian Ecclesiology in Honour of J. P. M. Sweet*, Edinburgh, 1997, 207-224.

14. M. WALZER, *Nation and Universe*, in G. B. PETERSON (ed.), *The Tanner Lectures on Human Values*, Vol. XI, Salt Lake City, UT, 1990, 507-556, p. 510.

15. Is 2,2-4. Quoted from the King James Version. Walzer prefers this version because the early political reformers and revolutionaries used it. Therefore, I shall follow Walzer's practice. All biblical quotations will be quoted from the King James Version unless otherwise stated.

16. P. D. HANSON, *The People Called. The Growth of Community in the Bible*, San Francisco, CA, 1986, pp. 312-324.

17. Is 49,6; 42,6; 60,3.

Until they go up the mountain, their life is meaningless. In this way, the theology of one god is elaborated into a universal history hinging on one nation.

It is paradoxical that the bearer of the universal history has manifested itself as an exclusive faith, the very emblem of a tribal religion. Why have most of the Jews been uncommitted to the holy mission of universalizing their creed? Walzer suggests that the doctrine of the universal history has something to do with the “experience of triumph.”¹⁸ It is true that the notion of universalism is embedded in Judaism, but its elaboration and propagation require the sustained effort of its believers, who can only be motivated by pride or by a sense of victory. Since the ancient Jews lacked both, it is not surprising that Judaism has not evolved into a kind of triumphant universalism, Walzer reasons.

What the Jews did not manage to accomplish, the Christians have achieved. At the start, Christianity was merely a sect of Judaism. However it was able to break open the constraint of Jewish ethnicity by transforming the peculiar, myriad rites and laws of the Jews into universal symbols. The early Church claimed that it had fulfilled the eschatological biblical prophecy: it was now the last days, the Church was the true Israel and the heir of God’s promise to Abraham. One of the often-quoted texts which asserts this claim can be found in the letter of the apostle Paul to the church of Ephesus:¹⁹

Wherefore remember, that ye being in time past Gentiles in the flesh, who are called Uncircumcision by that which is called the Circumcision in the flesh made by hands; That at that time ye were without Christ, being aliens from the commonwealth of Israel, and strangers from the covenants of promise, having no hope, and without God in the world: But now in Christ Jesus ye who sometimes were far off are made nigh by the blood of Christ. For he is our peace, who hath made both one, and hath broken down the middle wall of partition between us ... Now therefore ye are no more strangers and foreigners, but fellowcitizens with the saints, and of the household of God.

The covering-law universalism in Christianity has basically the same form as that in Judaism except that Christ Jesus, in place of Israel, plays the pivotal role in the world history. Christ is the holy temple. Through his death on the cross, all nations are brought into mystical communion with God—the final destiny of humanity. There is no more distinction between Jews and Gentiles. By faith, people are granted equal citizenship in the heavenly kingdom. In this way, Christianity turns itself into a universal religion characterized by its zeal for mission. And the covering-law universalism, Walzer observes, attains its standard form in the hands of the Christians.

Walzer is not ignorant of the fact that in the Christian doctrine, it is the sacrifice of the Son of God rather than the law that covers all men and women.²⁰ To the Christians, “Christ died for your sins” is a timeless truth that can be applied to any person, at any time, and in any place. Faith in Christ, nevertheless, does not destroy the law.²¹ Christians, except for a few extremists, have never denied the relevance of the laws or the moral rules in the Bible, though which set of laws should be kept and which should be ignored vary from time to time and from community to community. To some, the Christian morals serve as the perfect codes of conduct and provide a yardstick by which the non-Christians are measured, if not publicly, at least privately among themselves. Strange though it is, they have not been led by such practice to a form of Jewish legalism, nor have they given up their claim to be the bearer of the good life and the good society.

One thing that Walzer has not clearly articulated is that the covering-law universalism is not merely a set of universally applicable moral norms. Rather, it has to be understood, and indeed more appropriately, within the framework of a particular view of world history, namely the so-called salvation history. According to this understanding, God creates the world from a plan and for a

18. *Nation*, pp. 510ff.

19. Eph 2, 11-22.

20. Cf. *Nation*, p. 510.

21. Cf. Mt 5, 17; Jas.

purpose. That purpose is progressively revealed in the course of human history. Yet, not every national history is significant, at least not equally significant. Only the history of the chosen people is related to the salvific plan of God, first the Israelites, then the Christians (the spiritual Israelites). God dwells among his chosen people, who see themselves as the representative of humanity and the only ones who lead a meaningful life. They call the other people gentiles or heathens, which carry the pejorative meaning of a lower humanity. The pagans are “aliens” from the commonwealth of the saints, and “strangers” from the promise of God, hence they have absolutely “no hope” unless they are converted and incorporated into the body of Christ. There is scarcely anything that the saints can learn from the history of the heathens. In short, the covering-law universalism consists of this general form: one origin, one world history, one authentic people, one law, one good life, and one mission. Such has become the standard form of universalism in the Western culture, whose different versions can be found in the Hegelian/Marxist philosophy of world history, in the social theory of progress, and in the political theory of liberalism.

2. Greek philosophy

The other origin of universalism, which Walzer frequently mentions and repudiates, is the ancient Greek philosophy. He thinks that the search for singularity and uniformity is “overdetermined” in Western philosophy, that is, the search for a single principle or a set of principles has almost been the sole task of philosophers. This, relative to the covering-law universalism, can be called the singular universalism. Walzer sees the singular universalism as one of the chief enemies of pluralism. He has devoted at least four books to counterclaim this tradition.²² He argues that plurality is a reality of our world. To subdue plurality under one single principle is to mistreat the otherness of reality; this amounts to an act of tyranny. While fiercely denouncing the singular universalism, Walzer scarcely writes about its origin. Maybe he assumes that his Western readers are already well informed of this tradition. It would be trivial to repeat what is so obvious. But those who are not well versed in Western philosophy will find it hard to understand why Walzer and his antagonists should spend so much time on this. For the sake of this group of readers, I will give a short account of the singular universalism. For those who are familiar with this subject, they may as well skip this section and go directly to the next section.

A Neo-Platonist philosopher, Dominic O’Meara, once made a penetrating remark about the deep-seated Western way of thinking: “Throughout the history of philosophy and science can be found the idea that everything made up of parts, every composite thing, depends and derives in some way from what is not composite, what is simple.”²³ He calls this idea the “Principle of Prior Simplicity.” O’Meara is right: the reduction to the simple is certainly the most important methodology in philosophy and in science. It is, however, not merely a means but also the goal of the reflective enterprise. Philosophers believe that what is more simple is more real—the simpler, the realer. The simplest is the realest substance that causes everything into being. And the ultimate reality embodies the truth, the good, and the beauty. Thus, the search for the simple is the destiny and the passion of life. We can find an extensive record on the pursuit of the simple in the writings of Plato, who first

22. *Spheres; Interpretation and Social Criticism*, Cambridge, MA – London, 1987 (repr., 1993); *The Company of Critics. Social Criticism and Political Commitment in the Twentieth Century*, New York, NY, 1988; *Thick and Thin. Moral Argument at Home and Abroad*, Notre Dame, IN – London, 1994.

23. D. J. O’MEARA, *Plotinus. An Introduction to the Enneads*, Oxford, 1993, p. 44.

discriminates the world of sensible things from the world of Forms or Ideas. His is a philosophy of Ideas. Since Plato wrote so much about Ideas, it is advisable to begin with a summary report given by his pupil Aristotle:²⁴

For, having in his [Plato] youth first become familiar with Cratylus and with the Heraclitean doctrines (that all sensible things are ever in a state of flux and there is no knowledge about them), these views he held even in later years. Socrates, however, was busying himself about ethical matters and neglecting the world of nature as a whole but seeking the universal in these ethical matters, and fixed thought for the first time on definitions; Plato accepted his teaching, but held that the problem applied not to sensible things but to entities of another kind—for this reason, that sensible things, as they were always changing. Things of this other sort, then, he called Ideas, and sensible things, he said, were all named after these, and in virtue of a relation to these; for the many existed by participation in the Ideas that have the same name as they....

Since the Forms were the causes of all other things, he thought their elements were the elements of all things. As matter, the great and the small were principles; as essential reality, the One; for from the great and the small, by participation in the One, come the Numbers.

The above passages are complicated, obscure, and at some points, inaccurate. They can nonetheless serve as a starting point for our appreciation of the Principle of Prior Simplicity at work in the thought of Plato. First of all, we are told that Plato accepts the Heraclitean doctrine that all sensible things are in a constant flux, and that what is in constant flux cannot be known. Heraclitus sees the world changing unceasingly. If something is changing continually, no true statement about it can be made. Thus he concludes: “it is impossible to step twice into the same river.” The reason is that the river which the person first stepped into has changed—it will never remain the same river. Cratylus even pushes this logic to its extreme to say that “one could not do it even once.”²⁵ Plato, however, believes that in contrast to the contingent things, there exist some eternal entities which do not change. The former, we can hold opinions about them, whereas the latter, we can speak of true knowledge.²⁶

Of his eternal entities, Plato takes inspiration from his mentor Socrates’ search for definitions on moral matters such as pious and impious, noble and ignoble, just and unjust, sanity and insanity, fortitude and cowardice. He regards these not merely as definitions or names but entities of another kind which can only be grasped by reason alone. He calls them Ideas, or Forms. Since Ideas are pure and unchangeable, they are simpler than their related sensible things. And what is composite must own a simpler source. Therefore, sensible things (rather than Ideas) are names of Ideas, and they derive their existence by their participation in the Forms. In the words of Aristotle, “the many existed by participation in the Ideas that have the same name as they.”

Consider the famous parable of the cave which depicts the contrast between the world of sense perception and the world of thought. Plato asks us to imagine a cave with a long and steep tunnel leading to the outside world. Inside this dark cave, there are some human creatures who have been chained from their childhood so that they can neither move nor turn their heads around. The only thing that they can see is the wall directly in front of them. Suppose a fire is burning high up behind them, and people carrying objects of different kinds walk between the fire and the prisoners. The light from the fire will cast the shadows of the objects onto the wall. Under such circumstances, the prisoners will certainly mistake the shadows as the real passing objects. They will, if they can talk to each other, give

24. ARISTOTLE, *Metaphysics*, A. 6, in W. D. Ross (ed.), *Metaphysica* (The Works of Aristotle, 8), Oxford, 1928 (repr. 1966).

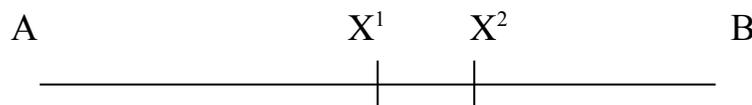
25. ARISTOTLE, *Metaphysics*, 1010^a 12.

26. Cf. D. ROSS, *Plato's Theory of Ideas*, Oxford, 1971, pp. 124–125.

names to the shadows which are actually the names of the objects.²⁷ Plato uses the analogy of shadow and its object to illustrate the relationship between sensible things and Ideas. Sensible things are only shadows of the Ideas. Out of one Idea come the many imperfect material copies. By this, Plato tries to demonstrate that we are the prisoners of our sense perception. We take what we see or hear as real. But in fact, there is something more real than the sensible things. These things belong to the world of Ideas which can only be seen through the light of reason. The world of Ideas is more real than the world of sensible things and hence superior to the latter. According to Plato, most people dwell in the world of senses, only a gifted few can ascend to the world of eternity.

Plato does not stop short at applying the Principle of Prior Simplicity to the reduction of sensible things to Ideas. He wants to find the ultimate cause. Influenced by Pythagoras, he believes that numbers are the causes of the reality of other things, including Ideas. The numbers that Plato has in mind are the integers starting from 2 *ad infinitum*. In his time, number denotes plurality and thus 1 is not a number but the first principle of number.²⁸ Neither are the numbers sensible numbers or numerable groups (groups of two, three, four, ..., entities) nor abstract numbers or mathematical numbers which mathematicians manipulate without regard to any particular groups of things. They are, instead, ideal numbers which are universals, and things that are referred to as twoness, threeness, fourness, etc. They are the formal causes of other Ideas. Somehow every Idea shares the Idea of a particular number. For example, 4 is the formal principle of justice for justice involves two persons and two possessions to be exchanged.

Numbers, Plato further proposes, are derived from two principles: the One and the indefinite dyad. The One is oneness, the Idea of one. As we have mentioned above, 1 is the first principle of number. For Plato, this principle alone cannot generate numbers. A second material principle is needed—the great and small, that is, the indefinite dyad.²⁹ The great and small is the principle of division and comparison. Imagine a finite line with two ends. We first divide it into two equal halves. Then we continue to cut the line in a certain ratio so that the point of division is always on the right side of the divided parts. Gradually the first segment will become greater and the second smaller. Theoretically this process can go on without end. The One combining with the dyad brings forth all integers.³⁰ The generation of numbers has various interpretations and models, and the one given by David Ross is perhaps the best. To illustrate this philosophical doctrine, let us use a segmented line as below:



Suppose AB is bisected at the mid-point X^1 . Then we can compare the length of AX^1 to that of X^1B . Given the Idea of One, we can say that the length of AX^1 to that of X^1B is in the ratio 1:1. In effect this transforms the ratio of AB to X^1B into 2:1, thus generates the number 2. If then AB is divided at X^2 in

27. PLATO, *Republic* 7.514ff.

28. Cf. D. ROSS, *Plato's Theory*, pp. 178–182.

29. Aristotle interprets the dyad as “the great and the small” which are actually two principles. Whereas Plato’s original meaning is “the great and small,” which is one principle having dual characteristics. Cf. D. ROSS, *Plato's Theory*, p. 184.

30. Aristotle speaks of all numbers except prime numbers, this is probably wrong. For discussion, see D. ROSS, *Plato's Theory*, pp. 187–205.

the ratio of 2:1, the resultant ratio of AB to X²B will be 3:1, which gives us the number 3. The process can continue until all numbers are generated.

Plato's search for the ultimate cause does not end in one single principle. To him, the creation of other beings from one source without the aid of a second agent of a different kind is inconceivable. It was not until Plotinus, a Neo-Platonist, that the quest for singularity reached its completion. While accepting Plato's teaching that sensible things come from Ideas and that Ideas from the dyad and the One, Plotinus, nevertheless, holds that there is a first and ultimate principle of reality from which all other beings come, either directly or from the beings in between (that is, the beings originated from the One). In one passage, we are told that the multiplicity are emanated from the One:³¹

For the soul now knows that these things must be, but longs to answer the question repeatedly discussed also by the ancient philosophers, how from the One, if it is such as we say it is, anything else, whether a multiplicity or a dyad or a number, came into existence, and why it did not on the contrary remain by itself, but such a great multiplicity flowed from it as that which is seen to exist in beings, but which we think it right to refer back to the One.

Plotinus reads Aristotle's report as if it were saying that for Plato all things come from the One. The indefinite dyad is not an independent principle but one that depends on the One. Indeed, Plotinus has constructed a hierarchy of beings as follows: the One emanates the dyad; together they generate the Forms and Numbers, that is, the Intellect; the Intellect produces the soul in a way similar to the birth of the dyad; finally, the soul brings forth all material beings.³² We have to notice that the One under the interpretation of Plotinus is no longer Plato's Idea of one. The One is lifted out of the Forms and treated as the first and ultimate source of reality. Why did Plotinus do this?

The answer has to be sought in Plotinus' zeal for priority and simplicity. The idea of prior simplicity, according to Plotinus, can have two applications with respect to the sequence of causes and to the composition of beings. Plotinus believes that the cosmos has a hierarchy with the ultimate cause at the top, and then the second causes, then the third causes, and so on. "If there is anything after the First," he says, "it must necessarily come from the First; it must either come from it directly or have its ascent back to it through the beings between, and there must be an order of seconds and thirds, the second going back to the first and the third to the second."³³ What Plotinus perceives is a cosmos of ordered beings with different ranks. The first is the cause of the seconds, and the seconds the thirds. Between them, there are clear lines of distinction. It is, no doubt, a caste cosmos. Plotinus also contemplates that within the first caste, a monarchy is most appropriate to its magnificence; an oligarchy does not match the perfection of the first cause since the members of the oligarchy will inevitably share power among themselves and result in degraded nobility for each of them. In order to argue for the singularity rather than the plurality of the first cause, Plotinus appeals to the reduction of things to their simplest form. He says, "For there must be something simple before all things, and this must be other than all the things which come after it, existing by itself, not mixed with the things which derive from it, and all the same able to be present in a different way to these other things, being really one, and not a different being and then one; it is false even to say of it that it is one, and there is 'no concept or knowledge' of it; it is indeed also said to be 'beyond being'."³⁴ For any sensible thing, we can divide it until we obtain the simplest indivisible element. But for the simplest element or the One, it is beyond our comprehension. It is said to be "beyond being," so it is nonsense to count it as

31. PLOTINUS, *Enneads*, V. 1[10]. 6. 3-9, trans. A. H. ARMSTRONG, Cambridge, MA, 1984.

32. Cf. D. J. O'MEARA, *Plotinus*, pp. 60-69.

33. PLOTINUS, *Enneads*, V. 4[7]. 1. 1-5.

34. PLOTINUS, *Enneads*, V. 4[7]. 1. 5-11.

one or two or three. Otherwise, it would be captured by the Ideas of number and reduced to the same order as the Intellect or to the orders below. Therefore, the One must be the simple and the first of all.

Being the simple and the first is the source of all goods: power, beauty, values, etc. Human beings, as Plotinus sees it, are souls dwelling in bodies. As souls, we are given the task to organize and perfect material existence. If, however, we indulge in material things and forget our true nature, we will become ignorant, evil, and unhappy. The way to prevent us from falling into vice and misery is to look up to the One. To achieve this, we might distinguish three stages: (1) return to one's true self as soul, (2) attain the life of the Intellect, (3) be united with the One.³⁵ It does not serve our purpose here to dwell further on Plotinus' methods. Suffice it to say that the search for a unifying principle is not merely a methodology but the ultimate goal of life and the mystical desire for union with the origin. Neo-Platonists affirm this ideal, and some Christians as well. But I am not sure to what extent modern philosophers aspire to it.

3. Cover and ideal

At the core of both covering-law universalism and singular universalism lies the intuitive notion that the multitudes have a single origin. While this tenet may be true, Walzer warns that the two universalisms have developed into a form that can be used as a cover for a multitude of sins. Covering-law universalism naturally instils a sense of pride in its heirs. Since there are always people who know and keep the law and those who do not, the law can be used as a sieve to sift people into two distinct groups. And since the universal law is transcendent, the knowers and keepers tend to see themselves as superior. This attitude, though normally prohibited under the covering law, is clearly expressed in words like "the chosen," "the people of God," "the true believers," and "the priestly nation." Walzer concedes that some keepers could truly renounce the thrill of pride, but they would still have "confidence." They are confident that their legal code is true and universal, and that they are living in the way of life which some day all men and women will imitate. "Confidence," Walzer says, if not "pride," is the most appropriate state of mind and feeling of such people.³⁶

Singular universalism, likewise, instils a sense of superiority into its possessors. Philosophers commonly believe that they themselves are intellects, and thus possess special rational power for knowing things that are more real than the sensible things which ordinary people know. They have exclusive access to eternal knowledge; the laity, by contrast, merely hold contingent and accidental opinions. Plato, in his argument for aristocracy, accentuates the supremacy of the intellect. In the parable of the shipmaster, he writes: ³⁷

Conceive something of this kind happening on board ship, on one ship or on several. The master is bigger and stronger than all the crew, but rather deaf and shortsighted. His seamanship is as deficient as his hearing. The sailors are quarrelling about the navigation. Each man thinks that he ought to navigate, though up to that time he has never studied the art, and cannot name his instructor or the time of his apprenticeship. They go further and say that navigation cannot be taught, and are ready to cut in pieces him who says that it can.

A ship in the hands of untrained sailors will be disastrous. A democratic state, to Plato, is like a ship without a skilful master. The ship of democracy will finally fall into irrational and dangerous

35. Cf. D. J. O'MEARA, *Plotinus*, pp. 103-106.

36. Cf. *Nation*, pp. 512-513.

37. PLATO, *Republic* 6.488B, quoted from *Plato's Republic*. Translated with an introduction by A. D. LINDSAY, London - New York, NY, 1935 (repr., 1969).

hands. A state as such will certainly result in chaos and turmoil. The majority rule is not a good form of government. A state requires a competent master for its steering. Politics, according to Plato, is a τέχνη which is far more complicated than any other trade or skill. Only philosophers possess the specialized knowledge of politics. Hence a city or a state should, ideally, be ruled by a philosopher-king.

Covering-law universalism and singular universalism, different though they are, are not incompatible. Of course they may work against each other, for covering-law universalism lays its claim on revelation, while singular universalism on reason, and reason may challenge revelation as it has done before. But sometimes, covering-law universalism may espouse singular universalism in perfect harmony. Theologians have put reason in the service of faith. Through the use of reason, covering law can be proved to be true and universal, and hence should be acceptable to every reasonable man. However, the roles of master and servant have been reversed in the age of reason. With respect to the covering law, since it has been widely accepted and institutionalized, it can serve as the basic source from which one formulates a more abstract set of unifying laws. Once an abstract principle is formed, it will be separated from its original context, and new meaning can be given to it by its inventor. This form of abstraction has proved to be a powerful ideational means for the reorientation of the social world. Some grand narratives are actually created thus, for example, the derivation of the Marxist historical materialism is derived from Christian teleology. Because covering-law universalism and singular universalism, either working separately or in joined forces, inspire confidence and superiority, they can be used as a perfect cover for the will to power.

Some philosophers have classified people into two groups according to their dominative trait. “If we consider the objects of the nobles and of the people,” Machiavelli writes, “we must see that the first have a great desire to dominate, while the latter have only the wish not to be dominated ... to live in the enjoyment of liberty.”³⁸ Given that Machiavelli is correct, the world can thus be dichotomized into nobles and plebeians, or as it were, masters and slaves. The psychological state of the nobles is characterized by the will to power. Imagine that the nobles inhabit a society ruled by covering-law universalism or singular universalism. Though the law will inhibit their actions, it will also enhance their appetite for power. The will to power definitely finds “confidence,” “pride,” or “superiority” desirable. These qualities are ideal virtues of nobility. Besides, the covering law, or the singular law, or the singular covering law, can be shaped, through the magic hand of the propagandists, into a powerful ideology for domination—either to exploit their own society or to conquer other nations.

Covering-law universalism and singular universalism are theories of unification. The former imposes a system of laws on the people and the latter a set of principles. They bind people to some so-called objective and transcendent laws. Discrepancies in social behaviour can then be curbed by banning the unwanted acts as outlawed or irrational. Moreover, universal laws usually prescribe a social hierarchy. Walzer calls it “the social version of the gold standard.” It has the appearance that “one good or one set of goods is dominant and determinative of value in all the spheres of distribution.” “And that good or set of goods,” he continues, “is commonly monopolized, its value upheld by the strength and cohesion of its owners.”³⁹ A monarch, or an oligarchy, or a class who monopolizes the dominant good can effectively control the whole society.

The legitimization of the monopoly of a dominant good constitutes an ideology. Aristocracy is the principle that the best-born or the most intelligent rules; this group usually monopolizes land and familial reputation. Theocracy is the principle of those who possess or know the revelation of God; they are the monopolists of divine grace and office. Meritocracy is the principle of careers open to

38. N. MACHIAVELLI, quoted in *Nation*, p. 537.

39. *Spheres*, p. 10.

talents; they monopolize knowledge. Free exchange is the principle of risk-takers who are ready to wager their money; they are the monopolists of movable wealth. These groups compete with each other and struggle for supremacy. The struggles take place in a paradigmatic way. Whenever a group wins, it will work out a systematic conversion of the dominant good into all sorts of other goods. The principle of monarchy prevails, although government changes from monarchy to oligarchy, and then to democracy. A single principle instead of a single person becomes the key player in modern politics. In totalitarian Marxist states, political power intrudes into every aspect of life and maintains cohesion by coercion. While it is true that people have freedom in the capitalist world, the exercise of liberty is dependent on how much money one possesses. The principle of free market is working everywhere. It infiltrates people's life. Our educational system, for instance, is on the whole programmed to produce effective competitors in the arena of the market, and our social system is geared to facilitate its proliferation.

Both kinds of universalism have an internal moral compulsion to extend their influence to the whole globe. Confidence, pride, or superiority cannot be contained within a territorial boundary either. Conceivably there are noble nations as well as plebeian nations. The noble nations, similar to individuals, would always try to conquer, to command, and to rule, while the plebeian nations would be content living within their own territory free of external intervention. If a noble nation inherits any one or both of the universalisms, its ambition to expand will easily find moral justification, even moral imperative. Covering-law universalism or singular universalism puts forward a legal code or moral principle claimed to be true and applicable everywhere. The noble nation itself serves as the model for all nations to imitate: what it possesses, the other nations must acquire. But how are other nations to adopt the noble ideal which they have never heard? And how are they to hear without a messenger? Now, men have to be sent, and the noble nation becomes, in Walzer's word, a "nation-with-a-mission."⁴⁰

This conception disparages the experience of the nations that do not keep the law. Because they do not know the law and because they do not keep the law, their life is meaningless, or at least, insignificant. The noble nation brings salvation, so to speak, to them. And many nasty things can be justified for the ultimate good that the salvation will bring. Envoys are first sent to teach the law. If the plebeian nations refuse to accept it as they usually do, military can then be sent to enforce the law. Occupation and domination are thus seen as the inevitable processes in the way of actualizing the universal law and civilizing the world.

The above description is not merely a possibility. Walzer once bravely pointed out to the Oxonians that imperialism had actually argued as such. Consider these lines from Rudyard Kipling's "Song of the English":⁴¹

Keep ye the law
e swift in all obedience
Clear the land of evil, drive the road and
bridge the ford.
Make ye sure to each his own
That he reap where he hath sown.
By the peace among our peoples, let men know
we serve the Lord.

Kipling (1865-1936) lived in the heyday of the British Empire, whose Union Jack never set. Born in Bombay to a native English couple who belonged to the highest Anglo-Indian society, what did he think of the British rule in India? Would he consider the British rule as occupation and exploitation?

40. *Nation*, p. 540.

41. R. KIPLING, quoted in *Nation*, p. 511. *Nation and Universe* is comprised of two lectures delivered by Walzer at the Brasenose College of Oxford University in 1989.

The answer is an absolute “No.” As a journalist, poet, and novelist, Kipling celebrated the British imperialism. His chief writings, to borrow the words of a biographer, “were bound up with a genuine sense of a civilizing mission that required every Englishman, or more broadly, every white man, to bring European culture to the heathen inhabitants of the *uncivilized* world.”⁴² This statement makes sense only to some Englishmen and white men. To those peoples who have been conquered and exploited by the British Empire, it explains nothing but adds insult to injury. I think Kipling did not, or dared not see the covered and deep down hatred of the Indians. What he saw was the admiration of some Anglophile Indians for the English technology and for their high society.⁴³ Kipling’s imperialist persuasions were widely circulated among the Englishmen, especially among the British soldiers in India. The other Europeans, perhaps, while admiring the achievement of the Englishmen, were moved by Kipling’s convictions, at least before the First World War, and awarded him a Nobel Prize for Literature in 1907.

Imagine the scene when the “Song of the English” is being sung by marching English adventurers and soldiers. They are marching to stamp out evil, and they will continue until peace is established throughout the world. They know the law and are sent by the law. “Make ye sure to each his own That he reap where he hath sown.” The commission is clear enough and each has to strive for his own salvation. History will only end when all the nations would serve the Lord. Right now, we are the agents of the future peace. Let’s build roads and bridges so that missionaries and soldiers could reach every hinterland. Law will be enforced and civilization secured. Peoples of all places will praise the Lord in peace under the Union Jack. This is a beautiful conviction that every noble nation is more than ready to accept. Sincere? Yes. Tyrannical? More so. The Englishmen did bring their “civilization” and their law to the conquered lands. Some of the establishments might even be helpful to the indigenous peoples. Nevertheless, the native history and autonomy were devalued: the “uncivilized” people were treated as if they did not know what was good for themselves and that they had to learn the law, by force if necessary. Indeed, people were coerced to serve the Highest Majesty. Each conquered nation became a cog within the mechanism built by and for the British Empire. Subjection and exploitation followed and stood side by side with coerced civilization, as they always are.

C. REITERATIVE UNIVERSALISM

Being a Jewish American, Walzer is sensitive to the diversity of cultures and experiences. It is obvious to him that each nation has developed its particular way of living, and that its people value their creative particularities. No doubt, some of their behaviour and costume may seem strange and incomprehensible to outsiders. These, however, cannot simply be brushed aside as tribal, uncivilized, or irrational. One who disparages the experience of other people and imposes one’s culture against the others’ will acts like a tyrant. Though many universalists are ready to tolerate queer custom in trivial matters, they are unwilling to compromise in serious matters like justice, law, and social institutions. Seeing themselves as the vanguard of human dignity, the universalists take it as their responsibility to

42. J. I. M. STEWART, *Rudyard Kipling*, in *Encyclopaedia Britannica* (2002). CD-ROM. Italics added.

43. The Indian novelist Arundhati Roy discloses the local name of the British Anglophile as *chhi-chhi poach*, which in Hindi means shit-wiper. See A. Roy, *The God of Small Things*, London, 1997, p. 51.

defend the universal standards. Their motive may be respectable but their attitude is arrogant and their act despotic. The gravest consequence is that their argument can be exploited by aggressive régimes to cover their aggression. Despite these, Walzer does not want to renounce universalism, because he still recognizes some universal or “almost universal” values shared among different societies.⁴⁴ He opts for a minimalist universalism, which he deems would leave the largest room for creative plurality. He proposes a reiterative universalism as an alternative. This reiterative universalism consists principally of a minimal core of moral codes—a set of abstract conception of human values. It assumes that each nation has elaborated the core into particular social institutions and practices. To defend his reiterative universalism, Walzer offers two arguments, a theological one and a philosophical one. Although Walzer is not a trained theologian, he tries to provide a theological argument, for he is very aware of the fact that the theological argument for the covering-law universalism is pervasive, perhaps even more persuasive than its philosophical counterpart. His main concern is to offer a plausible alternative interpretation of the Bible rather than to offer a definitive statement.

1. Theological argument

The covering-law universalism championed by Christianity is characterized by triumphalism. This sense of triumph has something to do with the experience of the Christians. In the Roman Empire period, the Church successfully converted a large number of people to Christianity and gradually became dominant in the Empire. The triumphant church tended to forge its theology in the form of a covering-law universalism so that the whole population would fall within its jurisdiction. Thus said, it implies that the covering-law universalism is not the only interpretation of the Old Testament—there are other possibilities. A Jewish biblical scholar, Jon Levenson, writes that “there is no one ‘biblical’ position on this or on most other great theological issues.”⁴⁵ Since the Bible is an anthology of writings composed over a long period, in different places, and by different authors, we really cannot expect it to present a unified view on a particular matter. The universality of the deity, besides the covering-law version, has been developed into the universality of humanity whereby every human being has equal access to the knowledge of God, or into a theology of nation-states whereby God deals with each nation separately.⁴⁶

Walzer is prepared to exploit the diversity of the biblical texts, and he argues that the universality of the deity does not warrant the universality of the moral norm. One obvious example is Judaism, which is allegedly charged with clannishness. He reasons that while God can be the creator of the universe, he needs not care about all his creation in the same way or in the same measure. It is not difficult to imagine that God favours human beings, who are made in his own image, over animals, or that God chooses one nation as the recipient of his special favour and forgets the rest, or that God prefers one person to another, as is recorded in the Book of Genesis that God has more regard for Abel than for Cain.

A reiterative universalism is proposed by Walzer as an alternative: a universal God hates oppression generally, but he has individual plans for the liberation of each nation—a unique one for each unique nation. It is a universalism devoid of triumphalism and in peace with the particularism of other peoples. Walzer asserts that this is the true doctrine in the Jewish history. It was repressed when Judaism was in full-scale conflict with Christianity. However, this reiterative universalism can be

44. *Interpretation*, p. 24.

45. J. D. LEVENSON, *The Universal Horizon*, p. 145.

46. Cf. J. D. LEVENSON, *The Universal Horizon*, pp. 142–151.

recovered from biblical fragments.⁴⁷ In the course of defending his case, Walzer cites four biblical passages. We will look into them one by one.

The most crucial fragment, elaborated by Walzer in many of his works, comes from the prophet Amos, who, speaking in God's name, asks the Israelites:⁴⁸

Are ye not as children of the
Ethiopians unto me, O children
of Israel? ...
Have I not brought Israel out of the
land of Egypt,
And the Philistines from Caphtor,
And the Syrians from Kir?

These questions are probably a starting point of Walzer's questioning of the standard covering-law universalism. By putting Ethiopians, Philistines, and Syrians on a par with Israel, Amos poses a serious challenge to the Christian doctrine of one God, one people, one law, and one redemption. He suggests the possibility that there might be more than one liberations and salvations. The unique God, who is the creator of the universe, finds oppression universally hateful, and he uses liberation as his universal method of salvation. He delivers people from the land of slavery whenever they cry to him. He sets them free and gives them a unique identity. In this way, he helps fashion the nations. He is not only the creator of people but also the maker of peoples. Walzer calls this paradigm—one liberator, one pattern of salvation, but many particular liberations—"reiterative universalism."

The main characteristics that distinguish reiterative universalism from the covering-law universalism are its "particularist focus" and its "pluralizing tendency." "We have no reason to think," Walzer says, "that the exodus of the Philistines or the Syrians is identical with the exodus of Israel, or that it culminates in a similar covenant, or even that the laws of the three peoples are or ought to be the same."⁴⁹ In other words, it is possible that each people experiences its own exodus, enjoys its particular divine relationship, and strikes a specific covenant with God according to their specific circumstances. This understanding is congruent with the God who liked Abel but not Cain, and who, out of one man,

47. *Nation*, p. 513.

48. Am 9,7, quoted in *Nation*, p. 513. In a retrospect, Walzer says: "Much of my own work, particularly but not only in recent years, is an effort to work out a philosophical understanding of those lines. Not, I should stress, a theological understanding; divine election has never been my subject. I don't doubt that a God who 'elects' not only the Israelites but also (their enemies) the Philistines and the Syrians is an interesting and unconventional God, but what Amos has in mind I cannot say; my own mind is theologically blank. The questions that interest me are worldly questions: How are we to recognize the groups that enact or might enact this serial liberation? In what sense are these the primary groups for moral and political analysis? What happens when their different liberations bring them into conflict with one another? How are we to judge the different outcomes of the liberation process—legal codes, social practices, political regimes, and so on?" (*Particularism*, p. 195, c. 2.) Literally understood, this statement is in conflict with what Walzer argues in *Nation and Universe*, where he does put forward, albeit briefly, a theological justification for reiterative universalism. But in general, it is true that Walzer occupies himself more with philosophical questions. He touches upon theological issues only when they have serious social and political implications. Even in such cases, he differs from the "standard" theological works in two major aspects. First, he is not seeking metaphysical justification in the biblical text. His interest lies in the meaning of the text in respect of ethical, social, or political issues as understood by different historical régimes, and ultimately its deeper meaning. Second, Walzer does not use the "proper" exegetical method. The formation of the text and the historical meanings are not his main concern. He focuses largely on the popular interpretation employed in the justification of a political cause by politicians, political theorists, social activists, crusaders, and revolutionaries. Examples of this kind can easily be found in Walzer's works such as *Exodus and Revolution*, and *Interpretation and Social Criticism*.

49. *Nation*, p. 513.

made all kinds of human beings. If anyone still inclines to think that God has designed only one salvation and one law for all nations, and that every exodus is but an enactment of the same plan, the diversity of histories must render his or her argument implausible.

A second text which speaks the same message but in a more elaborate and dramatic way is found in the Book of Isaiah:⁵⁰

For they [the Egyptians] shall cry unto the Lord because of the oppressors, and he shall send them a saviour, and a great one, and he shall deliver them. And the Lord shall be known to Egypt, and the Egyptians shall know the Lord in that day, and shall do sacrifice and oblation; yea, they shall vow a vow unto the Lord, and perform it. And the Lord shall smite Egypt: he shall smite and heal it: and they shall return even to the Lord, and he shall be intreated of them, and shall heal them. In that day shall there be a highway out of Egypt to Assyria, and the Assyrian shall come into Egypt, and the Egyptian into Assyria, and the Egyptians shall serve with the Assyrians. In that day shall Israel be the third with Egypt and with Assyria, even a blessing in the midst of the land: Whom the Lord of hosts shall bless, saying, Blessed be Egypt my people, and Assyria the work of my hands, and Israel mine inheritance.

The immediate context of the parallel text in the Book of Amos (9,7) makes it clear that the purpose of this verse is to rebuke the Israelites for their pride. We may take the above text as serving the same function. The Israelites are proud of themselves as being the elected, the chosen people of God. They have the law and the covenant, and they know God. By contrast, the Gentiles are excluded from the commonwealth; they do not know God and are hopeless. The prophets, however, reprimand the Israelites by pointing out that they are no better than the Gentiles whom they despise. Yes, they know the law, but they do not keep the law. Their conduct is not noticeably better than the Gentiles. They might even commit crimes that are abhorred by the Gentiles themselves. After all, Israel is not all that special. God is the creator of all, and He attends to all peoples. The Egyptians will cry to the Lord because of oppression. And the Lord will send them a saviour, even a great one, to deliver them from suffering. The Lord will make a covenant with them, and they will serve the Lord. The Egyptians will enter into an intimate relationship with God just as the Israelites. Not only will the Egyptians be called but also the Assyrians. In that day, Israel will be but the third with Egyptians and Assyrians.

What inference can we draw from all these? The inference can be drawn from them is—that there is not only one single mediator or representative of God on earth but many. How should we then interpret the historical event of Israel's exodus? From the covering-law universalist perspective, it is made, Walzer says, "pivotal" in a universal history, "as if all humanity, though not present at the sea or the mountain, had at least been represented there."⁵¹ It was done once and for all. The experience and the consequences of the Exodus belong to all. There is no need for other peoples to reiterate the process of liberation. Or if they wish, they can imitate the Exodus with insignificant deviance. Another view, Walzer suggests, takes Israel's exodus as "exemplary." It is pivotal only in the particular history of Israel. As for other peoples, it serves just as an example after which they can, if need be, repeat in their own ways. There is no obligation for them to repeat it. If they see it good to reiterate it, there is no requirement for them to do it in exactly the same way as the Israelites. Voluntary reiteration makes a big difference from compulsory imitation. Instead of one universal history, we will have a series of histories. All peoples can find values in their own particular history and live a meaningful life.

Possibly, believers of monotheism might find it not so easy to contemplate reiterative universalism. The two above-mentioned fragments, indeed, only spring up occasionally in a history overshadowed by the covering-law universalism. They suggest an alternative possibility. But they are quickly discarded,

50. Is 19,20b–25. Cf. *Nation*, p. 514.

51. *Nation*, p. 514.

repressed, and forgotten. Ironically, what seems unlikely to man is a lively possibility to the all-mighty God, who is active in human history and compassionate about human suffering. We do not have a single reason to restrict a god who is omnipotent, omnipresent, and all-merciful to bestow special favour on one nation and to mandate all the rest of the peoples to follow the path of the chosen one. But if this is the case, it would only be made possible by coercing the non-elected, either by God himself or through the chosen nation. Is God not evenhanded and merciful to all men everywhere? Let us hear the following message from the prophet Jeremiah:⁵²

At what instant I shall speak concerning a nation, and concerning a kingdom, to pluck up, and to pull down, and to destroy it; If that nation, against whom I have pronounced, turn from their evil, I will repent of the evil that I thought to do unto them. And at what instant I shall speak concerning a nation, and concerning a kingdom, to build and to plant it; If it do evil in my sight, that it obey not my voice, then I will repent of the good, wherewith I said I would benefit them.

Obviously God is fair to all nations. He recognizes them one by one and deals with them individually, whether in punishing them or in blessing them.

Yet the covering-law universalists might argue, though God institutes or permits the multiplicity of nations on earth, would it not be possible that God judges every one of them by the same standard?⁵³ Is God's "voice" not always the same? Is it not the case that the phrase "evil in my sight" refers to one set of evil acts? Though many nations are there, and many liberations might exist, it is still possible that one single set of universal laws covers them all. Walzer, however, thinks it unlikely for two reasons. First, if God makes a particular covenant with each nation separately and blesses each differently, it makes better sense to suggest that he also holds each nation to its own standard. Each nation will then have a unique set of laws, though some evil acts in the sets of laws will most likely overlap. Second, even if there is only one set of evil acts like that of murder, betrayal, and oppression, it is still more probable that there are multiple sets of good, for good is not simply the opposite of evil. We find it relatively simpler to define an evil act such as murder, and to prescribe the prohibition of "Thou shall not kill." But it takes endless expositions and papers to elaborate the commandment "Love thy neighbour." Love comes in various modes and in different intensity. It is always possible to have different kinds of love for the neighbour. That is why Jesus instructed his disciples to love their neighbour as themselves. "In either of these views," Walzer concludes, "God is himself a reiterative universalist, governing and constraining but not overruling the diversity of humankind."⁵⁴

The fourth biblical fragment quoted by Walzer is the most daring one. It challenges the faith of monotheism:⁵⁵

But they shall sit every man under his vine and under his fig tree; and none shall make them afraid: for the mouth of the Lord of hosts hath spoken it. For all people will walk every one in the name of his god, and we will walk in the name of the Lord our God for ever and ever.

The last sentence of the above text from the Book of Micah plainly states that each nation will follow its own god. It implies a plurality in the divinity—not that there are three persons within the

52. Jer 18,7-10. Cf. *Nation*, p. 516.

53. The separation of humankind, according to the Bible, is an act of God. "And the Lord said, 'Behold, they are one people, and they have all one language; and this is only the beginning of what they will do; and nothing that they propose to do will now be impossible for them. Come, let us go down, and there confuse their language, that they may not understand one another's speech.' So the Lord scattered them abroad from there over the face of all the earth, and they left off building the city. Therefore its name was called Babel, because there the Lord confused the language of all the earth; and from there the Lord scattered them abroad over the face of all the earth (Gn 11,6-9, RSV)."

54. *Nation*, p. 516.

55. Mi 4,4-5. Cf. *Nation*, pp. 516-518.

godhead, but that there are other gods besides Yahweh, as many as the number of nations are. We are not told of their order or hierarchy. Possibly they have different rankings according to their capability. But nevertheless they can maintain a certain balance of power and make peace among themselves in heaven or heavens so that each of them can recruit his own rank and file on earth. Perhaps, the plurality on earth is best explained and justified by a plurality in heaven. This interpretation, Walzer points out, is completely unwarranted in Judaism, which can never accommodate any gods other than Yahweh. Why does this verse appear in the Hebrew Bible? A common response is to attribute the verse to the survival of some earlier belief that each people had its own god when the world was still in the stage of polytheism. After the ancient Jews had advanced to the stage of monotheism, they dropped and repressed such belief. But this answer does not satisfactorily explain the survival. The successive monotheist editors would have easily erased this heretical verse from the holy book. Why did they preserve and incorporate it in the course of editing until it gained a permanent place in the final text? Walzer hints that the verse is not a survival of early polytheistic belief. The first verse (4,4) and the second verse (4,5) are connected by the Hebrew conjunction וְ, which indicates that they are parallel verses. Together, they constitute a complete sentence. The word וְ can denote a causal relationship “for.” If that is the case, then the happy “sitting” in the first has to be the consequence of the plural “walking” in the second. All people sit peacefully, everyone under his vine or fig tree, because all people walk, every one of them, in the name of his god. Walzer conjectures that this is the meaning of Micah. Pluralism inspires tolerance, and tolerance makes for peace. “How many of us,” Walzer asks, “will sit quietly under our vines and fig trees once the agents of the first universalism go to work, making sure that everyone is properly covered by the covering law?”⁵⁶

Pluralism on earth does not necessarily require pluralism in heaven. It needs only a plurality of God’s name on earth: “every one in the name of his god.” The names are different but they all refer to the same God. As there are many names for the same Yahweh in the Hebrew Bible, why can’t other people invent their own names for God? God creates men and women in his own image, and every one of them becomes a different individual. How is this creative aspect of the *imago dei* reflected in human activity? Authors like to write their own books, painters their own paintings, philosophers their own accounts of the good, and theologians their own names of God. “What human beings have in common,” Walzer writes, “is just this creative power, which is not the power to do the same thing in the same way but the power to do many different things in different ways: divine omnipotence (dimly) reflected, distributed, and particularized.”⁵⁷ If God is the creator and he makes man in his own image, he should be happy with the plurality human beings produce, shouldn’t he? Even though not every book is readable, nor every picture beautiful, nor every ethic good, nor every name appropriate, God has to put up with these as he clearly knows that no human creation is perfect as his is not perfect too, at least from the perspective of human beings. After all, human beings are only his particularized images.

2. Philosophical argument

In the Western tradition, humanity is taken as everywhere the same, and thus men and women are put under the same moral law. However, philosophers are not so ignorant as to be unaware of cultural differences. In order to account for the differences, the universal law is said to be adapted to particular circumstances, and consequently cultural differences can be perceived as variations of the single law.

56. *Nation*, p. 517.

57. *Nation*, p. 518.

The philosophers' aim is to maximize commonalities (at least conceptually) and to minimize differences. This singular universalist way of thinking, Walzer opines, will unavoidably stifle cultural creativity and national autonomy. He does not believe that the lessening of control over creativity will inevitably lead to a state of chaos. He tries to propose an alternative model, one that consists of a core morality which can be differently elaborated in different cultures.⁵⁸ For him, the idea of elaboration is better than that of adaptation because it takes into consideration human creativity as well as practicality. Moreover it comes closer to the diversity that both anthropology and comparative history have revealed. Since the idea of reiterative universalism is developed gradually over a long period of time, a historical approach may best clarify Walzer's position on the subject and explain some seeming contradictions in his conceptualization of universality and particularity. However it may appear to be somewhat repetitive as we attempt to present chronologically the variations of Walzer's ideas.

a. *A universalist particularism*

Walzer published his first major ethical treatise *Just and Unjust Wars* in 1977. It has since been widely praised, even by the covering-law universalists. This is partly due to the fact that the book is a marvellous work and partly because the universalists are misled by its universalist overtones with the result that they overlook its particularist foundation. In fact, a tension between universality and particularity is hidden in the book. On the one hand, Walzer assumes that nations in the long history of conflict have developed some common rules of fighting, which can be expressed by the modern idea of rights. These commonalities are taken as the evidence of the existence of universal human values. Walzer, on the other hand, approaches war inductively by extracting general principles from historical cases. A historical event, however, is a particular incident. How can a particular event be universally relevant across time and space? How can his cited examples have universal significance? Like any other inductive method, Walzer's argument is, at best, provisional. This problem may be dismissed, as many philosophers do, by asserting some commonly known moral principles, say human rights, as *a priori* universal truths. But Walzer chooses not to dismiss it lightly. He admits the limitation of his methodology, and states frankly that his argument is inconclusive.⁵⁹ All he attempts to do is to argue for a case. He states explicitly that the right to life and the right to liberty are two assumed universal truths. These assumptions appear to him to be the best way to interpret the morality in war. Nevertheless, he regards these rights as phenomenological rather than metaphysical truths—life and liberty are inviolable not because God has ordained them or they are intrinsically inalienable but because we human beings value them.

Apparently, the *Wars* is a defence of some universal truths about war: self-defence is always right, aggression is always wrong, killing non-combatants is always a crime, etc. Moreover, the first chapter is devoted to the refutation of realism and relativism. Is Walzer not a universalist? Ironically, he is frequently accused of being a relativist. One easy way to resolve this contradiction is to say that Walzer is both a universalist and a relativist. He is a universalist in international affairs such as war, but a relativist in other matters of morality. Before passing our final judgement, let us investigate some concrete evidence.

In the preface to the *Wars*, Walzer explains his approach to the morality of war as follows:⁶⁰

58. M. WALZER, *Moral Minimalism*, in *Thick and Thin. Moral Argument at Home and Abroad*, Notre Dame, IN - London, 1994, 1-19, p.4.

59. M. WALZER, *Just and Unjust Wars. A Moral Argument with Historical Illustrations*, [New York, NY], Basic Books, 1992, p. xxviii.

60. *Wars*, pp. xxix-xxx. Italics added.

There is a particular arrangement, a particular view of the moral world, that seems to me the best one. I want to suggest that the arguments we make about war are most fully understood ... as efforts to recognize and respect the rights of individual and associated men and women. The morality I shall expound is in its philosophical form a doctrine of human rights ... At every point, the judgements we make (the lies we tell) are best accounted for if we regard life and liberty as something *like* absolute values and then try to understand the moral and political processes through which these values are challenged and defended.

The morality of war that Walzer attempts to expound is the philosophical doctrine of human rights, or more specifically the right of life and the right of liberty. He will use the notion of rights, which seems to him to be the best ground, to understand the moral world of war. He will take the rights of life and of liberty as a hermeneutical key to interpret the morass of historical cases. Now, the doctrine of human rights is universal. Its claim is that it is applicable to every being who is recognized as human anytime and anywhere. It is a version of the covering-law universalism. Does Walzer accept the covering-law universalism?

It seems that Walzer does not accept the covering-law universalism, though he is defending the universality of morality in war. First of all, Walzer interprets the rights of life and liberty in a more limited scope than the universalists usually do. He refuses to apply these two rights to judge political arrangements either in his answer to critics or in the *Spheres of Justice*. Another point worthwhile to note is that Walzer qualifies life and liberty as if they were “something like absolute values.” That means they are, in fact, not absolute values, or they are seeming absolute values at best. Which option does he take? We are not explicitly told in the *Wars*, but the book’s multitude of historical examples drawn from diverse cultures and over a long period of time suggest that Walzer approaches the two rights from an empirical point of view. The phrase “something like absolute values” offers an important clue to interpreting Walzer’s absolutist tone in the book.

A second passage that deals directly with this subject is to be found in the argument against relativism. Hobbist relativism claims that moral knowledge “changes over time or varies among political communities” with the consequence that we do not really know what other people think. To refute the Hobbist relativism, Walzer writes:⁶¹

Now, change and variation are certainly real enough, and they make for a tale that is complex in the telling. But the importance of that tale for ordinary moral life and, above all, for the judgement of moral conduct is easily exaggerated. Between radically separate and dissimilar cultures, one can expect to find radical dichotomies in perception and understanding. No doubt the moral reality of war is not the same for us as it was for Genghis Khan; nor is the strategic reality. But even fundamental social and political transformations within a particular culture may well leave the moral world intact or at least sufficiently whole so that we can still be said to share it with our ancestors. It is rare indeed that we do not share it with our contemporaries, and by and large we learn how to act among our contemporaries by studying the actions of those who have preceded us. The assumption of that study is that they saw the world much as we do. That is not always true, but it is true enough of the time to give stability and coherence to our moral lives....

Two issues are at stake in Walzer’s defence against the Hobbist relativism. The first concerns cultural difference, and the second, temporal change of a particular culture. Walzer acknowledges that we can expect to find radical dichotomies both in the perception and in the understanding of morality between radically separate and dissimilar cultures. He admits that cultural difference is real enough, and that it cannot be dismissed or ignored. Cultural relativity is obvious; how Genghis Khan saw war is clearly different from the modern Westerners. It is unconvincing to deny cultural difference. Walzer,

61. *Wars*, p. 16.

however, grants radical dichotomies only to radically separate and dissimilar cultures. This implies that for related cultures, we can always find similarities in morality. But in what matters and to what extent are related cultures similar? To Walzer, this question cannot be answered theoretically. We have to investigate the histories of different cultures and compare them. Since humanity is to a certain degree related, would it not be plausible to entertain a minimal core of morality that commonly exists in every culture? This, indeed, is a popular opinion in the West. Many philosophers take it for granted. Walzer is no exception. He assumes that the right to life and the right to liberty constitute the core of a minimal morality. His acceptance of this tenet, however, is not without reservation. He does not want to accept it *a priori*. Instead, he tries to demonstrate it through the historical cases he draws from different cultures. What he intends to do is argue for a case, not to present an absolute proof. This, perhaps, is what he means by “something like absolute values.”

Likewise, Walzer recognizes the change of morality over time within a particular culture, but unlike the first issue, he tackles this one directly. He thinks that while change in morality is real, the consequence of the change with respect to ordinary moral life and moral judgement of conduct has been exaggerated. Morality in a particular community is continuous, or in Walzer’s own words, remains “sufficiently whole” rather than discontinuous. Basically, we all share the same moral world with our ancestors. We act by studying the actions of those who preceded us. Even fundamental social and political transformations cannot deprive us of gaining access to the moral world of our ancestors. We can understand what they thought and how they perceived things. We consent to some basic values they defended though we may disagree on particular moral issues.

The treatment of the above two issues, namely cultural difference and temporal cultural change, confirms that Walzer, as he himself has claimed, is a consistent moral particularist. He emphasizes the continuity of a particular culture, and holds that we know right and wrong from studying the actions of our own ancestors. As for cultural difference, he refrains from giving it a definite theoretical account. He admits the possibility of radical dichotomies in radically separate cultures, but at the same time he recognizes commonalities between different cultures. In respect of war, he wants to forge a common morality, first of all for the Americans, and then as far as possible for the rest of the peoples.⁶² He adopts the popular notion of minimal morality and proceeds to show that the right to life and the right to liberty are almost universal in human history. He believes that they are universal. But whether or not they are universal by themselves, he cannot say.

This methodology is based on a non-foundational approach to morality or what Walzer calls “practical morality”.⁶³

I am not going to expound morality from the ground up. Were I to begin with the foundations, I would probably never get beyond them; in any case, I am by no means sure what the foundations are. The substructure of the ethical world is a matter of deep and apparently unending controversy. Meanwhile, however, we are living in the superstructure. The building is large, its construction elaborate and confusing. But here I can offer some guidance: a tour of the rooms, so to speak, a discussion of architectural principles. This is a book of *practical morality*. The study of judgements and justifications in the real world moves us closer, perhaps, to the most profound questions of moral philosophy, but it does not require a direct engagement with those questions.... For the moment, at least, practical morality is detached from its foundations, and we must act as if that separation were a possible (since it is an actual) condition of moral life.

62. Walzer makes it quite explicit that his book is aimed at his fellow Americans (*Wars*, pp. xxv, xxviii). But from the universalist tone he uses and the examples he draws from a diversity of cultures, we may infer that Walzer intends to reach beyond America.

63. *Wars*, p. xxix. Italics added.

Walzer's practical morality consists in separating the moral world into superstructure and substructure. The superstructure is the existing morality we abide by: the tradition we inherit, the way we perceive morality, and the moral principles we invoke; whereas the substructure is the metaphysics or the systematic theoretical account of morality. We live in the superstructure. What we could clearly know and discuss is in the superstructure. The substructure is an "unending controversy." Nobody can know for sure what the foundations are. Under such circumstances, Walzer thinks it prudent to separate practical morality from foundational morality. This is possible because actual moral life does not require the existence of a comprehensive ethical theory. In practice, we act by studying, either imitating or modifying, the actions of our ancestors, and this is a particularist practice. Practical morality, however, does not necessarily exclude universality. We have a diversity of cultures. If any value is universal, we must be able to find it in different cultures.

b. A particularist particularism

The book *Spheres of Justice*, published in 1983, is thoroughly particularist. It espouses a particularist standpoint, defends for the particularity of every political community, and argues for the distinctiveness of each sphere of goods. The immediate public response to this celebration of particularity is an outburst of hostility and harsh criticisms, which stands in stark contrast to the previous warmly-received work *Just and Unjust Wars*.⁶⁴ Why is it so? Is there any significant difference between the two books? Has Walzer changed his philosophical stand? These are the questions that I want to reflect upon. To begin with, let us take a look at an often-quoted passage from the Preface of the *Spheres*:⁶⁵

My argument is radically particularist. I don't claim to have achieved any great distance from the social world in which I live. One way to begin the philosophical enterprise—perhaps the original way—is to walk out of the cave, leave the city, climb the mountain, fashion for oneself (what can never be fashioned for ordinary men and women) an objective and universal standpoint. Then one describes the terrain of everyday life from far away, so that it loses its particular contours and takes on a general shape. But I mean to stand in the cave, in the city, on the ground. Another way of doing philosophy is to interpret to one's fellow citizens the world of meanings that we share. Justice and equality can conceivably be worked out as philosophical artifacts, but a just or an egalitarian society cannot be. If such a society isn't already here—hidden, as it were, in our concepts and categories—we will never know it concretely or realize it in fact.

The above passage can reasonably be regarded as the position statement of Walzer, in which he projects himself definitely out of the orbit of traditional philosophy. Walzer invokes Plato's famous image of the cave in which the world of sense perception is compared to the world of thought. According to Plato, the world of sense perception is like a long deep cave completely shaded from sunlight and barely illuminated by a fire. Worse still, the prisoners of the cave are chained and can only

64. For their criticisms of Walzer, see R. DWORKIN, *To Each His Own*, in *The New York Review of Books*, 14 April 1983, pp. 4–6; M. WALZER and R. DWORKIN, 'Spheres of Justice'. An Exchange, in *The New York Review of Books*, 21 July 1983, pp. 43–46; B. BARRY, *Social Criticism and Political Philosophy*, in *Liberty and Justice. Essays in Political Theory 2*, Oxford, 1991, 9–22; ID., *Spherical Justice and Global Injustice*, in D. MILLER & M. WALZER (eds.), *Pluralism, Justice, and Equality*, Oxford, 1995, 67–80; J. COHEN, Review of M. WALZER, *Spheres of Justice* (New York, NY, 1983), in *The Journal of Philosophy* 83 (1986) 457–468; N. DANIELS, Review of M. WALZER, *Spheres of Justice* (New York, NY, 1983), in *The Philosophical Review* 94 (1985) 142–148.

65. *Spheres*, p. xiv.

see shadows cast directly in front of them. They take the shadows they see as the things themselves. This miserable situation is, in fact, the pre-condition of ordinary men and women. If they don't escape from the world of sense, they can never see the thing in itself. This is a truly vivid, ingenious, inspiring parable. Innumerable philosophers have already trodden this path of cave escaping—once called detachment but now the term “impartiality” is preferred. Walzer, in contrast, chooses to stand in the cave. His reason seems to run like this: since few people can escape the cave, not even for a fleeting moment, and the enlightened philosophers, like the rest of the ordinary people, spend most of the time in the cave (that is, there is no real escape), it is not of much use proclaiming a justice that one can never see or understand, no matter how just and perfect it is. If there is justice on earth, any justice at all, it must be inside the cave already, hidden, perhaps. Thus, a philosopher's task is to interpret what justice means in the world of shared meanings. It is unnecessary, and sometimes even undesirable, to discover or to invent a just society.⁶⁶

Compare the *Spheres* with the *Wars* and we find that both are basically written from the same particularist standpoint. In the *Wars*, Walzer writes, “by and large we learn how to act among our contemporaries by studying the actions of those who have preceded us.” In the *Spheres*, he continues to develop this theme: this learning mechanism presupposes the historical continuity in a particular culture. We cannot understand our ancestors' actions if we do not share (almost) the same moral world with them. One way of gaining access to the common moral world is through the shared understanding that a particular community has created as a collective enterprise. Since the shared understanding is moulded by many hands through numerous generations without a master scheme, we cannot expect to find in it a coherent moral world. That is the reason why we need wise men to interpret for us the hidden meaning. Thus from learning in the *Wars* to interpretation in the *Spheres*, we see Walzer's progression and maturation. Nevertheless, both books stem from the same particularist root.

Why is it possible for the same particularism to develop into a universalist morality of war and a pluralistic distributive justice? This has something to do with Walzer's empirical approach to morality. Morality in the first place is connected with a community. When we judge something to be right or wrong, we are implicitly referring to the community which lends us the moral language and concept we use. Since human history displays a spectrum of communities—some are closely related and some are totally separate, we can expect various kinds of moralities with different degrees of overlapping. If we carry out an empirical investigation, as Walzer has done in the *Wars*, we may conclude that there are certain common principles in the morality of war. We may also reach an opinion that no two communities possess the same mode of living, and hence every society has developed its own idea of social justice. Of course, Walzer has not carried out an extensive empirical research before he draws the conclusions that the morality of war is universal and that distributive justice is particular. There are other practical reasons that guide his decision. War, more often than not, is fought between different political communities. It is therefore an international affair. And being so, it is both necessary and desirable to reach a consensus about it. Survival and autonomy are two basic features of existence that we can expect human beings to show similar sentiment and to give similar judgement. As for distributive justice, it is chiefly concerned with a particular community: it is their own business, so to speak, and not that of anyone else. It is, for most of the time, both inappropriate and objectionable for outsiders to intervene. Very often, internal affairs are too complicated even for insiders to grasp comprehensively, let alone to find a proper solution. If this is so, how can an outsider tell the people of a community how to live? Surprisingly, some people do think they can. But what they actually do is to impose their own system, which they say is the best, on the community. Whether or not the new system will work has yet to be seen. But the things guaranteed are the disruption of the local culture and the

66. Cf. *Interpretation*, Chapter I. Three Paths in Moral Philosophy.

alienation from the root of their existence. For practical reason, Walzer confines particularity and universality to their respective domains.

c. *Prohibitions and the minimal code of morality*

Walzer takes commonality and difference in morality as a matter of fact. He finds it unnecessary, and indeed fruitless, to provide a foundational explanation for them. On the whole Walzer keeps his maxim, but sometimes he is forced by his critics to defend his position theoretically. The earliest article that touches upon this issue is *Three Paths in Moral Philosophy*, which was originally delivered in the 1985 Tanner Lectures on Human Values.⁶⁷ Since the purpose of the article is to defend his interpretative methodology, it has only a few pages on the issue of the minimal moral code.⁶⁸ These limited passages nevertheless give us a glimpse into the early stage of Walzer's thought on this matter.

In the article, Walzer tries to compare three common ways of doing moral philosophy, namely discovery, invention, and interpretation.⁶⁹ A discoverer detaches himself from the world in order to seek out the hidden universal law, be it in heaven, in nature, or in man himself. An inventor, while denying all external authorities, ventures bravely into creating a new moral world. Walzer argues that these two ways are deceptive or misleading because they are either doing interpretative work in a disguised manner, or they will eventually be reduced to interpretation. To him, the most proper way of doing moral philosophy is interpretation. Yet to show why the paths of discovery and invention are possible, Walzer borrows the popular notion of the minimal moral code. He assumes that there exists a minimal moral code, which consists of prohibitions such as "murder, deception, betrayal, and gross cruelty." (The list is probably not exhaustive; it serves only to exemplify the kinds of prohibitions.) He says, "Because they are minimal and universal ... they can be represented as philosophical discoveries or inventions." As to why being minimal and universal can be represented as philosophical discoveries or inventions, Walzer does not go on to elaborate. We can, however, find a clue to this question in his statement that minimal and universal prohibitions provide "a framework for any possible (moral) life."⁷⁰ It means that minimal prohibitions circumscribe a boundary on human behaviour. Beyond that, we cannot form a community. And without community, we cannot have moral life. For example, if we abolish the prohibition of murder—that is, we allow people to kill each other for whatever reason, it is very hard to imagine what kind of community we can still have. Discoverers or inventors pretend to discover or invent these minimal prohibitions (or the positive inversion of the prohibitions), and then elaborate them into their theories.

Walzer emphasizes that he comes to the idea of minimal and universal prohibitions empirically. The minimal code does not pre-exist in the Ideas, nor is it the given decree of God. Rather it gradually emerges from a long historical process of trial and error. Walzer believes that Hume too supports the same idea. In discussing the prohibition of theft, Hume writes that the rule "arises gradually, and acquires force by a slow progression and by our repeated experience of the inconvenience of violating it."⁷¹ The experience of inconvenience guides the peoples on earth to legislate all kinds of prohibitions. Some of these prohibitions are crucial to the survival of a community. If a community witlessly ignores the inconvenience of violating such prohibitions, it will extinguish. After a long trial and error process, all the existing communities have learnt to avoid the deadly inconvenience.

67. This lecture is collected in *Interpretation*.

68. *Interpretation*, pp. 23-25.

69. For a detailed discussion, see Chapter 3, §1. Interpretation and Representation.

70. *Interpretation*, pp. 24-25.

71. D. HUME, quoted in *Interpretation*, p. 24.

Another point that Walzer differs from the traditional view of the minimal code is the modification of “adaptation” to “elaboration.” Philosophers often take the minimal code as consisting of some universal principles, which are then adapted to different historical circumstances. Walzer thinks that this image is too “circumstantial and constrained.”⁷² He prefers to regard the core morality as providing the basic framework for creative elaboration into a thick moral culture. He says, “They [the prohibitions] provide a framework for any possible (moral) life, but only a framework, with all the substantive details still to be filled in before anyone could actually live in one way rather than another. It is not until the conversations become continuous and the understandings thicken that we get anything like a moral culture, with judgement, value, the goodness of persons and things realized in detail.”⁷³ This is certainly correct, for prohibitions are negative behavioural norms which prescribe nothing, and it is difficult to imagine how, by adapting the prohibitions, a complex moral culture can be developed. Prohibitions are nothing but warning signs. They tell us only what not to do but not what to do. We are left to our own imagination and creativity to construct a meaningful life.⁷⁴ Even so, we cannot and will not create idiosyncratic meanings. We are situated in a particular community at a particular time. Our language, ideas and perceptions are shaped by the tradition to which we belong and in which we grow up. There is no way to escape, nor does it necessary. The community and its narratives provide us with the means to explore the fullness of life.

d. Prescriptions and reiteration

In 1989, again at another Tanner Lectures on Human Values, Walzer tackled more seriously the issue of commonality and difference. This lecture was later published as *Nation and Universe*. The argument is Walzer’s first definitive statement in his continual effort to grasp this difficult subject. He recapitulates the ideas of the minimal code and creativity from the previous lecture, and looks at them afresh from a universalist perspective. He casts the minimal and universal prohibitions in the universalist terms and explores the ultimate universality that universalists can reasonably claim. The result is what he calls a “reiterative universalism” which can accommodate particularism. The readers, however, have to bear in mind that Walzer has not changed his standpoint; he is still a particularist. It is only Walzer’s way, and indeed one of his specialities, to understand his own position from his opponents’ perspective, and formulate the subsequent argument in their terminology.⁷⁵

The central idea of reiterative universalism is founded on some basic human needs. These needs are so fundamental to existence that no sensible person will object to their universality. Since these are related to the most instinctive impulses, they can easily be formulated in whatever language. Eating is one of such basic needs. No one would deny that it should be universal. Eating also carries with it some moral overtones. For example, people can use hunger strike as a means of demonstration. Under special circumstances, taking away surplus food without permission may not be morally condemned as a theft if the food is needed to sustain one’s life. Eating, however, is different from dining. Eating is a basic need but dining is a complicated system. It concerns the choice of food, the way of cooking, and

72. *Moral Minimalism*, p. 4.

73. *Interpretation*, p. 25.

74. For an elaborate discussion on the relation between prohibition and creativity, see R. BURGGRAEVE, *Prohibition and Taste. The Bipolarity in Christian Ethics*, in *Ethical Perspectives* 1 (1994) 130-144.

75. He says, “I want to argue from within what I, and many others, have taken to be the opposing camp; I want to take my stand among the universalists and suggest that there is another universalism, a nonstandard variety, which encompasses and perhaps even helps to explain the appeal of moral particularism.” (*Nation*, p. 509.)

the socially acceptable manners of dining on different occasions. There is one basic need of eating, but many different ways of dining. When a universal need is reiterated by different peoples, there will be pluralistic outcomes. Singular universalism and reiterative universalism have different ways to control the process. The former, according to Walzer, demands a “substantive imitation,” whereas the latter requires only a “procedural reiteration,” which is deemed to be a more balanced ethical view “governed as much by ideal as by practical considerations.”⁷⁶

One way of elaborating the idea of the minimal code, as Walzer has done in the previous article, is to treat it as the basic framework for possible moral life. Another way is to regard it as consisting of some positive universal human values. Prohibitions are negative behavioural norms. They can, to some extent, be translated into positive attitudinal principles. For example, the prohibition “Thou shall not kill” may be rendered into “Thou shall respect life” or even “Love thy neighbour.” Every nation that accepts the norm of “respect” or “love” has to reiterate the principle in its historical context. Walzer suggests that justice is one of such positive values that call for reiteration, but actually it has its particularist dimension. To prove this, he builds up his argument from the universally accepted particularist values of autonomy and attachment.

The first category of universal values that have particularist implications includes “independence, inner direction, individualism, self-determination, self-government, freedom, and autonomy.” We may name them under the title of autonomy. On the individual level, it refers to the basic existential question of selfhood. Every man or woman wants to develop his or her own self. So, we value individualism, freedom, originality, authenticity, nonconformity, and so on. If every man or woman follows the principle of autonomy, we will have a world of many kinds. Individual autonomy is a universal concept, but its practical outcome is pluralistic. The desire for autonomy also manifests itself in a collective way as demand for independence, self-rule, or self-government. It can be formulated as a universal law like this: “Self-determination is the right of every people/nation.”⁷⁷ But what this law mandates is in contradiction with the prescription of covering-law universalism. Self-determination dictates that every people should have a right to form and to shape their common life according to their collective will. If all nations reiterate this universal law, the outcome will be a pluralistic world of diverse societies. History in fact shows that there are many ways of life. A universal covering law is inadequate to describe the pluralistic phenomenon. If we want the covering-law universalism to work, we will have to constrain self-determination by coercing a set of predetermined laws. But then coercion is exactly what self-determination opposes.⁷⁸

Attachment is another category of universal values. “Love, loyalty, faithfulness, friendship, devotion, commitment, and patriotism,” all these are kinds of attachment.⁷⁹ They are universal values, but they are experienced differently. Since attachment is connected to a person’s experience, it is differentiated and particular. Though we can specify various kinds of attachment (love, friendship, familial relationships, patriotism, etc.), the description can only be general. For example, we may define love as a strong affection between two persons, which forms the basis for marriage. But it is absurd to write an instruction manual on love, and ask every pair of lovers to follow suit. Even if they did, the couple would not automatically experience love. Attachment is a universal value, but its

76. *Nation*, p. 519; *Moral Minimalism*, p. 4.

77. *Nation*, p. 518.

78. Self-determination, Walzer concedes, is not an absolute right. We may criticize a certain régime, and even intervene if it causes serious harm to other innocent parties. Thus he makes the following provision for self-determination: “Obviously, we can criticize each other’s work [the régime], urge that it be made more like our own, for example, but unless our lives and liberties (or those of other presumptively innocent men and women) are injured or threatened by it, we cannot forcibly interfere.” (*Nation*, p. 519.)

79. *Nation*, p. 520.

enactment can take different forms, have different intensities and emotional tones, and entail different obligations. All these differences are the complex products of personalities and cultures.

Justice, another universal value, seems to be the one that most people would wish to defend: they want to concretize it as a universal principle, which can be used to reform every society. Justice is indeed universal, Walzer agrees. But autonomy and attachment have already determined the main patterns of distributions. If we want to uphold these two universal principles, it seems there will not be much room for a universal corrective principle of justice to manoeuvre. Either autonomy, attachment, and justice are universal and reiterative, or the first two oppose the last one. Suppose we give equal status to these three human values, then we will have to choose the first option. We have to see justice developing side by side with the working out of autonomy and attachment. All three of them are everywhere accepted, in Walzer's words, "out of recognition of and respect for the human agents who create the moral world and who come, by virtue of that creativity, to have lives and countries of their own." Justice is universal in its general conception but diversified in its implementations. We value creativity and wish to safeguard the freedom of human agents. We have made many universal laws to protect human agents. "Looking at the elaborated description, however," Walzer observes, "we may well feel that we have made too much of agency—for the more we make of it, the less there is for it to make." He asks, "Why should we value human agency if we are unwilling to give it any room for manoeuvre and invention?"⁸⁰ It seems that we need to find a balance between creativity and protection.

Some contemporary philosophers have made such an attempt. Walzer purposely singles out Stuart Hampshire, for "he is equally sensitive to the claims of particular ways of life rooted in 'local memories and local attachments' and to the claims of a universal morality 'arising from a shared humanity and an entirely general norm of reasonableness'."⁸¹ His theory would supposedly be a balanced account of creativity and protection, and of local cultures and universal human standards. Hampshire makes a distinction between affection and reason. The former is personal and particular whereas the latter belongs to everyone or to no one in particular. He then identifies "sexual morality and family relationships and the duties of friendship" to be in the sphere of affection.⁸² It is right and proper for us to develop our own prohibitions and prescriptions in these areas. In this case, Hampshire must agree that autonomy and attachment are reiterative. Outside the sphere of affection, Hampshire opines, lie the "principles of right" and the "rules of distribution."⁸³ These two belong to the realm of reason and thus are applicable everywhere. Justice, in Hampshire's opinion, is universal but not reiterative. People everywhere will arrive at a similar (if not identical) set of principles of justice if they could be sufficiently detached and impartial, and use their reason properly.

Such a distinction, Walzer counters, does not make any practical sense. In reality, affection and reason rule the same terrain. For instance, in most societies the kinship system is also a system of distribution. It determines "who lives with whom, who sleeps with whom, who defers to whom, who has power over whom, who gives dowries to whom, and who inherits from whom." If these rules are allowed to put into practice, they will already define a substantial shape of a distributive system. This is one of the reasons why inequality persists in virtually every society. There is in fact not much room left for manoeuvre by the reason of justice.

When the "license of distinctiveness" comes into conflict with the "principles of fairness," Hampshire suggests that justice should take precedence over autonomy and attachment: no custom or convention should be allowed to violate the principles of fairness. What he actually proposes is to circumscribe cultural diversity within the limits of reason. Walzer thinks that the attractiveness of this

80. *Nation*, pp. 522-523.

81. *Nation*, p. 523.

82. S. HAMPSHIRE, quoted in *Nation*, p. 523.

83. *Nation*, p. 524.

proposal depends on “how limiting the limits are.” Unfortunately, he does not find any concrete and practical limits in Hampshire’s analogy of natural languages. And his conclusion is: “When we draw the critical line, there is nothing on the other side. Either the covering law covers everything—or better, only trivialities are reiterated: each people has its own folk dances—or everything is reiterated, and (partially) differentiated in the course of reiteration, including justice itself.”⁸⁴

D. PRACTICAL PARTICULARISM

In his first attempt to explain the same and the other in morality, Walzer takes up the standpoint and the terminology of the universalists to show how particularity is at work within the framework of universalism. It is a commonly held opinion that morality consists of a core of minimal moral principles, which is adapted to different circumstances. The aim of Walzer’s argument is to downplay its circumstantial dependence and to take in the neglected dimension of human creativity. This formulation is not entirely satisfactory in at least two respects. To the readers, Walzer does not give an explicit explanation of universality and particularity in morality from his particularist viewpoint. This will inevitably leave a blank in his theory and the readers could only guess his position. To Walzer himself, he only discovers later that the popular minimalism could not account for the actual formation of morality. He says, “But both these descriptions [adaptation and Walzer’s elaboration] suggest mistakenly that the starting point for the development of morality is the same in every case. Men and women everywhere begin with some common idea or principle or set of ideas and principles, which they then work up in many different ways. They start thin, as it were, and thicken with age, as if in accordance with our deepest intuition about what it means to develop or mature.” “But,” he continues, “our intuition is wrong here. Morality is thick from the beginning, culturally integrated, fully resonant....”⁸⁵ The conception of morality as the ramifications of a minimal code is a speculative hypothesis without the support of historical evidence, and thus is incompatible with Walzer’s particularist approach. To make his argument more consistent, Walzer published an article titled *Moral Minimalism* in 1992.⁸⁶ This paper deals with the issue of universality and particularity in the same practical way as the *Wars* and the *Spheres*. Walzer conceives the problem not as a theoretical one but as a practical, pressing issue. He perceives that there is currently a (nearly) universal demand for democracy and an even stronger struggle for cultural autonomy. “What are we to make of this?” he asks.⁸⁷ To answer this question, Walzer poses the issue as a moral experience arising from a real situation—the march in Prague.

1. A phenomenological analysis

1989 was an extraordinary year. People in the Eastern communist bloc suddenly began a courageous march to protest against their totalitarian governments. More surprisingly, the communist régimes fell one after the other. In that year, many Western television channels broadcast marches and

84. *Nation*, pp. 524–526.

85. *Moral Minimalism*, p. 4.

86. *Moral Minimalism* is originally a paper presented in a conference and later published in W. R. SHEA and A. SPADAFORA (eds.), *From the Twilight of Probability. Ethics and Politics*, Canton, MA, 1992, 3–14.

87. *Thick*, p. ix.

protests almost everyday in the news programmes. Among the audience, Walzer was especially struck by the protest in Prague: people were marching onto the streets carrying signs such as “Truth” and “Justice.” “When I saw the picture,” Walzer recounts, “I knew immediately what the signs meant.... Not only that: I also recognized and acknowledged the values that the marchers were defending....” Walzer also assumes that everyone who saw the same picture would have the same feeling and response as he did. This experience puzzles Walzer, and he asks himself, “How could I penetrate so quickly and join so unreservedly in the language game or the power play of a distant demonstration?” He wonders, “The marchers shared a culture with which I was largely unfamiliar; they were responding to an experience I had never had. And yet, I could have walked comfortably in their midst. I could carry the same signs.”⁸⁸ The march of Prague is undeniably a “universal moment.”⁸⁹ How can Walzer explain this universal moment from his particularist viewpoint?

Walzer takes a phenomenological approach to this issue. The news footage of the march arouses resonance in almost everyone. This is caused not by the cracking down of the demonstration but by the signs carried by the protestors. They demand “Truth” and “Justice.” These words are simple moral terms. They are not demanding the political system like the one that we cherish and take pride in. Nor are they telling us stories of oppression. Yet, they are capable of creating such a strong sense of solidarity beyond the border. What kind of magical power do they possess? How do the moral terms function on such occasion? Most of us have some general knowledge of the wrongdoings of a communist régime: totalitarian system, corruption, manipulation, suppression, secret police, lying, labour camp, torture, etc. Though to what extent the government has abused the people we may not know. But when we see the Prague demonstrators marching with signs of “truth” and “justice,” we immediately understand what they demand: they ask for honest politicians; they demand an end to arbitrary arrests, partial law enforcement, and exclusive privileges for the party élite. All these we agree with them and we unreservedly endorse their demands.

Our endorsement is not merely cognitive but also imaginative. “We imaginatively join the march;” Walzer writes, “our endorsement is more vicarious than detached and speculative.” When Walzer saw the march in Prague, he was so sympathetic to their cause that he was drawn into the demonstration: he marched as one of the citizens of Prague protesting against injustice. Why is it so? Walzer gives the following explanation: “We too don’t want to be told lies; we too remember, or we have listened to stories about, tyranny and oppression.” These two factual statements, however, cannot adequately explain the intensity of personal and emotional involvement. I may sympathize with you but I am also fully occupied with my own responsibilities. After all, it is none of my business. Hence something more must have come into play here. Walzer discerns that he was projecting his past experiences of struggling against injustice into the march of Prague. He thought that the citizens of Prague were fighting for the same justice as the Americans had done. He says, “We give to ‘truth’ and ‘justice’ our own additional meanings; we allow them their full expressive range within our own culture.”⁹⁰ We see the signs of “truth” and “justice” in Prague, and we interpret the moral terms within our own milieu and according to our own experience. That is why we are so emotionally stirred, so eager to join the march. There are, in fact, two marches: one of the Czechs, and one of our own. But they appear to be one march in which the Czechs and we march side by side through the streets of Prague. The Czechs march for their cause, and we for our own. At a closer look, this single march again breaks down into two marches. Both parties join hands on special occasions, but for most of the time they march separately on their own.

88. *Moral Minimalism*, p. 1.

89. *Thick*, p. x.

90. *Moral Minimalism*, pp. 8–9.

2. Thick and thin now

Walzer conceptualizes the above phenomenological analysis by using the idea of thick and thin. He says, “Moral terms have minimal and maximal meanings; we can standardly give thin and thick accounts of them, and the two accounts are appropriate to different contexts, serve different purposes.”⁹¹ He suggests that the first access to morality is via moral language, which can be interpreted in a minimalist or a maximalist way. The minimalists seek out the thin account of a moral term and attempt to circumscribe as many as possible, if not all, men and women within their jurisdiction. Their ideal is to formulate a morality for the whole humanity. In contrast, the maximalists prefer a thick account. They are only interested in finding out what is the right thing for them to do. When the minimalists and the maximalists meet, they quarrel with each other. The first accuses the second of being relativist, and the second indicts the first for being absolutist. Walzer thinks that the contemporary debate on relativism and universalism can be resolved, or at least be put in a proper perspective, if we could grasp the fact that moral language allows for two poles of interpretation. We can abstract its general thin meaning, or we can dig into its culturally embedded thick meaning. Needless to say, there are still a number of choices in the middle. For simplicity’s sake, let us categorize them as thick and thin.

The march of Prague can serve both as an illustration and as a test case for Walzer’s proposal. First of all, this march is a thin moral case. Both the demand of the marchers and the response of the audience hinge on a thin interpretation of moral language. Whether they were conscious of it or not, the marchers couched their protest in the simple moral terms of “truth” and “justice.” These words are the basic components of a moral language which can be found almost in every society. They are essentially associated with some negative experience of manipulation or oppression. Nobody wants to be deceived and nobody wants to be repressed, not even liars and tyrants. We find deception and repression universally condemned. The words “truth” and “justice,” understood thinly, are the negation of these heinous policies.

But how truth and justice are to be implemented is constrained by the cultural and historical context. Since there are no pre-existent definitions of truth and justice, we have to elaborate the ideas creatively in response to our concrete situations. After many years of struggle for truth and justice, we have accumulated a body of events and meanings that are associated with these moral terms. Owing to the complexity of their formation, they allow for different interpretations. Indeed members of a society often disagree with each other, and may even quarrel fiercely over various nuances of the terms. Nevertheless, they comprehend each other’s argument for they are using the same moral language and interpreting the same shared understandings. In other words, they are arguing what “justice” should justly mean to them. This is what Walzer means by the thick meaning of a moral term. Thick meaning is culturally bounded, and outsiders naturally find it hard to penetrate. The marchers of Prague want to elicit the widest support both within and without the country, so they choose these thin moral words. If we confront them with the concrete question of what they want the society to be, several versions might come up. They would have different opinions about which parts of the system should be kept and which parts should be abolished, and to what extent changes should be made. These arguments will become a dividing force among them, and will be too subtle for outsiders to understand. Had the marchers couched their demand in thick moral language, the scale of the demonstration would be much smaller and the resonance much diminished.

Distributive justice is a maximalist morality thickly rooted in tradition. Though we can give a minimalist version of distributive justice like Rawls’s two principles of justice, any adequate account of

⁹¹. *Moral Minimalism*, p. 2.

the distributive process cannot escape moral maximization. Walzer characterizes moral maximalism by the following features: (1) “idiomatic in its language,” (2) “particularist in its cultural reference,” and (3) “circumstantial” in the two senses of “historically dependent and factually detailed.”⁹² These are the basic characteristics of distributive justice. I cannot think of any practical description of distribution which could do without any one of them.

To take an example from Walzer, the ancient Greek distributive maxim requires that we ought “to give every man his due” (τὴν ὀφειλὴν τινὶ ἀποδιδόναι).⁹³ This apparent universal maxim is obviously an idiom. It is written in a specific language and in a peculiar style. Strangers to Greek culture would probably find it unintelligible. Even when it is translated, it is only a readable but incomprehensible phrase. The English reader can understand this maxim only because the English translation has become an English idiom. More importantly, we are not expected to extract meaning from the phrase alone. Standing on its own, the phrase can yield a wide range of meanings that result in conflicting statements. For instance, the word “man” can be a Greek male citizen, a male, a female, or a human being. If we take it as a male, then women are excluded. To understand a maxim properly, we have to interpret it within its own cultural context. In this case, it is the Greek culture, or more broadly, the Western culture. Only in this perspective can we substitute our speculation with the social meaning of this maxim. Social meaning is manifestly circumstantial; it is both historically dependent and factually detailed. The Greek maxim epitomizes a highly hierarchical and sexist world in which there is no clear distinction between social status and moral virtue. Everyone is graded from top down. Generally, the higher one is in the social rank, the more due he or she should receive, and the lower, the less. When this maxim is incorporated into the Christianity-tinted Justinian’s Code, it is interpreted as an egalitarian distributive principle that “every man should be rewarded or punished after his desert.” Contrary to the maxim’s original intent, this new interpretation is subversive to any hierarchical régime. If office is to be distributed according to desert, what is the use of rank or blood? No wonder after Lord Polonius tells Hamlet, the Prince of Denmark in Shakespeare’s play, that he will use the actors according to their desert, Hamlet breaks into exclamation: “God’s bodikins, man, much better; use every man after his desert, and who should ’scape whipping!” And his advice to Polonius is: “Use them after your own honour and dignity: the less they deserve, the more merit is in your bounty.”⁹⁴

Walzer warns his readers that he is not talking about two moralities as if people were carrying two sets of standards in their heads—one to appeal for international support, and one for domestic affairs. “Rather,” he says, “minimalist meanings are embedded in the maximal morality, expressed in the same idiom, sharing the same (historical/cultural/religious/political) orientation. Minimalism is liberated from its embeddedness and appears independently, in varying degrees of thinness, only in the course of a personal or social crisis or a political confrontation....”⁹⁵ In other words, there is, for each people, only one thick morality which reveals itself in different degrees of thinness according to different circumstances. Hence moral interpretation is circumstantial, and moral discourse should be evaluated on the basis of its appropriateness. As to the choice between a thick and a thin account, it all depends on our assessment of the situation and our purpose. Thus it can be said that relativism and universalism, if put in the perspective of thick and thin, could both be either right or wrong. The judgement depends largely on the moral subject that is being discussed. If the morality at stake deserves a thick account like distributive justice, then the relativists are on the right side. Otherwise, it may be the universalists who are in the right. It is just a pity that both universalists and relativists want

92. *Thick*, p. 21.

93. Cf. *Thick*, pp. 21–22.

94. W. SHAKESPEARE, *Hamlet*, II. ii. 561–565, ed. H. JENKINS, London, 1982.

95. *Moral Minimalism*, p. 3.

to universalize their own viewpoint so as to apply it in every situation. The idea of thick and thin can resolve not only the seeming conflict between relativism and universalism, it can also explain satisfactorily the notions of particularity and universality in Walzer's theory. It unites them into a coherent whole. Consequently, the universalist morality of war and the particularist distributive justice can be accommodated comfortably in the framework of thick and thin.

II. SHARED UNDERSTANDING or MISUNDERSTANDING

§1. THE OBSERVABLE MORAL DATA

Walzer's practical particularism is grounded on what he calls "the opinions of mankind" in *Just and Unjust Wars*.¹ He later elaborates this idea into "shared understandings" in *Spheres of Justice*. This is a decisive turn from the early project of modernity which endeavours to found morality on a universal rationality. His particularist methodology challenges the early modern aspiration to building a universal platform for humanity. Some scholars interpret Walzer's move as a kind of communitarian critique of liberalism. This classification is correct so long as communitarianism is loosely understood as a concern for culture and community. However, a communitarian perspective is inadequate to interpret Walzer's writings.² His enterprise, I believe, is more ambitious: he actually tries to bridge the gap between scientific knowledge and traditional knowledge. Modernity created this cleavage, which was then institutionalized in the academy as the division between the traditional discipline of theology or philosophy and the modern discipline of social science. The old and the new disciplines, each relies on a different methodology, and each claims to have its own authority, have ever since gone their own way. Walzer's interpretation of shared understanding, I will argue, offers a way to rejoin them.

A. THE COMPLICATIONS OF SHARED UNDERSTANDING

The term "shared understanding" appears many times in *Spheres of Justice*, but nowhere can we find any definition of it. Perhaps, Walzer assumes that his reader would have no difficulty in grasping it. At first sight, shared understandings refer to some languages, knowledge, practices, and social institutions that are shared among the members of a particular society. As a kind of vague everyday language, the use of the term "shared understanding" is acceptable. Few people would doubt that a

1. *Wars*, p. 15.

2. Walzer draws a line between the communitarians and himself in *The Communitarian Critique of Liberalism*, in *Political Theory* 18 (1990) 6-23.

community speaks at least a common language, shares some common knowledge, and upholds certain common values. But when a vague idea is taken to represent a philosophical concept, it invites severe criticism. Indeed many critics find the idea of shared understanding fatal to the otherwise well-argued book.

One straightforward attack is to deny that there is any understanding shared at all. Ronald Dworkin, who considers shared understandings as social conventions and observes that there are debates on virtually every political matter in America, once said, "... the very fact that we debate about what justice requires, in particular cases, shows that we have no conventions of the necessary sort."³ Here Dworkin, and some other critics as well, interprets "shared" as "conformation."⁴ Since the citizens of the United States always disagree, there is no conformation, and thus no shared understanding. Even if there are shared conventions, the Walzerian ethic will still be nothing but a literary presentation of moral statistics. Such a moral anthropology is too parochial to be critical at all.⁵ These are serious accusations that demand unequivocal answers.

1. The equivocality of the terminology

The first appearance of "shared understandings" is found in the Preface of the *Spheres*.⁶ In its context, the term suggests that our ideal of a free and just society is not a utopia located nowhere, but a practical possibility already embedded in our commonly held meanings of goods. It emphasizes the localness of justice in contrast to the universal conception of justice. Except for this assertion, there is no further explanation. Understandably, the preface only introduces the key concepts, and we would expect Walzer to elaborate on them in the body of the work. Some critics even express the opinion that the notion of shared understanding is so new and fundamental to Walzer's theory of justice that nothing is adequate except a comprehensive theory of community. Contrary to their expectation, Walzer gives no definition in the *Spheres*, let alone a theory. It seems that Walzer treats the idea of shared understanding as a self-evident fact that needs no specific definition.

To further complicate the issue, Walzer uses, rather casually, an array of similar expressions, all of them ill-defined. To give an idea of what they are, I group them according to the substantives (page references are given in parentheses):

1. Understanding-expression

shared understandings (xiv), understanding shared (29), shared understandings of social goods (xiv), understandings of the social goods (6), shared understandings of the members (313), the deeper understandings of social goods (26).

2. Meaning-expression

the social meanings of the goods (21), the social meaning of particular goods (19), social meanings (xv,22), social meaning (10,21), the meaning of a social good (21), meaning of social goods (20,314), the meanings that individuals attach to goods (21), shared meanings (7), common meanings (29), the meaning of the things we share (xiv), the world of meanings that we share (xiv).

3. R. DWORKIN, *To Each His Own*, p. 4, c. 4.

4. Conformation is how Joshua Cohen understands the word "shared." He says, "A value is only said to be shared if its members conform to its requirement (J. COHEN, Review of M. WALZER, *Spheres*, p. 462)."

5. Cf. N. DANIELS, Review of M. WALZER, *Spheres*.

6. *Spheres*, p. xiv.

3. Conception-expression

shared conceptions of social goods (xv), shared conceptions of ... goods (7), cultural conceptions (16).

4. Value-expression

shared values (10).

A preliminary study of the expressions shows that Walzer has used at least four substantives: understanding, meaning, conception, and value. To qualify them, he uses four adjectives as well: shared, social, common, and cultural. The most frequently used substantive and adjective are “meaning” and “shared” respectively. The expressions on the whole convey the impression that the meaning of a good or a thing is shared among the members of a community. Superficially, these expressions seem to carry similar connotations. But, the problem is, what do they exactly refer to? Do they refer to the same reality? These are complex questions that Walzer has not clarified in the *Spheres*. In order to answer them, I will extract the meanings of the various expressions from the immediate contexts in which they stand.

2. The semantics of shared understanding

After a survey of the various expressions, we can draw out five inferences:

1. *In most cases, “shared” and “social” are interchangeable, likewise for the terms “understanding,” “meaning” and “conception.”*

No effort is made to distinguish “shared” from “social,” or to differentiate “understanding” from “meaning” or “conception.” In his discussion of social goods, Walzer writes, “Goods in the world have shared meanings because conception and creation are social processes.”⁷ From this statement, we can deduce that meanings are shared because their formation is a social process. When “social” is used to qualify “meanings,” it carries the double connotations of “shared” and “the reference to the collective effort.” As for the three nouns, no significant distinction can be made. Very often, the expressions are in the form of “shared understandings of goods,” “social meanings of goods,” or “shared conceptions of goods.” Sometimes, “social meanings” may stand on its own, but the context indicates that it refers to “social meanings of goods.” Yet, “shared understandings of goods” and “shared understandings,” in some instances, may have different meanings. “Shared understandings” may denote the totality of the moral world as the expressions “the world of meanings that we share” and “shared understandings of the members” indicate, whereas “shared understandings of goods” can be interpreted as a subset of “shared understandings.”

2. *Shared understandings of goods, with respect to distributive justice, concern every aspect of society.*

According to Walzer, society is primarily a community of distribution. He says, “Distributive justice is large idea. It draws the entire world of goods within the reach of philosophical reflection. Nothing can be omitted; no feature of our common life can escape scrutiny. Human society is a distributive community.”⁸ People come together, organize themselves into a particular community and create things—such as membership, power, honour, commodities, and feasts—for sharing, dividing,

7. *Spheres*, p. 7.

8. *Spheres*, p. 3.

and exchanging. Different political arrangements enforce and different ideational systems justify different patterns of distributions. Therefore, all the shared understandings of a particular social world are relevant, especially the political arrangements and the moral ideals. Here, we find some ambiguity of Walzer's use of "shared understandings" and "shared understandings of goods". Logically, shared understandings contain all the social meanings of which shared understandings of goods is a subset. Though distributions are not the whole of communal life, they may be related to every aspect of it. In other words, the set of the shared understandings of goods is open. If we find any shared understanding relevant to distributive justice, it belongs to this set. Consequently, within the domain of distributive justice, shared understandings are the same as shared understandings of goods. It implies that any idea, though it may not relate directly to the meanings of goods, can be invoked as an argument to justify certain distributive principle.

3. *Shared understandings are particular.*

Different communities have by and large different shared understandings despite the fact that there may be similar or even overlapping shared meanings of goods in some communities. A question immediately arises: which shared understanding should concern us in distributive justice? Fortunately the question itself has hinted at the answer: "us" points to the solution. For all the peoples within "us," their shared understandings are relevant. Walzer thinks that the best boundary of "us" is the political community.⁹ Although the political community is not a self-contained distributive world, it comes closest to a world of common meanings: common language, common history, common culture. Moreover, politics creates its own commonality. Distributions are to a large extent authorized and regulated by political power. Hence a political community constitutes the basic setting of distributive justice.

4. *Shared understandings of goods are examples of distributions.*

Walzer's shared understandings of goods often refer to historical cases. In the explanation of his methodology, he writes, "My examples are rough sketches, sometimes focused on the agents of distribution, sometimes on the procedures, sometimes on the criteria, sometimes on the use and the meaning of the things we share, divide, and exchange."¹⁰ These examples are contemporary and historical accounts of distributions. They are not confined to a particular community. Distributive stories of other political communities are cited in contrast to the American ones. These exotic examples are used to "suggest the force of the things themselves."¹¹ But how much force does an example from a foreign society carry? How can we scale the weights of the shared understandings of different societies? These are difficult questions. If we read Walzer straightforwardly, only the contemporary shared understandings of goods of one's country are obligatory; all the others are illustrations. Walzer, however, does not strictly observe this rule. He uses both historical and exotic examples to vindicate his case. If the contemporary opinion of a certain distribution does not support the ideal of complex equality, Walzer may present a historical or exotic story to counter the contemporary one. That is why some of the critics become confused. For instance, arguing that medical care is a welfare and thus should be distributed to every citizen, Walzer cites the historical accounts of ancient Athens, the medieval Jewish community, and the European principles of "cure of the souls" and "cure of the bodies" to oppose the dominant American practice of free exchange

9. *Spheres*, pp. 28-30.

10. *Spheres*, p. xiv.

11. *Spheres*, p. xiv.

between doctor and patient.¹² Is Walzer inconsistent? Is he not conflating different sets of shared understandings of goods? These questions lead us to the “deeper understandings of social goods.”

5. *The deeper or real understandings of social goods are the hidden or interpreted shared understandings of goods.*

“What choices have we already made in the course of our common life? What understandings do we (really) share?”¹³

These two questions, in Walzer’s opinion, are crucial in determining the distributive arrangements of a society. The first question asks us to look back on our history, and the second directs us to reflect on the shared understandings. Once we know the answers, we should understand how to distribute justly here and now. It is important to note that the word “really” put within parentheses is the crux of Walzer’s interpretive method. Are there understandings which are not really shared? How can we know what understandings are really shared? Walzer does not elaborate this point in the immediate context. Another sentence in a later passage sheds more light on it:¹⁴

The goal, of course, is a reflection [of common life] of a special kind, which picks up those deeper understandings of social goods which are not necessarily mirrored in the everyday practice of dominance and monopoly.

This statement gives Walzer leeway to retreat from the tyranny of the majority, the dominant or popular opinions, the established practices and institutions, or perhaps even the restrictions of temporality and locality. Because of dominance and monopoly, existing distributions may have been the results of oppression, and the popular ideals may have been distorted to favour the ruling class. Walzer’s basic assumption is that we have to be faithful to the shared understandings if and as long as these understandings reflect the true and free expressions of mankind. There is no need indeed to respect a popular but oppressive idea imposed by the powerful. Since oppression is always present in human history, interpretation inevitably involves finding the deeper or true shared understandings of goods.

The semantic analysis above is only one of the two possible means to investigate the meaning of shared understandings. The other involves an inquiry of what foundation Walzer has chosen for the development of his theory. Weighing on the material we have discussed above, it is true that Walzer has not clearly defined or explained his fundamental concept of shared understanding, thus inviting severe criticism. Nevertheless, we can still grasp the general idea of shared understandings as the social meanings of things embedded in history. Such understandings often reside in historical cases which require interpretation if we are to uncover their moral significance. They are similar to the precedents in the legal system. Moral ideals, like laws, are devoid of pre-existent definitions, and we have to look for their meanings in historical precedents. The procedure, Walzer compares, is like a judge or a lawyer making legal decision from within the legal tradition.¹⁵ If the legal system can work properly without serious theoretical objection, why can’t a moral system function on the same basis? Indeed, Walzer assumes that it can. Thus it is unnecessary to define shared understanding in detail. Furthermore, the methodology used in the *Spheres* is not entirely novel. Walzer has employed more or less the same technique in the *Wars*.¹⁶ Since nobody has challenged him there, he would not expect it to

12. Cf. *Spheres*, pp. 64–91.

13. *Spheres*, p. 5.

14. *Spheres*, p. 26.

15. Cf. M. WALZER & R. DWORKIN, ‘*Spheres of Justice*’: An Exchange, in *The New York Review of Books*, 21 July 1983, pp. 43–46, pp. 43–44; *Interpretation*, pp. 18ff.

16. Walzer himself declares that he uses the same methodology in the two books.

be rejected here. Most probably, the negative feedback is caused not so much by the idea of shared understanding as by its assertive particularist expression.

Regardless of the intention of the critics, their queries cannot simply be brushed aside. What does shared understanding refer to? It seems that shared understanding is moral tradition. If so, why does Walzer invent a new name instead of using the well-known term “moral tradition”? Apparently, Walzer has two choices. Either he develops a theory of community as some critics suggest, or he connects the idea of shared understanding to some well-established concept like tradition, history, or culture. Walzer chooses the latter, but his analogy to law cannot satisfy his critics. Georgia Warnke comes to his aid and attempts to fill the gap by proposing that Walzer’s methodology is a kind of interpretation which can be understood by hermeneutics.¹⁷ She first establishes a parallel between literary interpretation and social interpretation, and then draws the conclusion that Walzer’s interpretation accords with the advanced hermeneutics, whereas his critics’ understanding of his interpretation is defective. Hermeneutics, of course, can be one possible way of explaining Walzer’s methodology. There is, I believe, an alternative more immediate to Walzer’s thinking, that is, to explain it in the light of anthropology. I am inclined to think that the anthropological approach is more appropriate since Walzer himself claims that his theory relies on “history and anthropology.”¹⁸ In order to better understand the proposition of the “interpretation of shared understandings,” I shall give a rough sketch of the sociological/anthropological background by introducing Émile Durkheim’s notion of “social fact,” and Clifford Geertz’s “interpretation of cultures.”

B. SOCIAL FACT AND SOCIAL MEANING

1. Émile Durkheim’s sociology of morals

For a deeper appreciation of the concept of shared understanding, it will be illuminating to compare Walzer with Durkheim on this subject matter. A full investigation is obviously beyond the scope of my project. My aim has to be minimal: I attempt to show that Durkheim and Walzer are revolting against the ethical foundation founded by Kant, and that they are both on a journey towards a mature modern moral theory. There are certainly signs of continuity between them, but I do not plan to establish the link here. I intend only to draw out some salient features so as to cast the notion of shared understanding in a sociological background. Could shared understanding be the source of moral investigation from the sociological perspective? Could Walzer avoid the pitfalls stemming from Durkheim’s positivist standpoint, for which the latter has been severely criticized? These are the main questions that I try to address.

At first glance, Walzer and Durkheim do not have much in common. The two authors are almost separated by a century, and there is no direct link between them except that both are of Jewish origin. No apparent similarity can likewise be found in their works to affirm their correlation. But such superficial impression cannot withstand a deeper investigation. Walzer’s *Spheres* is an implicit critique

In an interview, he says, “I am still mixing arguments from principle and arguments from historical cases in the way that I did in those books [*Wars and Spheres*].” See M. WALZER, M. CARLEHEDEN, R. GABRIËLS, *An Interview with Michael Walzer*, in *Theory, Culture and Society* 14 (1997) 113-130, p. 113.

17. Cf. G. WARNKE, *Justice and Interpretation*, Cambridge, MA, 1992, pp. 13-37.

18. *Spheres*, p. xviii.

of Rawls's *Theory of Justice*. Rawls treats society as an assemblage of individuals, who are without intrinsic bondage either with each other or with their ancestors. Walzer judges this approach to be a kind of "bad sociology." He criticizes Rawls for separating people from each other and from their history. Such an individualistic ethical theory cannot fully encompass our moral experience. Walzer has the ambition to work out an ethic which will be consonant with the findings of sociology. As a matter of fact, Rawls depends heavily on Kant. In his own account, Rawls says, "The theory that results is highly Kantian in nature."¹⁹ Indeed, his notion of persons in the original position is an elaborate version of Kant's categorical imperative. Walzer is not alone in the effort to refute the Kantian deontological ethic. Durkheim has done the same thing a century ago. In fact, Durkheim is one of the pioneers who tries to replace Kant's individualistic approach to morality with another scientific theory, which Robert Hall calls the "sociology of morals."²⁰

In a way, Durkheim and Kant are related to Newton, not in the subjects they study, of course, but in the methodologies they use. Newton's science, since the appearance of the *Principia Mathematica*, has become the model and the touchstone of modern sciences. He had been seen for some time as the lawgiver of the universe. His significance was captured by the English poet Alexander Pope in the proposed epitaph for our modern lawgiver:²¹

Nature and Nature's Law lay hid in night:
God said, let Newton be! and all was light.

In the poem, Pope implicitly compares Newton to Moses. He implies that both Moses and Newton receive God's revelation but in different domains. One gives us the law of human, and the other the law of nature.

Pope's dichotomy represents a common understanding of Newton's achievement. Actually Newton's science has implications beyond the movement of physical bodies. In the ancient cosmology, the heavenly bodies are considered as vital to all forms of life on earth. These bodies transmit their energy to the earth, and exert a determinative influence on human beings. The heavenly bodies circulate the earth in a regular manner, and are in turn moved and controlled by some other angelic beings, as is believed. Newton's theory proposes that the bodies are not moved by angels but are in fact acted upon by gravitational forces, and that their paths of movement can be accurately represented by mathematical formulae. Although Newton himself refuses to accept gravity as a material force, it can nonetheless be interpreted as thus, and from which we can further deduce a mechanistic world view. If the heavenly bodies, which were regarded as mystical in the past, can be controlled by a mechanistic law, could human beings be also governed by another mechanistic law?

Kant resists this temptation. Although he goes so far as to agree with the Newtonian view that human behaviour is circumscribed by a law, he refuses to accept that that law is mechanistic in nature. Kant endeavours to limit the application of the Newtonian science to the domain of the physical world. To him, human moral behaviour belongs to another territory and obeys another category of law.

Newton's science may be summarized as consisting of three main characteristics: observability, comprehensibility, and controllability. It assumes that everything is observable through human senses, and that the collected data can be analysed by the intellect and be rendered into a set of comprehensive principles. As a result, the principles can in turn be used to manipulate the corresponding objects. These three elements constitute the foundation of any scientific methodology. Kant, however, argues

19. J. RAWLS, *A Theory*, p. xviii.

20. See Robert T. Hall's Introduction, in E. DURKHEIM, *Ethics and the Sociology of Morals*, trans. R. T. HALL, Buffalo, NY, 1993, pp. 11-51. Hall has excellently demonstrated that Durkheim is a sociologist of morals, whose life-long endeavour is to establish a sociology of morals which, he thinks, forms the basis of philosophical ethics.

21. A. POPE, quoted in I. PRIGOGINE & I. STENGERS, *Order*, p. 27.

that the moral behaviour of rational beings cannot be wholly circumscribed by this kind of methodology. According to some Western moral traditions, a moral act is first and foremost determined by the intention of the actor. No doubt an action is open to observation. But without knowing the intention of the actor, we cannot make a moral judgement. Take for example a policeman shot dead a robber in an exchange of fire. This action is observable and can be judged to be in total compliance with the requirements of law. It is lawful. But, is it moral? In most cases, it will be reasonable to assume that it is moral. Now, suppose the policeman had an overwhelming hostility toward robbers because his ex-partner was killed by a thug. To revenge for the tragic death of his colleague, he vowed to kill every robber insofar as the law permits. In this case, his intention is not peace-keeping but revenge. His act of killing a robber would become immoral even though it would still be lawful. Human intention is entirely internal and beyond the scrutiny of an outside observer. Thus, the rule of human action, unlike the movement of physical objects, cannot be accessed through any empirical study of human behaviour. In other words, human moral behaviour is determined by the will of individuals rather than by external forces. Following this line of thinking, the absolute good can only be a will that wills good. Kant translates this absolute good into the self-made law (autonomy) which says that an act is moral if and only if it can be generally accepted by every free-willed being.

In the view of Durkheim, the Kantian methodology is a regression to premodern thinking. While Kant accepts the comprehensibility and the controllability of human behaviour, he rejects the (complete) observability of moral acts. Kant's argument is based on the assumptions that society consists of atomized individuals, and that each individual acts according to his or her free will. Durkheim observes that these assumptions do not constitute an accurate account of the real world. People act, for most of the time, not according to their free will, but to the norms already laid down by the society in which they live and interact with each other.

The overemphasis of individuality has a deeper root in Kant's grounding of his epistemology on an *a priori* basis. Philosophers since Aristotle have discovered that some ideas, such as time, space, class, number, cause, and substance, are impossible to be reduced to other ideas. This set of fundamental ideas is called the categories of the understanding. Together they constitute the most basic framework which encompasses all thoughts. One could hardly think of anything without reference to time, space, or number. All other knowledge, including the law of physics, appears to be in a continuous flux, but the categories of the understanding remain constant. They appear to have a special relationship with human intelligence. The apriorists, among them Kant is one of the advocates, think that the categories of the understanding belong to the innate structure of human beings. All sensory data and experience are organized according to this structure. The empiricists disagree with the apriorists; they reject any *a priori* structure. They claim that the basic concepts are derived solely from experience. Consider an individual agent who repeatedly performs a certain action, which yields similar results and experience. After an indefinite number of times, the agent begins to be aware of the basic ideas involved in its experience. Finally, he articulates the ideas and uses them to perceive and apprehend other experiences. For instance, an ancient man threw a stone upward into the sky and saw it fell down onto the earth. Each time he repeated the same action, the stone fell back to the ground. During the process, he gained the experience that the stone sometimes fell faster and sometimes slower depending on the force he applied. The apriorists would say that the experience of fastness and slowness points to the innate idea of time. Whereas the empiricists counter by asserting that the experience of speed or time is but a relative experience dependent on the background of the moving stone and the position of the observer. His sense of speed is built up as a result of repeated experiences. For any person to understand the idea of time, he must repeat the same or similar action until the experience is firmly ingrained in his mind.

Durkheim opines that the apriorists and the empiricists have both missed the point.²² He follows the analysis of Kant and points out that the apriorists and the empiricists are speaking of “two sorts of knowledge, which are like the two opposite poles of the intelligence.”²³ On one pole stand the categories of the understanding which are not attached to any particular object and thus are independent of every particular subject. They are universal and necessary for the understanding of other knowledge. On the other pole are the empirical data, which rely upon objects and the perception of subjects. They are essentially individualistic and subjective. The empiricists deny the first kind of knowledge and are ignorant of its formal and stable properties. These features are forces constraining the perception of an individual. If a person sets aside the categories of the understanding, he will meet with great difficulties and resistance, that is, he will lose sense of the society where he lives, and will be unable to communicate with other members. This framework does not merely depend upon us; it actually imposes itself on us. Kant rightly recognizes the two distinctions of knowledge. He realizes that the categories of the understanding are necessary to safeguard an objective standard which is independent of the individuals. He tries to explain these “pre-existed” ideas as the inborn structure of the human mind. For Durkheim, this explanation is a regression to the premodern mindset. He says, “For it is no explanation to say that it is inherent in the nature of the human intellect.” If we attribute something to instinct simply because we cannot explain it, this is the same as to say that we do not know where it comes from. A scientific mind should first exhaust all explanation derived from observable data before coming to speculative, metaphysical, or mythical explanation. Kantians resort too early to transcendental argument or unexplainable assumption. There is, in fact, a possibility of further scientific inquiry. The crucial question, Durkheim thinks, “is to know how it comes that experience is not sufficient unto itself, but presupposes certain conditions which are exterior and prior to it, and how it happens that these conditions are realized at the moment and in the manner that is desirable.”²⁴ In this respect, Durkheim seeks his answer in society. He thinks that the categories of the understanding are nothing but collective representations. He says, “collective representations are the result of an immense co-operation, which stretches out not only into space but into time as well; to make them, a multitude of minds have associated, united and combined their ideas and sentiments; for them, long generations have accumulated their experience and their knowledge.” In other words, collective representations are the concentration of the intelligence of many generations. That is why they are “infinitely richer and complexer than that of an individual.”²⁵ They are external and prior to individuals, and thus form the framework of the understanding for all the members of a society.

Evidence shows that Durkheim’s sociological explanation of the categories of the understanding is closer to the human learning process than that of Kant’s inherent structure of the mind. Anthropological research reveals that there exist different conceptions of time. For instance, Westerners see time as linear but the people in ancient China regard it as circular. The advance in the knowledge of navigation, physics, and mathematics has also changed our conception of space. The classical definition of a straight line is defined as the shortest distance between two points where the straightness is commonly understood as the edge of a standard ruler. As our power and experience in travelling expand, we find out that the idea of straightness is in fact a limited comprehension of reality. If we travel across the continents on the high seas or through the sky, this idea of straightness is

22. Durkheim does not make a distinction between pure apriorists and the Kantian apriorists who claim that only the synthetic *a priori* statement is a *priori*. To simplify our discussion, I maintain the commonly accepted distinction here.

23. E. DURKHEIM, *The Elementary Forms of the Religious Life*, trans. J. W. SWAIN, New York, NY, 1965, p. 27.

24. E. DURKHEIM, *The Elementary Forms*, p. 27.

25. E. DURKHEIM, *The Elementary Forms*, p. 29.

completely inapplicable. Since the shape of the earth is a globe, a “straight-line” course for a ship may require it to dive into the sea and bore through the crust of the earth, and a “straight-line” path for an aeroplane will send it into the outer space. In order to accommodate to our expanded experience, we have to redefine straightness as an arc rather than the edge of a ruler. Yet we may still argue that while the conception of straightness expands, the *a priori* synthetic definition of a straight line holds, that is, a straight line is still the shortest distance between two points. At all events, the trueness of the assertion has something more to do with our determination to keep it as a higher abstraction of our experience than with the innate structure of our mind. Based on the axiom of a straight line, mathematicians have built a whole branch of *a priori* synthetic knowledge, called non-Euclidean geometry. But how many ordinary people understand abstract geometry? Few! Most people have not even heard of it. Even mathematicians themselves have had hard times in grasping such ideas and theorems. If these ideas are part of the innate structure of the mind, why are so many minds deprived of them? Children use a lot of time and energy to do drilling exercises before they could grasp abstract mathematical notions. This is a positive sign pointing to socialization rather than to instinct or innate structure.

What Durkheim suggests is that we should seek explanation of human behaviour in society itself. He thinks that society is an objective reality independent of individuals. Individual men and women gather together to form a society, but society as a complex whole transcends individuals. A society is an association that is far more complex than an aggregation of men and women. It is an entity in itself that opens to scientific investigation. In other words, it has objective data that are observable to an external observer. Durkheim calls these data “social facts.”

So far we have seen that both Durkheim and Walzer refute the Kantian individualistic approach to morals. Both plead that morals should be grounded on a social basis. While Durkheim articulates “social facts” to refer to the observable data of society, Walzer chooses the term “social meanings” which he frankly acknowledges to have it borrowed from anthropology.²⁶ But it is still unclear what kind of relationship “social meaning” stands with “social fact.” There is at least one attempt made by Jack Douglas to compare social fact with social meaning.²⁷ In his *Social Meanings of Suicide*, Douglas argues that it is impossible to speak about social facts of suicide consistently without touching upon social meanings. It is obvious to him that the study of suicidal actions as facts is unsatisfactory. Even Durkheim is unconsciously moving in the direction of treating suicide as meaningful act. If Douglas’s argument can be established, then Walzer’s use of social meaning may be a correction of Durkheim’s social facts. Let me now give a brief account of Durkheim’s social facts before proceeding to compare the concept with social meanings.

2. Social fact

According to Durkheim, a scientific study of human (social) behaviour can take place only if there is a distinct, objective subject matter. The thinking and sensual beings, for example, are the subject of psychology, and the human bodies that of biology. Sociology must also have its own source of observable data which are independent of individuals and non-reducible to either psychological or biological data. Durkheim strongly resists the reduction of social phenomena to psychological data, which he considers to be false. To him, it will be as false as to reduce psychological data to biological

26. M. WALZER, *Objectivity and Social Meaning*, in M. NUSSBAUM & A. SEN (eds.), *The Quality of Life*, Oxford, 1993, 165-177, p. 166.

27. J. D. DOUGLAS, *The Social Meanings of Suicide*, Princeton, NJ, 1967.

data, or to reduce biological data to chemical or physical data. In order to guard against reductionism, he insists that once a society comes into existence, it acquires a life of its own as evident and as real as an individual human being. The first task of a sociologist is to identify the body of data which express the moral and social reality, and which are susceptible to scientific manipulation. At the beginning of *The Rules of Sociological Method*, Durkheim affirms there exist such sociological data:²⁸

But in reality there is in every society a certain group of phenomena which may be differentiated from those studied by the other natural sciences. When I fulfil my obligations as brother, husband, or citizen, when I execute my contracts, I perform duties which are defined externally to myself and my acts, in law and in custom. Even if they conform to my own sentiments and I feel their reality subjectively, such reality is still objective, for I did not create them, I merely inherited them through my education.

In his first major work *The Division of Labour in Society* (1893), Durkheim calls the social obligations and duties “moral facts.” Later in *The Rules of Sociological Method* (1895), he extends this preliminary notion to the more general idea of “social facts.” A social fact is a social responsibility that is encoded in law or in custom.

Contrary to the claim of Kant, Durkheim asserts that universality is irrelevant to social facts. Rather, the key to social facts lies in their collective property. He says, “A thought which we find in every individual consciousness, a movement repeated by all individuals, is not thereby a social fact.” Social facts are determined by the “collective aspects of the beliefs, tendencies, and practices of a group that characterize truly social phenomena.”²⁹ Apparently, Durkheim is trading universality for observable particular social data. His move is not a relapse to premodernity. Indeed, it can actually be justified within the reasoning of modernity.

The methodology of a study occupies a determinative role in modern epistemology. Not only is an acceptance or rejection of a scientific report based partly on the evaluation of its methodology, modernity actually enthrones scientific methodology as the foundation of knowledge. Strictly speaking, universality is not part of scientific methodology; it may be the end-product of a scientific research, or worse still, it may only be an aspiration of modernity. In sociological field, observable social facts are particular, that is, each society has its particular set of social data. An honest sociologist has to respect the fact that different societies have different social behavioural patterns, even if it contradicts his own belief. He should not disregard the particularity of social data and impose his universalist speculation on the data to arrive at a universal model of society. To alter the scientific methodology so as to suit one’s intended aim is the same as putting the cart before the horse. The sociological findings do not support the universalist aspiration. Sociologists have already uncovered dramatic deviance from society to society. We can at most say that common patterns of behaviour exist within a social group. In order to comply with the requirements of the scientific methodology, Durkheim has to confine the validity of social facts to a specific society.

The second characteristic of social facts is their objectivity. An objective social fact has two dimensions which Durkheim often confuses.³⁰ On the one hand, objectivity in relation to a social actor means that the demand, the force, or the coercion acting upon him is experienced as not from within but from without. The externality, without denying the possibility of its internalization, can readily be

28. E. DURKHEIM, *The Rules of Sociological Method*, trans. S. A. SOLOVAY & J. H. MUELLER, New York, NY, 1964, p. 1.

29. E. DURKHEIM, *The Rules*, pp. 6-7.

30. Giddens attributes the flaw of Durkheim to his inability to distinguish the difference between what a social actor faces and what a social observer sees. The first kind of objective facts is difficult to quantify (A. GIDDENS, *Studies in Social and Political Theory*, London, 1977, p. 292).

seen in the norms instituted by customs, morals, and laws. On the other hand, objectivity in relation to a scientific observer requires the rigorous application of a disciplinary methodology. He says:³¹

To submit an order of facts to the scrutiny of science it is not enough carefully to observe, describe and classify them. But ... we must also, in Descartes' phrase, discover the perspective from which they become scientific, that is, find in them some objective element which is capable of precise determination and, if possible, measurement.... In particular, it will be seen how we have studied social solidarity through the system of juridical rules, how in the search for causes, we have laid aside everything that too readily lends itself to personal judgements and subjective appraisal—this so as to penetrate certain facts of social structure profound enough to be objects of the understanding, and consequently of science.

To Durkheim, careful observation, accurate description, and classification, though fundamental, are inadequate in the study of social behaviour. One still has to look at social facts from the scientific perspective, that is, from the perspective that will render social facts unanimous to every (objective) social observer. Put differently, the description of a social fact should be established solely on the object itself. In Durkheim's mind, social facts are "things" similar to physical objects.³² They exist on their own and are external to human consciousness. Being strongly influenced by the positivism of his time, Durkheim believes that social facts can be quantified and measured with precision. Just as the sensation of heat and electric current can be gauged by thermometer and galvanometer, social facts can be represented by statistics.

Besides numerical data, Durkheim also recognizes other representations of social facts. In the passage just cited, he holds that social relation or social coherence is objectified in the laws of the juridical system. The primary rule for a social observer is to discard his subjective sensation and to look for external objective facts. The major sign of a social fact is its "constraint" or "coercion" exerted on individuals. Social facts are not merely external customs, norms, laws, or instructions which an individual has to consult before he acts. Rather, they are constraining forces that "impose themselves upon him, independent of his individual will."³³ Durkheim repeatedly stresses on the refractoriness of social facts to human will. Elsewhere he writes, "Indeed, the most important characteristic of a 'thing' is the impossibility of its modification by a simple effort of the will. Not that the thing is refractory to all modification, but a mere act of the will is insufficient to produce a change in it."³⁴ It is interesting to note that Durkheim emphasizes the external coercive property of human behaviour in contrast to the Kantian accent on the actor's will. Social facts will not easily bend to the will of individuals. They will by all means force themselves upon an individual until the social actor conforms to them. The constraint of social facts becomes apparent in the socialization process of education. Through it, society imposes "on the child ways of seeing, feeling, and acting which he could not have arrived at spontaneously."³⁵ It is a common practice for every society, organization, party, or family to fashion its members in its own image. Every society has its own set of social facts, which will be transmitted and revised through the process of socialization. It is almost impossible to imagine how a person brought up in society could evade being shaped by its social facts. If a person refuses to conform, he will be treated as insane and excluded from the community.

Having outlined the characteristics of social facts, let us now turn to the substance: what are social facts according to Durkheim? When he is pondering on the question about the best representation of

31. E. DURKHEIM, *The Division of Labor in Society*, trans. W. D. HALLS, New York, NY, 1997, p. xxix.

32. Cf. E. DURKHEIM, *The Rules*, pp. 14-31.

33. E. DURKHEIM, *The Rules*, p. 2.

34. E. DURKHEIM, *The Rules*, pp. 28-29.

35. E. DURKHEIM, *The Rules*, p. 6.

“social solidarity” in his early work *The Division*, Durkheim singles out the laws in the juridical system as the only objective social facts for an investigation of social relationships. “Social life,” he writes, “wherever it becomes lasting, inevitably tends to assume a definite form and become organised. Law is nothing more than this very organisation in its most stable and precise form.”³⁶ Durkheim is not unaware of the fact that social relationships are represented by the morals in a broader scale, which actually form the basis of legal laws. But he entertains the ideas that some moral rules, though reflecting certain social relationships, are placed outside the scope of law, and that there are some other moral rules which even go against the underlying principles of law. For the former, the very fact that they are unable to attain a legal status reveals their secondary nature. Since they are not crucial to the sustenance and preservation of the social relationships, there is no need to elevate them to a legal standing which is backed up by the coercion of the state. For the latter, it is rare that moral rules would oppose the legal laws. If such were the case, then the moral rules would be “pathological” or “abnormal.” We are not told in the *Division* how to deal with abnormal or pathological moral rules. It seems that Durkheim treats them as rare cases that can be put aside. He simply assumes that “the law reproduces all those types [social relationships] that are essential, and it is about these alone that we need to know.”³⁷ In other words, the laws are the objective scientific data and at the same time fully represent the social relationships of that society.

Later Durkheim realizes that legal laws alone are insufficient for the investigation of the complex social phenomena. In *The Rules*, he amends the definition of social facts. Instead of listing the categories of social facts, Durkheim formulates a general definition which includes “every way of acting, fixed or not, capable of exercising on the individual an external constraint.”³⁸ This is a lax statement focusing on constraining rules, which may include laws, morals, beliefs, customs, professional practices, and even fashions.

Durkheim is not a disinterested social observer. He creates a distance only to serve society better. His concern for society becomes conspicuous when he makes a distinction between “normal” and “pathological” social behaviour. This categorization is as important as the separation of the good from the evil in morality. We must know what is good or evil before we can promote the good and suppress the evil. Similarly, a sociologist must determine what is normal and what is abnormal before he can write a prescription for society. Durkheim sees the task of a sociologist not merely as mapping the contour of society. He is more like a doctor. The medical doctor diagnoses the physical condition of a patient, and prescribes a regimen to promote the patient’s overall well-being. Likewise, the social doctor has a duty of bringing society to a more stable state or mature stage.

We see an overlapping of duties between the emerging moral sociologists and the traditional ethicists who whip society toward a higher ideal. We are not sure if Durkheim intends to replace the old trade with the new profession. But he does criticize the ethicists’ approach to social behaviour as subjective and dogmatic. They presumptively set up a standard and use it to measure society. Every act which conforms to it is deemed to be desirable, and every act which deviates from it is condemned. Durkheim discerns that history shows another story which is much more complex. For example, polygamy is unacceptable to Christians and modern liberal society, but for the ancient Israelites, as well as many ancient nations, such marriage was regarded as necessary or even good. In the case of modern social system, the socialists accuse the capitalists of exploitation, and the capitalists charge the socialists with tyranny. Why do we have two antagonistic judgements regarding the same phenomenon? Why do some people accept polygamy, and some don’t? Why do some people accept

36. E. DURKHEIM, *The Division*, p. 25.

37. E. DURKHEIM, *The Division*, p. 26.

38. E. DURKHEIM, *The Rules*, p. 13.

capitalism, while some denounce it? The traditional ethicists will resolve this conflict by seeking out an absolute principle. One group may defend monogamy as the ultimate form of marriage or capitalism as the best way to organize society. The opponents may advocate the opposite value. The two sides compete with each other by propagating their own views. Sometimes this side wins; the next turn the other side carries the day. Contrary to the ethicists' purpose, the outcome is interminable conflicts between different parties. Durkheim attributes this consequence to the one-sided perspective of the partisans in opposite camps. "The common flaw in these definitions," he says, "is their premature attempt to grasp the essence of phenomena."³⁹ He opines that a moral sociologist should look at the social facts from a scientific perspective before passing his judgement. To explain a social phenomenon, he should use the principle extracted directly from the data themselves rather than to apply an extrinsic principle, whether it is derived from personal experience, or handed down from tradition, or borrowed from another field of science.

Durkheim uses crime to illustrate his point. Without doubt, Crime is everywhere regarded as evil. Society always discourages deviance from social norms. Instead it tries to eradicate some noncompliant acts by labelling them as crime and by imposing on them some social sanctions. Notwithstanding severe punishment, crime persists throughout history. There is no crime-free society in the world. Moreover, Durkheim notices that in contrast to our expectation, the rate of crime increases rather than decreases as society advances. This evidence compels us to rethink the role of crime. Perhaps, we should treat crime as a permanent and normal condition. Crime or deviation from social norm, Durkheim proposes, is necessary and beneficial to social health. For instances, Socrates, Gotama Buddha, and Jesus Christ have all been regarded as moral revolutionaries who have contributed to the well-being of humanity. But at their times, they not only violated the norms of their societies, they were actually looked upon as rebellious and dangerous men. Socrates and Jesus were both held as criminals. They were put on trial, convicted, and executed. Afterwards, people began to recognize the value of their teachings, which subsequently became the new norms of societies.

Another reason why crime is permanent and normal relates to the essence of society and the psychology of its members:⁴⁰

In the first place crime is normal because a society exempt from it is utterly impossible. Crime, we have shown elsewhere, consists of an act that offends very strong collective sentiments. In a society in which criminal acts are no longer committed, the sentiments they offend would have to be found without exception in all individual consciousnesses, and they must be found to exist with the same degree as sentiments contrary to them. Assuming that this condition could actually be realized, crime would not thereby disappear; it would only change its form, for the very cause which would thus dry up the sources of criminality would immediately open up new ones.

Durkheim judges that it is the very nature of society to foster strong collective sentiments in order to maintain internal cohesion. Such collective sentiments are also the sources of criminality. A collective sentiment by definition is a sentiment imposed from without on every member of a society. Reasoning in the same way as Newton in his third law of motion—action and reaction are equal in magnitude but opposite in direction, Durkheim proposes that in reaction to the imposed collective sentiment, a member will generate an equally intense personal anti-sentiment.⁴¹ If the collective sentiment can successfully inhibit the personal anti-sentiment, a person will not commit the crime. But his anti-sentiment will seek other outlets and express in other forms of anti-social behaviour. Sometimes the

39. E. DURKHEIM, *The Rules*, p. 54.

40. E. DURKHEIM, *The Rules*, p. 67.

41. This principle was known to the ancient people of China. They formulated it as *yin yang*. Confucius has suggested a different way that encourages people to do good without imposing a collective sentiment.

collective sentiment does not work and some people may transgress the law and become criminals. Either way, crime cannot be eradicated. Of course, we can diminish the number of transgressions by making a more reasonable law or by providing better social service to alleviate personal anti-sentiment and frustration. But this cannot eliminate transgression altogether. Alternatively, we can abolish the collective sentiments by legalizing certain crimes such as divorce, homosexual marriage, abortion, and drug-consumption. This will automatically wipe out the crimes and the corresponding collective sentiments. Nevertheless, society has other collective sentiments which can never be thrown away for the mere sake of social cohesion and solidarity. Thus the types of crime may change, the number of transgressions may diminish, but crime still remains in society.

With this understanding in mind, Durkheim re-defines the normality of social facts as follows: ⁴²

A social fact is normal, in relation to a given social type at a given phase of its development, when it is present in the average society of that species at the corresponding phase of its evolution.

Durkheim takes a relativist view. He thinks that morality is relative to culture as well as to time. Crime *per se* should not be considered as pathological. On the contrary, it is a normal social phenomenon for it exists in every society in every phase of its evolution. Cohabitation, polyandry, polygyny, monogamy, and sequential monogamy (one spouse at a time) do exist in different societies and in different periods. They are normal in their respective time and communities but abnormal if they appear at the wrong time or in the wrong place. For instance, polyandry and polygyny are abnormal in liberal society, while cohabitation, monogamy, and sequential monogamy are normal social facts. Even suicide is not to be considered as a universally recognized pathological behaviour.⁴³ In a certain society, at a particular time, where individualistic and egoistic trend is prevalent, suicide may be seen as a self-expression of egoism. People commit suicide because they can no longer balance the conflicting demands of their society, and they choose to follow the suicidal trend to end their lives. If the number of suicide is moderate, it should be considered as a normal behaviour. Society needs not intervene if the statistic does not reach an alarming level, which indicates that suicidal trend has become abnormal. What is normal or abnormal is relative to the social conditions; it cannot be judged by criteria outside the social facts.

Durkheim's proposal for using scientific methodology to investigate social behaviour from a sociological perspective has its ground. Nowadays, most people accept that an explanation of social behaviour cannot be reduced to psychology. In addition, sociology has won over a sizeable number of policy-makers. It symbolizes a kind of authority, and becomes an indispensable reference in making social policy. Durkheim's criticism of ethicists' negligence of social facts has to be heeded. Nevertheless, his sociology of morals is not free of flaws. Since many critics have already voiced their criticisms, it does no harm not to repeat them here. But for our purposes, I will highlight those problems that are relevant to our discussion.

The aim of sociology, according to Durkheim, is not merely descriptive. Were it a social drawing, it would not, he says, "worth the labour of a single hour."⁴⁴ Sociologists have the mission to maintain society in a normal state, or to transform it into a new equilibrium. Assuming a certain society is in a stable state, we can measure the average of a certain act or find out the majority opinion about it. We take this average or majority behaviour as the norm, which is in turn used to curb deviant social behaviour. If such method is strictly and effectively put into practice, it is not difficult to imagine that

42. E. DURKHEIM, *The Rules*, p. 64.

43. Cf. E. DURKHEIM, *Suicide. A Study in Sociology*, trans. J. A. SPAULDING and G. SIMPSON, London, 1970, pp. 208-216, 361-370.

44. E. DURKHEIM, *The Division*, p. xxvi.

such society will become stagnant: it has neither the momentum to pursue a higher ideal nor the ability to adapt to the ever-changing environment and demands of its members. Such society will collapse before long. The problem and limitation of the science of morals are that either it clings to its descriptive objective and remains a kind of moral anthropology, forfeiting the ambition to regulate society, or it risks becoming the ideological machinery of the state apparatus, which is ordained to maintain the status quo at all cost. For most ethicists, neither of them is desirable. A second serious challenge to be raised against Durkheim is that his science of morals is inapplicable to society in a state of flux. Suppose a certain value is in dispute, and there are more or less equal number of supporters for and against it. How could we determine which one is normal and which one is pathological? It seems that the sociology of morals is helpless in the case of a moral dispute, and that the issue has to be settled ultimately by political bargaining or by philosophical argument.

Durkheim is well aware of these difficulties. Indeed, he is often confronted by his opponents. In a discussion with Gustave Belot about the transition from the scientific study of moral facts to the extraction of moral principles, Durkheim asked his fellow philosopher: “How does the objective study of moral facts permit new ends to be determined which are different from those that the given morality assigns to conduct?” After Belot gave a not-so-satisfactory answer, Durkheim persisted: “How can the principle of a new moral orientation be created from even the complete systematization of moral data?” Durkheim does not put forward these questions to embarrass his friend. What he wants is a second opinion. “I am raising the objection which has often been made to me,” Durkheim said, “and I should be happy to see whether you are better able than I am to reply to it.”⁴⁵ At the end, Durkheim parted from his friend disappointed. And his perplexity remained till the end of his day.

3. Between fact and meaning

Notwithstanding his confession of the problems in the sociology of morals, Durkheim insists that ethics must be founded on social facts. In his review of Lucien Lévy-Bruhl’s *Ethics and Moral Science*, Durkheim comments: “One will find in this work, analyzed and demonstrated with rare vigor, the very idea that is basic to everything we are doing here, namely that there is a positive science of moral acts, and that it is on this science that the moralists’ practical speculation must rely.”⁴⁶ Apparently Durkheim separates the study of morals into two branches. One is the new science of morals and the other the philosophy of morals (or ethics). The former employs scientific method to investigate morality, while the latter uses speculative method to appraise morality. One concerns the explanation of morality, and the other its evaluation.⁴⁷ According to Durkheim’s ideal, the sociology of morals precedes ethics and forms its basis, that is, the critical standards must be in some way related to the social data. Unfortunately, Durkheim is unable to bridge the gap between them. But neither could the theoretical moralists. Some philosophers do attempt to ground their critical principles in some moral data. For instance, Kant bases his theory on the common notion of duty, and Rawls applies the method of reflective equilibrium. It is not true that the moralists entirely neglect the social facts. Their common problem is that they consider only a limited set of moral data in their construction of their theories. A moral or political theory founded on scanty social facts is definitely not an adequate theory

45. E. DURKHEIM, *A Discussion on Positive Morality. The Issue of Rationality in Ethics*, in W. S. F. PICKERING (ed.), *Durkheim. Essays on Morals and Education*, London, 1979, 52-64, pp. 57-58.

46. E. DURKHEIM, *Emile Durkheim. Contributions to L’Année Sociologique*. Edited by Y. NANDAN, New York, NY, 1980, p. 130.

47. Cf. E. DURKHEIM, *Sociologie et philosophie*, Paris, 1924, pp. 49-54.

to comprehend and to evaluate complex moral behaviour. A better moral theory should formulate its critical moral criteria from a comprehensive set of observable data.

Walzer's theory circumscribes a broad base of social data, and it also contains critical principles. In my judgement, Walzer has accomplished the unfinished task of Durkheim. Walzer's success hinges on the paradigm shift from social facts to social meanings. He unties the knot that Durkheim has made out of his preoccupation with the objectivity of social facts. In order to assess Walzer's achievement, we have to compare social fact with social meaning. Let me first recapitulate the main characteristics of social facts. They can be classified under the headings of source, particularity, objectivity, substance, and relativity. For particularity, both Durkheim and Walzer take society and its related ramifications as the artefacts of a particular group. Social fact and social meaning are thus particular *per se*. I assume that the reader would have no difficulty to recognize this similarity if he has read Walzer's particularism in the preceding chapter. To spare the reader from boredom, I shall not repeat it here. For the rest of the characteristics, I will compare them with those of social meaning. The order of the subjects as laid out above will not be followed for reason that will become self-evident.

a. Source

Walzer's basic moral tenet is that there exists a moral world in which we live, and by which our perception of reality is (not entirely but to a large extent) shaped and our behaviour constrained. The main task of an ethicist is not to seek out a transcendent moral law, nor to invent an advanced social principle that belongs to a higher evolution stage, but to interpret to one's fellows the moral world they inherit. Walzer concretizes this idea early on, when he wrote the *Just and Unjust Wars*:⁴⁸

I am going to assume throughout that we really do act within a moral world ... that language reflects the moral world and gives us access to it; and finally that our understanding of the moral vocabulary is sufficiently common and stable so that shared judgements are possible.

To Walzer, human moral behaviour is a learning process. We learn how to act in a socially acceptable way by studying those who precede us. We can hardly think of any present moral norm that is not in a certain way connected with the past. The learning process, however, is not merely mimicking. A mature actor has to comprehend his inherited moral world and analyse the present situation before he can figure out the best way to act. This moral deliberation is very complex. There does not exist a scientific perspective that will make for a unanimous decision. We may insist on making moral decision in a systematic way. Then several systematic perspectives may turn up. Opposing camps fight with each other, and each side claims that its resolution is the right answer. Different arguments are then put forward to fuel this endless debate. Some people, who come to be known as realists, perceive the indeterminacy of morality as a sign of power struggle. They think that there is no such thing as moral law in reality. Morality is the invention of the powerful to control the plebeians and to cover their political ambition. The realists want to unveil morality, and show us the real working of the world lest we would mis-calculate and fall into a disadvantageous position. To support their claim, realists commonly point to the extreme case of war. War, they contend, is only a matter of conquer or being conquered, a matter of killing or be killed, and there is no place for morality. *Inter arma silent leges*, thus says the maxim. Or, the realists can argue that morality changes from time to time and varies from place to place, and that it is futile in most cases to talk about morality because people can hardly understand each other. Against this background, Walzer insists that there is indeed a moral world, which precedes us and is external to us. It confronts us in our everyday

⁴⁸. *Wars*, p. 20.

life. The signs of its existence can readily be seen in everyday complaints and the responses to the complaints. We couch them in a common language, which is mutually comprehensible to us and to our opponents.

Later in *Spheres of Justice*, Walzer again invokes the same idea, this time in a modified and more articulate form. He says that an ideal of society already exists but is hidden in our world of shared understandings:⁴⁹

A society of equals lies within our own reach. It is a practical possibility here and now, latent already ... in our shared understandings of social goods.... Justice and equality can conceivably be worked out as philosophical artifacts, but a just or an egalitarian society cannot be. If such a society isn't already here—hidden, as it were, in our concepts and categories—we will never know it concretely or realize it in fact.

Modern political philosophers and sociologists have an overwhelming ambition to reform society. They first set up an ideal society, which is deemed to be superior to the present one, and use it as the standard to refashion the old social order. This practice is probably inspired by the idea of evolution. The life of organisms gives us a primitive concept of evolution. An organism grows from birth to death through various stages of development. Likewise, species develop from a simple cell into a multitude of complex organisms. When we borrow this developmental idea and apply it to society, then society can be viewed as a collective organic mechanism. It grows, develops, and passes through various stages of evolution. The philosophers and the sociologists think that they know the next stage of evolution or even the finality of society. Some lay out blueprints for a better social arrangement, and some design strategies to speed up the evolution process. Despite their relentless effort, Walzer thinks that it is only a fanciful utopia—an imaginary “no where.” A recognizable and workable good society can only be an existing one. If it does not exist, how do we know that it is good, or that we will be happy to live in there? We need to work out the ideal not because it does not exist, but because it is hidden in the moral morass. Our task is to unveil it. So, both Walzer and Durkheim assert that society contains the moral norms within itself.

b. Relativity

Particularism inevitably leads to relativism in the present world structure as we know it. They are, in fact, the two sides of the same coin. In order to introduce the idea of relativity to the science of morals in the Western world, where a strong universalist tradition prevails, Durkheim makes a distinction between moral ideals and moral facts. He does not deny the existence of universal values, but he separates them as moral ideals. The main concern of moralists is to find out universal moral standards and to use them to appraise the status quo. But social scientists have to put aside moral ideals, look for the social facts, and then extract principles from them. Such approach generates astonishing results and weird conclusions. Crime, for instance, is to be classified not as pathological, but as a normal persistent phenomenon. Even suicide should not be regarded as a universal pathological act because it may in fact be promoted as an expression of self-determination in the individualistic society. What is normal or pathological cannot be predetermined. It must be evaluated against the developmental history of society and the present stage of the society at stake.

Such kind of parallels can also be found in Walzer's works. First of all, Walzer makes a distinction between good and justice. Good is traditionally conceived as a universal and ultimate idea. But Walzer thinks that it is possible, and indeed more practical, to think about morality without reference to this

⁴⁹. *Spheres*, p. xiv.

eternal idea. He refuses to discuss the idea of good because there is no sure way of knowing it. In the concluding chapter of the *Spheres*, he says, “I shall not attempt here to consider the question whether societies where goods are justly distributed are also good societies. Certainly, justice is better than tyranny; but whether one just society is better than another, I have no way of saying.”⁵⁰

To define justice, Walzer seeks its criteria empirically. After he has looked into our world, he concludes: “There are an infinite number of possible lives, shaped by an infinite number of possible cultures, religions, political arrangements, geographical conditions, and so on.” Communal life is contingent; its present shape depends on many factors. Since these factors will not be identical for two peoples, it is improper to use the ideal of one society to judge the other society. A more reasonable way to assess a society is to judge it from within and by its own ideal. Thus comes the oft-quoted definition of justice:⁵¹

A given society is just if its substantive life is lived in a certain way—that is, in a way faithful to the shared understandings of the members.

To be sure, most philosophers recognize that there are variations of justice. They admit that a just society can be implemented in an infinite number of ways but only within certain limits. For example, we have the American democratic system and the European democratic system. Some countries still retain their kings, queens, or nobility. Some have more female political representatives than the others. But these features are not regarded as crucial in evaluating the societies. So long as they follow a set of approved democratic procedures, they are all regarded as versions of democracy. Since democracy is the only justifiable political system in modernity, they are all versions of just society. While the political system of China has not come up to the Western democratic standard, it is not counted as a just society. Here, Walzer differs from the universalists by giving up predetermined values. Looking from an empirical point of view, social hierarchy exists in virtually every society, and inequality, contrary to what some progressive sociologists would like to have us believe, increases as society becomes more complex. Even in theory, organization works against equality. The more effectively a society is structured, the more unequal it has to be and it becomes. In the very beginning of the *Spheres*, Walzer writes, “Equality literally understood is an ideal ripe for betrayal.” And the reason seems obvious enough: “Committed men and women betray it, or seem to do so, as soon as they organize a movement for equality and distribute power, positions, and influence among themselves.”⁵² We have no way other than to recognize social hierarchy as a normal persistent phenomenon, and ask what level of inequality is acceptable to a given society, and what degree of equality is feasible. In every case, evaluation has to be made according to the social meanings shared by that particular society. To stress his point, Walzer pushes this argument to its extreme by saying that the Indian caste system could be justified. His argument offends the sentiment of most Westerners who find the caste system unthinkable. The caste system nonetheless has its internal meanings and justifications, which are, at least it seems to me, not so difficult to understand.

c. *Substance*

The major difference between Durkheim’s social fact and Walzer’s social meaning has two dimensions: the first is concerned with “fact” and “meaning,” and the second the understanding of what is social. Looking from Durkheim’s perspective, society is open to observation, and can be reported objectively as facts. A social scientist can extract principles from the facts, and use them in

50. *Spheres*, p. 312.

51. *Spheres*, p. 313.

52. *Spheres*, p. xi.

turn to explain the facts. This methodology apparently works effectively in natural sciences, but it encounters difficulty in its application to complex social phenomena, for human actions, unlike physical movements, carry meanings. It is inadequate just to observe the actions without taking into account their meanings. Therefore, the real aim of a social scientist, for Walzer, should be looking for meanings instead of facts.

Furthermore, Walzer's criteria of "social" differ from those of Durkheim. In defining social facts, Durkheim lists two criteria. A fact is social if it is:⁵³

1. capable of exercising on the individual an external constraint;
2. general throughout a given society, while at the same time existing in its own right independent of its individual manifestations.

A social fact must satisfy either one or the other. Although social meaning is significantly different from social fact, Walzer also claims that social meaning is external to an individual and exerts coercion on the social actor. In the discussion of the social meanings of goods, he says, "Distributive agents are constrained by the goods they hold; one might almost say that goods distribute themselves among people."⁵⁴ Walzer wants to emphasize the point that goods exert coercion on the distributive agents because of their social meanings. Social goods are not neutral things that can freely be disposed of. They carry with them social meanings, which force the agents to comply. If an agent refuses to use a good according to its social meaning, he will encounter adverse repercussion. Both Durkheim and Walzer speak of coercion and externality. Nevertheless they differ at some delicate points.

There are at least three sources of coercion related to the social meanings of goods: the internal mechanisms of social goods, social sanctions, and the imperatives of moral ideals. They originate from the goods, the society, and the individuals respectively. Certain goods undeniably have intrinsic meanings, that is, by analysing the operation of the goods, we know how they should be used properly. Public honour, for example, is the recognition of the achievement of a person in a particular domain. Accordingly, it should be distributed to the person who deserves it. A woman swimmer who wins a competition fairly in the Olympic Games is awarded a gold medal. She is said to deserve it, and nobody can take away this honour from her. Suppose she leaves the medal in a taxi on her way to the airport, and somebody takes it and never returns it to her. She is still the owner of the title; the one who possesses the medal does not possess the title. Medicine is invented to cure disease. It should be distributed to the sick. It is a cruelty if it is administered to the healthy. Money, too, has certain internal mechanism. Valid banknote can only be issued by the authorized agency. If someone draws a paper money and uses it to buy food in a grocery, no matter how real it looks or how artistic it is, he will probably be sent away empty-handed. The intrinsic meanings of goods impose constraints on the agents. The agents cannot dispose of them in whatever way they like. The above three cases, though differ somewhat in their operation and strength, clearly show the limitations of social meanings on the social actors. We can reasonably assume that every good exerts its own constraints on the human agent who exploits it.

Walzer's critics, however, are quick to point out that only honour and love can be said to have intrinsic meanings. Although it is nonsense to distribute medicine to those who do not need it, it is equally nonsense to say that medicine itself dictates to whom it should be distributed. A need does not automatically appropriate a right. Indeed society simply cannot answer every need even if we want it to. It is also true that most people will not accept fabricated money as the medium of exchange. But genuine money can effectively play the role as the universal medium of exchange. It has no restriction on what it should not buy. It can be used to buy political influence, commodities, beautiful women,

53. E. DURKHEIM, *The Rules*, p. 13.

54. *Spheres*, p. 7.

servants, slaves, or anything that anyone wants to sell if it is not for the regulations imposed from without.

The critics are certainly correct, but yet they miss the point. Walzer, for most of the time, is not talking about this kind of intrinsic meanings. Rather, he is referring to the social meanings that society creates and imposes on goods. Intrinsic meanings are only the smaller part of social meanings. For the larger part of social meanings, their coercive force comes not from their internal operations but from society itself. Such force manifests itself in various forms and with different degrees of coercion. For instance, law is the most visible form of public sanction, which has been organized as the most systematic and regulatory coercion. Besides that, we have moral norms, rituals, customs, taboos, tacit consent, etc. Together, they mandate the socially acceptable behaviour, or better still, a particular mode of life and a collective identity. Any violation of them is regarded as an offence against the society, and will be met with public resistance. The purpose of public sanction is to bring deviant behaviour into compliance with the established social practices. In the case of medicine, it is true that need does not entail health care to be distributed to every patient, nor does need dictate it to be distributed equally. Medicine has, however, acquired a history of social meaning, and because of that, need is only one element of moral deliberation. As pointed out by Walzer, the cure of the souls (pastoral care) in the Middle Ages Europe was public, while the cure of the body (health care) was private.⁵⁵ Christians believed that eternal life was the most valuable thing. Thus, society had the foremost duty to organize its distribution so as to ensure that it was equally distributed to every member. In contrast, they ran medicine in the old Hippocratic tradition in which doctors only cared about the rich and the wealthy. Due to the advent of modernization, Europeans gradually view the soul as an abstract concept. The body becomes more real and more prominent. Consequently, the cure of the souls is transformed into the cure of the bodies. Medicine has since become public despite the fact that some doctors still cling to the Hippocratic tradition and resist outside regulation as much as possible. Nowadays, every government has to provide decent and equal health care to its citizens and residents. This principle can easily be confirmed in the Western European countries. For them, it would be outrageous to talk about privatization of health care. Likewise money has acquired social meanings, if mostly negative: it is illegal to buy public office; it is immoral to buy a wife or a husband, etc.

The third source of coercion comes from moral ideals, which exert strong influence on some people even in the absence of social sanction. Of course, moral ideals are also a kind of social meanings. (What I refer to as moral ideal is what Walzer designates as “hidden,” “deeper,” or “real” social meaning.) Here, I intend to confine the term to refer to those ideals which are not yet widely recognized by the public but nevertheless are entities of the shared social meanings. I may immediately be accused of introducing contradiction into my statement. How can a meaning be shared but not widely recognized? If it is not accepted by the majority, can it still be said to be shared or social? This complication is possible and indeed exists in every society because social meaning is accumulative and thus historical. As a result, it is not solely dependent on the contemporary society. People may forget some social meanings of a good. Some may even distort the social meanings so as to benefit their own group. But because of the history of the social meanings, we can still recover the real meanings. Furthermore, “social meanings” treated as a complex whole has internal contradictions. It requires interpretation to resolve the conflicts and render the ideational system more consistent.

Let us take up health care again. The social fact about medicine in the United States is that the majority regards it as a marketable good. Perhaps government should provide a certain amount of health care to those who cannot afford it themselves. But the US citizens see no reason why they should not buy better health care if they could. Medicine at least is partly a commodity. Now, Walzer

55. Cf. *Spheres*, pp. 86–91.

argues that the real meaning of medicine obliges it to be distributed equally to all citizens who need it. It implies that medicine as a marketable good is not the real meaning. Its deeper meaning is the cure of the bodies whose root is in the cure of the souls. If Americans consider their culture a continuation of that of the Western Europeans, they should admit that the cure of the bodies is their moral ideal. This is, it seems to me, logical enough. Nonetheless, the cure of the bodies is not widely accepted by the American public in the meantime. Walzer's notion of medicine is only a moral ideal, which is hidden in the culture. If there is no legislation or public action, it would probably never be realized. In what sense is such moral ideal coercive?

Walzer is fully aware that a moral ideal has only internal moral urge. In his comment of the shabby welfare system of the United States, he writes:⁵⁶

Democratic decision making reflects these realities [the inability and the indifference of the citizens], and there is nothing in principle wrong with that. Nevertheless, the established pattern of provision doesn't measure up to the internal requirements of the sphere of security and welfare, and the common understandings of the citizens point toward a more elaborate pattern.

On the one hand, Walzer agrees that there is nothing wrong in principle with not providing equal health care if this is the decision of the democratic citizens. But on the other, he does want to uphold the moral ideal by charging them with not living up to it. What kind of coercion, if any, has the moral ideal on the citizens? I think it can only exert some internal forces on those who accept it, such as bad conscience, a feeling of imperfection after its violation, or an urge to change the status quo. But this coercion comes by degrees. Different people may hold different attitudes. This is permissible since the moral ideal at stake has not yet been accepted by the public. As for those who doubt Walzer's interpretation, there will be no sense of coercion or obligation at all. For the category of moral ideals, its coercion is not external and uniform, nor does it generally exist in society. Obviously, it does not fulfil either of Durkheim's criteria. But it satisfies the second part of criterion (2), namely that it exists in its own right independent of its individual manifestations or denials.

d. Objectivity

Objectivity is, for Durkheim, the touchstone for sociology to be qualified as a science and not philosophy. Thus he emphasizes that social facts are things as real as material things. Like the physical world, they can be observed and subject to the same rigorous scientific investigation. And he believes that scientific laws about the social world can be discovered from the collected social facts. This optimism is one of the consequences of positivism that permeated the nineteenth and the early twentieth centuries. Durkheim is particularly influenced by Descartes's philosophy. On his way to define social science, Durkheim wholeheartedly embraces Descartes's programme of self-detachment. Concerning the prerequisite of a genuine social scientist, he says, "it is not enough [for a social scientist] carefully to observe, describe and classify them [collected social facts]." The ultimate test lies in his ability to, "in Descartes' phrase, discover the perspective from which they become scientific...." But how could we discover the scientific perspective? Descartes recommends us a programme of self-detachment. (A secular form of self-denial?) To discover the true nature of a thing, we must repeatedly admonish ourselves until we relinquish all our bias and prejudices, until our mind is as white as a printing paper ready to receive without distortion any image that happens to imprint on it. The scientific perspective, in fashionable language, is the impartial perspective. We see thing as it is, so to speak, not as we feel, think, or want it to be. Though impartiality is still popular in academic

⁵⁶. *Spheres*, p. 84.

and political arenas, noticeably in the Anglo-American circle, its rhetoric is losing force. Many people begin to doubt its validity. Could we really empty ourselves towards nirvana and become nobody? Even if we could do this, how about the object of our investigation? Could society, the artefacts of human hands, be treated in the same way as a physical object? Could it be objectively observed? Could the facts thus extracted present themselves as governed by law?

Putting these questions in this way makes myself clear that the expected answer is “No.” My objections to Durkheim are that he uncritically accepts the positivist notion of objectivity, and that he mixes up fact and reality. Sociology as the study of social facts already contains, Giddens points out, “a confusion of more than purely terminological significance.” He reasons:⁵⁷

A ‘fact’ is a proposition about the world, which can be said in some sense to be ‘true’, or at least ‘open to test’, not an element or an aspect of that world itself. Durkheim often uses the term to refer to the latter rather than to the former, without apparently noticing the difference between them.

Durkheim’s lack of sensibility towards fact and reality can readily be seen in the first chapter of *The Rules*. When he introduces “social facts,” he writes, “each individual drinks, sleeps, eats, reasons...” These are, of course, social facts about people’s everyday life. But he goes straight to include social obligations—such as the roles of brother, husband and citizen, and social contracts—in the domain of social facts. These obligations and contracts are more than facts about society; they are themselves the constituent elements of society. Daily human activities can perhaps be described by simple statements, but social institutions can neither be fully described nor explained without taking into consideration the culture and value-system. We can, without great difficulty, find out whether two persons are brothers or not. But how can we observe the role as a brother? At a closer look, even the habitual activities of necessity, like eating and drinking, cannot be stated as facts. For example, the Jews have continuously built up a complex system of *kosher* food to distinguish which food can be eaten and which cannot, and to prescribe the proper manner of preparation and eating. We can give a detailed description of their practice, but without taking into account the Jewish history and culture, we will never understand what *kosher* means to them. And we would be puzzled as to why such people bother to keep so many food regulations.

This confusion of fact and reality is linked to the assumption that what the social observer observes is what the social actor experiences. In the study of society, it involves a society, the social actors, and at least one observer. An actor lives in the society and is confronted by the society. Durkheim assumes that the observer can observe the action of the actor, and knows exactly what the actor is doing without consulting the actor. Since the observer is detached from the society, and hence obtains a kind of objectivity, he is in a better position to understand the actor and the society. The validity of this proposition involves complex issues that we cannot deal with here. Let me simply state some limitations of a social observer. It is certainly not true that an observer can totally get rid of his bias, prejudices, values, and world view. An observer is equally not at an advantageous position if he does not know the culture and history of the society which he observes. It is also highly improbable that the collected data will reveal their underlying law or laws without the observer’s active effort to impose on them a paradigm which he finds encompassing.

Walzer’s idea of objectivity significantly differs from that of Durkheim.⁵⁸ The change from using social fact to social meaning indicates a fundamental shift in the view of objectivity. The new viewpoint recognizes the distinction between the social actor and the social observer. It denies the

57. A. GIDDENS, *Studies*, p. 292.

58. Walzer has taken cognizance of the above-mentioned limitations and has devised measures to accommodate them. His reconstruction of objectivity merits a separate treatment on its own, which I will deal with fully in a later section.

observer his attributed superior point of observation. It refuses to admit that the observer can extract law solely from social data without consulting a presumed paradigm or model. Nor has he the privilege to interpret the data according to the model of his own choice if his description is meant to be an accurate representation of the society. The social actor is continuously confronted and constrained by the society. The outside observer can hardly observe these forces. In other words, the social observer is not situated in a better position to understand or to explain what an action means to the actor within the social milieu. Most probably, he is in a less advantageous position since his detachment makes him insensitive to the acting social force. Stripped of his privilege, the observer has to interpret and explain social data from within the context of the society that he observes. Social data cannot be simply regarded as facts that everybody in a neutral position can pass the right judgement on. They carry meanings of their own, whose validity can only be judged within their respective social milieu.

The main difference between social fact and social meaning lies in their different views of objectivity. Durkheim sees society as containing observable facts which are regulated by scientific laws. After getting rid of one's prejudices, the social scientist can accurately and truthfully formulate the laws that control human behaviour. Walzer probably does not believe that human behaviour can be summarized as a set of laws. He doubts if human behaviour can adequately be circumscribed either by laws or by principles. People have created society as a world of meanings. Their actions have to be understood from within the frameworks of meanings. There is no superior objective observational position. It is not the fact but the meaning that is crucial to the understanding of human behaviour.

The transition from fact to meaning bridges the cleavage between scientific theory and philosophical ideal. This dichotomy is the product of the debate between scientists and philosophers in the nineteenth century. The scientists insisted that they were objective in their methodology while the philosophers and the theologians were speculative. Only knowledge that came to us through objective methodology could be true or useful knowledge. Philosophical or theological knowledge was at best unverifiable, and thus inapplicable to the construction of modern society. In reality, both philosophers and scientists are searching for the hidden essence of an object. The real difference lies in their methodology. Philosophers tend to abstract it directly from the object through reasoning and the manipulation of language and concept. Scientists claim to acquire knowledge of the object by observing and experimenting with it in the absence of personal involvement. Walzer accepts the scientists' criticism of the speculative methodology as unverifiable. But at the same time, he criticizes this kind of objective scientific view as untenable. The scientists are not aware of what they are really doing. No matter whether it is observation or experimentation, a scientist is actually experiencing the object through his own senses. To put it another way, he does not know the object as it is; he knows it only as he experiences it. Furthermore, he is not satisfied with the experience alone; he aims to make a theory out of it. Such act will no doubt attribute meaning to the object. Walzer's search for meaning is pointing towards the dissolution of the distinction between scientific truth and philosophical truth. There are objects external to and independent of human existence, with which human beings are in constant interaction. One of the activities noticeable in the human mind is the comprehension of the external world by way of attributing meaning to it. And this process is a social one, that is, scientific research is conducted in and regulated by scientific communities. We may say that there is only one kind of social knowledge that can be assessed by reason empirically, which is social meaning. Since moral ideals are a kind of social meanings, the division between sociology of morals and philosophical ethics will be annulled.

C. CULTURAL TRADITION

Walzer's approach to morals may also be compared with the anthropologists' approach to cultures, in particular Clifford Geertz's interpretation of cultures. I have to stress beforehand that though there are some outstanding similarities between them, I do not claim that Walzer derives his methodology from Geertz. As far as I know, there is one author, Michael Rustin, who makes a direct connection between Walzer and Geertz. In a footnote to his article *Equality in Post-Modern Times*, Rustin writes: "Walzer has in these matters [cultural analysis] been deeply influenced by the writings of his anthropological colleague at the Institute of Advanced Study, Clifford Geertz. The *Spheres* has as its basic method the 'interpretation of cultures,' in the form of elucidating the meaning of a whole variety of embedded social practices both of his own and of other societies."⁵⁹ Whether or not Walzer is "deeply influenced" by Geertz, I am not so sure. The fact that Walzer only generally mentions, among others, the name of Geertz in the Acknowledgments of the *Spheres* but not in the content or the footnote makes it difficult to assess to what extent he is influenced by Geertz. It is true that in the *Spheres*, Walzer is applying a methodology that bears striking resemblance to "the interpretation of cultures." But one has to take into account that this methodology has appeared, albeit in a less developed form, in the *Wars*. Anyway, I am not so much concerned with who influences whom. My attempt is to understand "social meaning" from an anthropological perspective. Since Walzer has not comprehensively laid out the theoretical basis of his interpretation of morality, a study of Geertz's anthropological methodology can yield some supplementary information.

1. The concept of culture

Social science, ever since its emergence, has quickly gained public acceptance. They are consequently institutionalized and incorporated into the structure of university as a distinct discipline. Sociology from its very beginning is designed as a tool to help shape the modern world, which is driven by the impulse of the endless accumulation of capital. As documented by Karl Marx, this capitalist world-system is full of internal contradictions. In order to mitigate social conflicts, various solutions have been suggested, and they are commonly classified in the lines of the right, the left, and the centre, or more tellingly as conservatism, socialism/Marxism, and liberalism. The conservatives strive to preserve the status quo and keep the entrepreneurs in check, while the radicals demand to transform society to the ideals of modernity in a short lapse of time. To balance both sides and at the same time to permit the capitalist principle to prevail, liberals ingeniously choose sociology as the handmaiden of modern society and use it to buffer the demands from the conservatives and the radicals. Sociology presents itself as an expert-system and employs the general strategy of criticizing conservative values as oppressive to true human nature and radical ideals as far-fetched. It claims its programme to be the middle way and the sure guide to social progress. In fact, it always aims to open the ways to business opportunities and technological innovations. Its so-called scientific perspective is overdetermined by these motives. Since sociology is geared to the liberal project, it is not surprising that sociologists encounter difficulties when they apply this methodology to study societies other than the advanced capitalist ones. As a result, two new branches come out to meet this challenge. For those nations which are non-Western and display strands of high culture, they are studied under the category of Oriental Studies. Since the histories, cultures, and social relationships of these nations are so

59. M. RUSTIN, *Equality in Post-Modern Times*, in *Pluralism*, 17-44, p. 20, n. 6.

complex that the researchers are not willing (or unable) to invest much time and resources into something that is not immediately useful, these studies by and large remain at the level of philology. As for the rest, they are identified as primitive societies and are studied under anthropology. Being free of the liberal mandates and not overwhelmed by the immense complexity of Oriental Studies, anthropology has the hope of giving due respect to the study of society.

I have stated briefly the relationships between sociology, Oriental studies, and anthropology in the purpose of pointing out the bias of the first, the limitation of the second, and the prospects of the third. Now we may proceed to the central subject concerning anthropologists. In a retrospect of what the anthropologists have done, Geertz writes that the whole discipline of anthropology evolves around the concept of culture.⁶⁰ Its classic definition can be found in Edward Tylor's *Primitive Culture*, in which he says: "Culture . . . is that complex whole which includes knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by man as a member of society."⁶¹ By dedicating himself to the study of human behaviour in its totality and to understand human action as the actor understands it, Tylor claims an approach different from sociology. Its accent is on the appreciation of human artefacts rather than on the manipulation of social behaviour, or in the words of sociologists, the improvement of society.

Culture defined as such is a promising idea that has inspired and guided many anthropologists in their study of society. It, however, cannot avoid the fate of falling into its self-created pitfall. Cultural study has for some time passed its prime of experimentation and settled down to the work of detailing and clarifying. An examination of the corpus of accumulated literature reveals that the idea of the most complex whole has reached the point of causing more confusion than giving illumination; it proves itself to be too ambiguous. In order to sustain anthropology as a scientific discipline, it is necessary to pin down the concept of culture. Anthropologists have performed their duty and bequeathed us an array of definitions. In an extensive survey done in 1952, Alfred Kroeber and Clyde Kluckhohn discovered more than 160 definitions of culture.⁶² Kluckhohn himself has managed to narrow them down to eleven. To give an idea of it, I am going to quote a shortened list abridged by Geertz: "(1) the total way of life of a people; (2) the social legacy the individual acquires from his group; (3) a way of thinking, feeling, and believing; (4) an abstraction from behavior; (5) a theory on the part of the anthropologist about the way in which a group of people in fact behave; (6) a storehouse of pooled learning; (7) a set of standardized orientations to recurrent problems; (8) learned behavior; (9) a mechanism for the normative regulation of behavior; (10) a set of techniques for adjusting both to the external environment and to other men; (11) a precipitate of history."⁶³ Geertz comments that while Kluckhohn's collection of definitions represents an improvement of Tylor's most "complex whole," it remains a kind of "*pot-au-feu*" theorizing about culture.⁶⁴ Obviously, such kind of "mixing ideas together" is undesirable in scientific research. If each anthropologist follows a particular definition throughout his study for a particular subject, anthropology could still be considered as consisting of different ways of studying culture. But if the anthropologist shifts freely from one definition to another in one project, we can anticipate how confusing it will become.

There are two major approaches taken by the anthropologists to clarify the concept of culture. The first approach follows the behaviourist perspective in viewing culture as consisting of behavioural

60. C. GEERTZ, *The Interpretation of Cultures*, London, 1973 (repr., 1993), p. 4.

61. E. B. TYLOR, *The Origins of Culture*, [*Primitive Culture*, Vol. I], New York, NY, 1958, p. 1.

62. Cf. A. L. KROEBER & C. KLUCKHOHN, *Culture. A Critical Review of Concepts and Definitions*, New York, NY, 1963, pp. 81-141.

63. C. GEERTZ, *The Interpretation*, pp. 4-5.

64. C. GEERTZ, *The Interpretation*, p. 4.

events. To study culture is to construct the patterns of behavioural events for a particular community. This approach is congruent with the positivist idea of objectivity. In reaction to the behaviourists, the second group of anthropologists attribute culture to the psychological structure of individuals. One of their spokesmen, Ward Goodenough, says, "Culture [is located] in the minds and hearts of men." He thus arrives at the definition: "A society's culture consists of whatever it is one has to know or believe in order to operate in a manner acceptable to its members."⁶⁵ From this point of view, the task of an anthropologist is to construct a system of rules of which if anyone follows closely, he (appearance aside) will be indistinguishable from a native.

The two above-mentioned solutions are, in Geertz's opinion, unsatisfactory. In spite of their embarking on opposite directions, they have both uncritically employed, at a deeper level, the method of reduction to the simple. The behaviourists reduce social reality to observable patterns, while the psychologists reduce it to the structure of mind and formal rules. Human action can never be merely patterns of behaviour, for a human being has both body and mind. Many human actions are not simply reflexes. They are conscious actions intended by the actors to convey meanings and to achieve ends. Most often, a social action is repeated time and again not because people are conditioned to it but because they find in it meaning which is important to them. The second kind of reductionism, though refined and intricate, is still off the mark. It is a marriage between "extreme subjectivism" and "extreme formalism," Geertz comments.⁶⁶ Since culture is a public creation, it cannot be solely located in the mind of individuals. And the rules of something cannot be taken as the whole thing itself. The rules of football are not a football game. Few football fans will be content just to attend an intensive course in football rules instead of watching a match played by their favourite team.

Reductionism is a powerful means to comprehend a reality which is so complex that it overwhelms human comprehension. We reduce reality to the level of our capacity, and in a second step, we reorganize our relation with it. This is how the modern world is constructed. If we give up reductionism, what alternative do we have? "Thick description of the complex" is the method that Geertz proposes. This idea, he frankly admits, does not originate from him. Many anthropologists have practiced it for many years, perhaps without fully aware of it themselves. Anthropologists, since the early time, have engaged in an expedition to the hinterland and brought back exotic stories of the aborigines. Their records are thick descriptions of people's life in rich details of customs, manner, practice, etc. The most interesting point of their works, besides the strangeness of the stories, is that they try to keep their reports as accurate to the event and the local setting as possible, and to seek explanation from the viewpoint of the natives. In this way, they lay bare before us other worlds of meanings which are significantly different from ours. Without the help of the anthropological reports, we can by no means understand the aborigines' behaviour. Thus Geertz concludes that anthropologists are looking neither merely for patterns of behaviour nor exotic behavioural laws but for local meanings of actions as understood by the natives. From this perspective, culture is best seen as a complex reality which is constructed by human beings in interactions with themselves and the environment. In so doing, they create complex networks of meanings. "Man," in Geertz's vivid metaphorical language, "is an animal suspended in webs of significance he himself has spun." It follows that the most appropriate method to study it is not "an experimental science in search of law but an interpretive one in search of meaning."⁶⁷

65. W. GOODENOUGH, quoted in C. GEERTZ, *The Interpretation*, p. 11.

66. C. GEERTZ, *The Interpretation*, p. 11.

67. C. GEERTZ, *The Interpretation*, p. 5.

2. Twitch and wink

To illustrate the idea of “thick description,” Geertz borrows the story of wink from Gilbert Ryle.⁶⁸ Imagine two boys quickly contracting the eyelids of their right eyes. One is an involuntary twitch, but the other is an intended action signalling a conspiracy to a friend. For the actions alone, both movements are identical: each of the boys contracts the eyelids of his right eye once and sharply. We cannot tell the difference between them. In the Western culture, twitching may or may not carry a message. A twitch differs greatly from a wink as anybody who has mistaken the former for the latter would know. Twitch is an involuntary action with no significance, but wink is a body language that communicates a message of intimacy. The latter has to be conducted in a culturally defined manner by someone to a specific person for a special message with the intention to evade the notice of the rest of the company. Twitch is only a physical movement, while wink is double: it is a physical movement plus meaning. Though indistinguishable from an “objective” scientific observational point of view, a wink is as real as a twitch.

The story does not end here. A third boy intending to amuse his peers parodies the second boy’s wink.⁶⁹ No doubt, he will do it emphatically so that his wink appears to be over-obvious, and perhaps it comes along with a grimace. The movement of contracting his right eyelids is the same as a twitch or a wink. Nevertheless, his is neither a twitch nor a wink but a parody. A parody is a ludicrous imitation which also carries a message, not that of conspiratorial signal but that of ridicule. This too, is performed according to a socially established code. Suppose our small comedian is really serious about his trick and practises it at home before a mirror. This time, he is neither twitching, nor winking, nor parodying, but rehearsing, though to a strict behaviourist, a rehearsal is the same as a twitch, a wink, or a parody. To make our story a little more complicated, suppose the second boy is actually not winking at someone but pretending to wink in order to mislead others into believing that there is a conspiracy going on, which in fact there is none. Thus, besides twitch, wink, parody, and rehearsal, we now have to add a new category, fake-wink, to our list. This hierarchy of meanings associated with the action of contracting the right eyelids is crucial to our perception, interpretation, and reproduction of the movement. Without it, we can hardly understand the action, or we may not even notice it at all.

I still remember a cultural shock of wink when I first set foot on Belgium several years ago. Among the few things a resident alien in Belgium has to do as soon as possible is to open a local bank account. So I went to the main street of the town where I lived, and looked for a bank. Finally I made up my mind, and I entered a bank. There I saw a handsome young man with square face and broad shoulders sitting behind the counter. Unfamiliar with the setting and at the same time searching for help, I stared at him, not quite certain if he was the right person to talk to. Conscious of somebody’s attention, the bank clerk lifted up his head. Our eyes met and lingered for a short moment. Suddenly the man quickly blinked his right eyelids. Perceiving that this was unmistakably a signal to me, I was immediately shocked by such unexpected action, for as far as I could recall, I had never received a wink in a public place, and especially by an unknown handsome and strong man. While I was pondering what this signal could possibly mean, I managed to conceal my astonishment, and proceeded to the usual banking routine. Now and then I am still wondering the exact meaning of this wink. It is true that the people in my part of the world also wink by contracting the eyelids of their eyes to convey a conspiracy. But somehow we regard this as an indecent act, and attach a strong disapproval to it. Parents will teach their children, if they happen to have picked up such habit, not to do it as soon as the

68. C. GEERTZ, *The Interpretation*, pp. 6-7.

69. Geertz says that the third boy parodies the first boy’s wink. Since the first boy does not wink, it would be more reasonable to say that the third boy parodies the second. See C. GEERTZ, *The Interpretation*, p. 6.

children can reason. Devoid of a developed structure of meanings and lacking such social experience as I was, I was unsure of the exact meaning of the wink, though I could guess that it was a welcoming gesture. Now, with the aid of Ryle's hierarchy of meanings, I guess that the possible meaning of the clerk's blink is something between a wink and a fake-wink. Since the clerk and I have never met before, the signal cannot be a conspiracy. It too cannot be counted as a fake-wink without a company of cronies. The gesture is a fake-wink because there is no conspiracy whatsoever between us, and it is also not a fake-wink intending to mislead others. The closest option is that it fakes an intimate relationship, which does not exist between strangers. Hence, it is best to call it a greeting-wink.

A simple social action may convey different social meanings. Because of its complexities, we can give a thin description, or more appropriately, a thick description of it. For instance, a thin description of a rehearser is that he rapidly contracts his right eyelids. This description is indistinguishable from a twitcher, a winker, a parodist, or a fake-winker. Whereas a thick description of what he is doing would be that he is "practicing a burlesque of a friend faking a wink to deceive an innocent into thinking a conspiracy is in motion."⁷⁰ Such thick description is possible because there exists, in Geertz's own words, "a stratified hierarchy of meaningful structures in terms of which twitches, winks, fake-winks, parodies, rehearsals of parodies are produced, perceived, and interpreted, and without which they would not ... in fact exist, no matter what anyone did or didn't do with his eyelids."⁷¹

3. Sheep raid

If Ryle's story seems to be too artificial, Geertz provides us with a typical anthropological example. Since any form of reproduction will distort the significance of the record, I have no alternative but to quote in full this not-so-short narrative:⁷²

The French [the informant said] had only just arrived. They set up twenty or so small forts between here, the town, and the Marmusha area up in the middle of the mountains, placing them on promontories so they could survey the countryside. But for all this they couldn't guarantee safety, especially at night, so although the *mezrag*, trade-pact, system was supposed to be legally abolished it in fact continued as before.

One night, when Cohen (who speaks fluent Berber), was up there, at Marmusha, two other Jews who were traders to a neighboring tribe came by to purchase some goods from him. Some Berbers, from yet another neighboring tribe, tried to break into Cohen's place, but he fired his rifle in the air. (Traditionally, Jews were not allowed to carry weapons; but at this period things were so unsettled many did so anyway.) This attracted the attention of the French and the marauders fled.

The next night, however, they came back, one of them disguised as a woman who knocked on the door with some sort of a story. Cohen was suspicious and didn't want to let "her" in, but the other Jews said, "oh, it's all right, it's only a woman." So they opened the door and the whole lot came pouring in. They killed the two visiting Jews, but Cohen managed to barricade himself in an adjoining room. He heard the robbers planning to burn him alive in the shop after they removed his goods, and so he opened the door and, laying about him wildly with a club, managed to escape through a window.

He went up to the fort, then to have his wounds dressed, and complained to the local commandant, one Captain Dumari, saying he wanted his 'ar—i.e., four or five times the value of the merchandise stolen from him. The robbers were from a tribe which had not

70. G. RYLE, quoted in C. GEERTZ, *The Interpretation of Cultures*, p. 7.

71. C. GEERTZ, *The Interpretation*, p. 7.

72. C. GEERTZ, *The Interpretation*, pp. 7-9.

yet submitted to French authority and were in open rebellion against it, and he wanted authorization to go with his *mezrag*-holder, the Marmusha tribal *Sheikh*, to collect the indemnity that, under traditional rules, he had coming to him. Captain Dumari couldn't officially give him permission to do this, because of the French prohibition of the *mezrag* relationship, but he gave him verbal authorization, saying, "If you get killed, it's your problem."

So the *Sheikh*, the Jew, and a small company of armed Marmushans went off ten or fifteen kilometers up into the rebellious area, where there were of course no French, and, sneaking up, captured the thief-tribe's shepherd and stole its herds. The other tribe soon came riding out on horses after them, armed with rifles and ready to attack. But when they saw who the "sheep thieves" were, they thought better of it and said, "all right, we'll talk." They couldn't really deny what had happened—that some of their men had robbed Cohen and killed the two visitors—and they weren't prepared to start the serious feud with the Marmusha a scuffle with the invading party would bring on. So the two groups talked, and talked, and talked, there on the plain amid the thousands of sheep, and decided finally on five-hundred-sheep damages. The two armed Berber groups then lined up on their horses at opposite ends of the plain, with the sheep herded between them, and Cohen, in his black gown, pillbox hat, and flapping slippers, went out alone among the sheep, picking out, one by one and at his own good speed, the best ones for his payment.

So Cohen got his sheep and drove them back to Marmusha. The French, up in their fort, heard them coming from some distance ("Ba, ba, ba" said Cohen, happily recalling the image) and said, "What the hell is that?" And Cohen said, "That is my 'ar." The French couldn't believe he had actually done what he said he had done, and accused him of being a spy for the rebellious Berbers, put him in prison, and took his sheep. In the town, his family, not having heard from him so long a time, thought he was dead. But after a while the French released him and he came back home, but without his sheep. He then went to the Colonel in the town, the Frenchman in charge of the whole region, to complain. But the Colonel said, "I can't do anything about the matter. It's not my problem."

This story is certainly puzzling to us. We can apprehend what has happened, but to understand what was happening, that is, what the meanings of those actions are to the actors, is almost impossible with the material on hand. Perhaps, even its actors, Cohen, the sheikh, and Captain Dumari, would not find all the events totally comprehensible. It is the work of the anthropologists to render them more transparent to us. Though interesting, I would still limit myself not to seek explanation for the enigmatic action such as Cohen's 'ar or the French confiscation of the sheep, for it is not our purpose here to investigate the work of the anthropologists. We are only interested in how they work.

At first sight, the narrative appears to be a report of an anthropologist. It seems that the anthropologist was present in every scene, who observed and recorded all the details, and reproduced the script afterward. This is not the case at a closer inspection of the information that has not been revealed to the reader. This drama happened in the highlands of central Morocco in 1912. It was only 56 years later, in 1968, that the event was retold to the researcher by a third person informant. After quite a long lapse, how can we be sure that the story told by the informant is an accurate recount of the event? Also, the record we have now, though exotic, is a nice piece of adventure drama similar to those we read in fictions or see in movies. This is incredible. Perhaps our informant is an excellent storyteller. Or perhaps, it is the superb writing skill of our anthropologist. Whether the story is told in its exact form or with exaggerations, mistakes, lacunae, or contradictions, a good scientific researcher is supposed to verify the facts, and to contribute his own judgement. He will probably question the informant and ask him to clarify his doubts. He will also collect information from other available sources. After all these processes, he is now ready to compose his summary report. What is our anthropologist going to do with his files of data? It is highly unlikely that the data would accord with

each other completely and fit into place like a jigsaw puzzle. He has no way but to read, analyse, reconstruct the event, and adding his own explanation. *Voilà*, that is “interpretation.” To state more correctly, anthropological writings are interpretations of interpretations. The native makes the first order interpretation because the action occurs in his social and cultural milieu. All other people are making interpretation of the second, the third, the fourth, the fifth, and up to the n^{th} order.

Geertz is ready to call anthropological writings “fictions.”⁷³ They are fictions not in the sense that they are fabricated, which is not his concern, but in that they are creative narratives, which call for the full imaginative power of the anthropologists to create. He thinks that there is no difference between writing a thick description of the adventure of a Jewish merchant in 1912 Morocco and Gustave Flaubert’s composing the affairs of Madame Bovary in the nineteenth century France. They are both imaginative acts. Of course, the former claims to present real events, while the latter makes no such claim. But the fact of making (*fictio*) is the same in both cases.

If anthropological writings are fictions, do they still possess any scientific value? The answer to this question depends on the conception of reality. In case anthropological writing is taken as social reality or the exact replication of it, fictitious writing will have no high standing. This positivist objectivity is, however, a naïve conception of reality. Two objections can be raised. First, writings of reality and reality itself are two entities between which we should make a distinction. A report or a detailed description of reality cannot be reality itself, just as a drawing or a photograph of a dog is not a dog. Second, to reproduce an exact replication of an event is pointless. “It is not worth it, as Thoreau said, to go around the world to count the cats in Zanzibar.”⁷⁴ The liberal tactics of separating fact from meaning, though effective in excluding value from political and scientific consideration, is a defective way of acting or living. Even in the court room where fact seems to attain prominent importance, interpretation is unavoidable. When someone (*A*) cuts open the chest of another person (*B*) with a knife and causes *B* to die, how are we going to label this act? Murder? Manslaughter? Genocide? Sacrifice? Self-defence? Mercy killing? Failed medical operation? The significance of *A*’s act must be studied and judged against a refined homicidal framework of meanings. Anthropology is a search for meaning. A researcher has to clarify what is going on in a strange place, to explicate the way of life, and to shorten the distance between them and us. The assessment of an anthropological writing lies not in its exactness to the event, but in its ability to disclose the unknown structure of meanings. The crucial point, as Geertz has it, “is whether it sorts winks from twitches and real winks from mimicked ones.”⁷⁵

To make a difference between twitches, winks, fake-winks, greeting-winks, parodies, and rehearsals is a challenging task, and indeed a formidable one. Why does Cohen insist on claiming his ‘*ar*’, showing little concern for his own personal safety? Why does he pursue only for the compensation of the loss of property but not the lives of his Jewish friends? Why are the sheikh and his tribesmen willing to risk their lives for Cohen’s cause? Why does the rival tribe allow Cohen to take five hundred sheep as compensation for the damages? Why does captain Dumari suddenly decide to confiscate Cohen’s ‘*ar*’? Why ... We can continue the enquiry endlessly. The desire to get answers for these questions forces us to go beyond the event itself. Analysis of a given event involves, in the words of Geertz, “sorting out the structures of signification.”⁷⁶ In the case of our sheep raid, the first step consists of outlining the general situation of the world in 1912. Then we may proceed to the region of Morocco, and then to the locale of Marmusha. After situating our actors in this geopolitical and economic scene, we may try to interpret their interactions. From the actor’s point of view, there are

73. C. GEERTZ, *The Interpretation*, p. 15.

74. C. GEERTZ, *The Interpretation*, p. 16.

75. C. GEERTZ, *The Interpretation*, p. 16.

76. C. GEERTZ, *The Interpretation*, p. 9.

three frames of interpretation: Jewish, Berber, and French. We have to explicate the meaning of the event in each frame. And each frame of signification entails different levels of explication. A single event, regarded as a symbolic action, is suspended in webs of meanings. Its interpretation is multi-faceted.

I would like to conclude our discussion on the interpretation of cultures by retelling an Indian story quoted by Geertz. An Indian told an Englishman (who was probably touring India on the back of an elephant at that moment) that the world rested on a platform which rested on the back of an elephant which in turn rested on the back of a turtle. The Englishman, with his English humour, asked the Indian: “What did the turtle rest on?” The Indian instantly replies: “Another turtle.” “And that turtle?” “Ah, Sahib,” the Indian suddenly sensed the difficulty of the Englishman and tried to give him a final explanation, “after that it is turtles all the way down.” This is also the story of the social world. We have events and structures of signification. The understanding of a particular event is built on the first interpretation, then the second, then the third, As such, cultural analysis is incomplete. “There are a number of ways to escape this,” Geertz tells us, “turning culture into folklore and collecting it, turning it into traits and counting it, turning it into institutions and classifying it, turning it into structures and toying with it.” “But they *are* escapes,” he emphasizes. “The fact is that to commit oneself to a semiotic concept of culture and an interpretive approach to the study of it is to commit oneself to a view of ethnographic assertion as ... ‘essentially contestable.’ Anthropology, or at least interpretive anthropology, is a science whose progress is marked less by a perfection of consensus than by a refinement of debate. What gets better is the precision with which we vex each other.”⁷⁷

D. THE INTERPRETATION OF SHARED UNDERSTANDINGS

We have spent quite some time on Durkheim’s social fact and Geertz’s interpretation of cultures. Its purpose is to provide a structure of signification against which we can understand Walzer’s interpretation of shared understandings. Walzer says that morality is embedded in shared understandings, and that the best way to know it is through interpretation. While Walzer might deny Durkheim’s social fact as the basis of social study, he would agree that there exists a body of observable social data available for a disciplinary study of society. These data are not facts, but facts and social meanings. He also believes that this study alone is adequate for us to live a full-blown moral life.

One significant difference between Walzer and Durkheim is their views of objectivity. Durkheim believes that exact knowledge of an object can be grasped by the mind, while Walzer asserts that active human engagement in disciplinary enquiry is crucial. The disagreement leads to a different view on the nature of the social data, and a different way of conceptualizing them. Walzer calls his methodology “an interpretation of shared understandings.” Now Durkheim’s rules of sociology is unable to give us further illumination of what Walzer is doing, and we have to turn to Geertz.

Walzer’s interpretation of shared understandings has parallels with Geertz’s interpretation of cultures. For instance, to illustrate what kind of welfare community should provide, Walzer reconstructs the stories of Athens in the fifth and fourth centuries B.C. and the Jewish community

77. C. GEERTZ, *The Interpretation*, pp. 28-29.

residing in Europe during the high Middle Ages.⁷⁸ We notice that, in contrast to the anthropological writings which often focus on some particular characters, the stories are cast in general term without referring to any specific person, but the narration is similar to that found in many anthropological literature. Walzer uses the stories to sort out a structure of signification for communal provision.

Culture is the name that is assigned to the body of anthropological data. And culture, in Geertz's conception, is an "acted document" or a "symbolic action," which is the social interaction taking place in the context of webs of meaning. Walzer has never explicitly discussed the moral data; he simply assumes that there exists a body of shared understandings. From the multitude of stories found in the *Spheres*, we may, however, deduce that Walzer often sees shared understandings as symbolic actions. Consider the above-mentioned story of Athens. Walzer says that it was a common practice in Hellenistic city-states to distribute only general welfare, with little regard to the poor in particular. He then goes on to describe the various kinds of general works the city of Athens undertook to benefit the citizenry as a whole, such as defence, the presence of qualified doctor in time of emergency, and the supervision of the availability of corn. Athenians turned a blind eye to the needs of the poor. Small pensions were provided only to the physically disabled, orphans, the widows of fallen soldiers, and the elderly. The main exception was the distribution of an equal amount of stipend to every citizen who held office. The yearly total of this expenditure, which amounted to more than half of the internal revenue of the city, was relatively huge. Why did the Athenians have such strange behaviour? Walzer explains this in terms of the peculiar conception of citizenship, namely democracy. In order to facilitate active participation in politics, the city of Athens is ready to use a large amount of its revenue, and distributes it equally to sustain equal citizenship. In his narration, Walzer first describes a certain behaviour of the Athenians, then hangs this act on the webs of social meanings, and finally explains it from the Athenians' perspective. This method is similar to that of Geertz.

A more explicit evidence can be found in Walzer's reply to Dworkin's criticism, in which the term "culture" is repeatedly mentioned. In the explanation why the same good may have different social meanings, Walzer distinguishes two kinds of disagreement. The first kind occurs among people in the same "cultural tradition," who interpret meanings in different ways. The second kind occurs between peoples from radically different "cultural traditions," who naturally interpret meanings according to their different frameworks of understanding.⁷⁹ The crucial point of this argument centres on the idea of "cultural tradition." Walzer assumes that people in the world are reared or situated in different cultural traditions. Each cultural group has created its own structure of signification, which is determined by its history and cultural tradition. The members of each group use their own structure of signification to perceive, interpret, and react to reality. Due to the difference in the structures of signification, different cultural groups will naturally generate different social meanings of goods. The degree of difference depends on the closeness or the remoteness between their structures of signification. Generally speaking, we can expect radically different social meanings from radically different cultural groups. For members of the same group, they may disagree with each other, but their disagreement is not due to different structures of signification but to different interpretations. There can be several reasons why people interpret the same object differently: (1) the structure of signification is the same but the perceived data are different; (2) the social meaning of the disputed good is unclear, that is, the structure of its signification is not well-developed, (3) the disputed good lies in overlapping spheres, that is, it has several structures of signification which are selectively used for.

Walzer pays no effort to make a distinction between "culture" and "cultural tradition." We may thus safely take them as interchangeable. Nevertheless, I am inclined to think that the term "cultural

78. *Spheres*, pp. 69-74.

79. M. WALZER & R. DWORKIN, '*Spheres of Justice*', p. 44.

tradition” emphasizes more on the historical dimension of culture. In a loose way, I could perhaps borrow from elsewhere Walzer’s graphic description of the moral world to explain the historicalness of culture:⁸⁰

... the moral world has a lived-in quality, like a home occupied by a single family over many generations, with unplanned additions here and there, and all the available space filled with memory-laden objects and artifacts.

We can be quite sure that in the mind of Walzer, culture is not solely the product of a single generation, or an era. It has a tradition of interpretations over many generations and eras. When we interpret the contemporary moral culture, it is not enough just to stay in the contemporary interpretations. We must go deeper into whatever levels of previous interpretations that are deemed to be appropriate. The structures of signification or the webs of meaning are the work of many generations. They are linked or interconnected with each other by individual interpretations. The interpretation of shared understandings will necessarily draw upon interpretations—it uses the ideas or concepts previously derived to interpret the current situation. Moral interpreters are interpreting interpretations. What they produce, to adapt Geertz’s phrase, are interpretations upon interpretations upon interpretations.⁸¹ The word “tradition” highlights the interrelatedness of various layers of interpretations.

So far I have drawn parallels between Geertz’s idea of culture and Walzer’s idea of shared understanding. It seems to me that culture and shared understanding are different words for the same thing. However, I must point out that Walzer’s moral interpretation has certain distinct features which are different from anthropological interpretation.⁸² We shall discuss Walzer’s interpretive methodology in the next chapter. Meanwhile, let me just briefly mention some obvious points.

In the *Spheres*, Walzer focuses his interpretation on the meanings of goods, which is different from the common anthropological practice of focusing on human action. This is a methodological innovation in political philosophy, achieved by adapting the interpretation of cultures to the interpretation of goods. This adaptation is possible because goods are the mediums of human interaction or the mediators of human relationship. This new mode of ethical discourse well suits the egalitarian society, where fixed social hierarchical relationships can no longer be justified by any theory. But hierarchical relations do exist in advanced industrial society. Walzer’s theory of goods suggests one way to deal with them.

Walzer’s interpretation of morality, whether in the *Wars* or in the *Spheres*, is not a purely descriptive enterprise. After the description of a particular case, Walzer always draws out general principles from it. For instance, from the provision of welfare in Athens and in the Jewish community, Walzer extracts the principles that the good of welfare varies from time to time and from place to place, the purpose of welfare is to foster equal citizenship, and it should be distributed according to need. Moreover, political philosophy is a persuasive enterprise. Its author has certain motives to realize or certain values to promote. We find such preferences in Walzer’s description of social reality. Finally,

80. *Interpretation*, p. 20.

81. Cf. C. GEERTZ, *The Interpretation*, p. 9.

82. In a footnote of *Thick and Thin*, Walzer distances himself from Geertz declaring: “But it is not my claim to offer a thick description of moral argument, rather to point to a kind of argument that is itself ‘thick’—richly referential, culturally resonant, locked into a locally established symbolic system or network of meanings.” (*Thick*, p. xi, n. 1.) Walzer makes a distinction between “thick description” and “thick argument.” His argument is thick, which is different from Geertz’s thick description. The difference is that Walzer wants to integrate philosophical argument with thick description. He has no intention to renounce discursive ethics or to assert the primacy of narrative ethics. With this understanding in mind, when I apply “thick description” to morality, I mean only Walzer’s “thick moral argument.” I prefer the term “thick description” to “thick argument” because it is more compatible with the concept of interpretation.

we can also find some personal inputs from Walzer in the reconstruction of social reality. As we have mentioned before, anthropological writing is fiction. But the making (*fictio*) of a coherent social theory is different from the making of a story. It requires a framework of analysis. In the case of the *Spheres*, it is the idea of spheres that holds the various parts together. Of course, the separation of social life into different spheres is not Walzer's invention. We can find it both in the liberal society and in the ancient Jewish society, though the art of separation in these two types of societies is radically different. It is true that liberals have divided the social landscape into three spheres: the state, the market, and the civil society, but the liberals have not seriously defined their boundaries. It is Walzer who perfects this art by drawing out the boundaries of all the essential spheres, defining their goods, and pinning down their distributive principles. This effort is a projection of an existing structure to a more enhanced form. The introduction of the metaphor of spheres into social theory should be regarded as Walzer's personal contribution. This kind of making is more creative than the anthropological making.

After comparing Geertz's methodology with that of Walzer, I am led to the conclusion that "cultural tradition" is the source of morality in Walzer's theory; it carries the same basic meaning as "shared understanding," or "social meaning." In a more logical usage, the relationship between these three terms should be formulated as such: the interpretation of cultural tradition or shared understanding yields the social meaning of a certain good or a certain thing. That means, cultural tradition or shared understanding is the source of morality, whereas social meaning is the result of the interpretive activity. In my opinion, cultural tradition and shared understanding are interchangeable. I think that cultural tradition has certain appealing advantage over shared understanding since culture and tradition are familiar terms, while shared understanding is a recent creation of Walzer. On the other hand, culture and tradition have also certain disadvantages. Culture is a term bearing too many definitions besides its firm association with anthropology. It is also unclear what culture refers to without knowing the author who uses it and the context in which he uses it. And tradition has too much connotation in association with traditionalism or conservatism. Since Walzer is a radical who advocates social reform, it will also cause confusion if he uses the term "tradition" too often. After weighing up the pros and cons, Walzer has his point in using shared understanding instead of culture or tradition. To clarify his terminology, I propose the following statement:

A moral ideal is embedded in the shared understandings of a community, and the best way to comprehend it is through the method of interpretation with the purpose of constructing its structure of social meanings.

§2. THE OBJECTIVITY OF SOCIAL MEANING

The interpretation of shared understandings is an attempt to ground morality, at least partly, on external observable data. This approach is deemed to conform to the modern epistemology. Modernity has imposed two major requirements on knowledge: one is externality, the other is objectivity. Shared understandings are external data. But could social meanings, the products of the interpretation of shared understandings, be objective? Meaning, albeit social, implies the active involvement of subject or subjects in its processes of creation. If human subjects are actively involved in the creation of meaning, isn't it subjective? How can meaning be objective? For example, believers of a certain religion make a table, and consecrate it as an altar. They inject "holiness" to the altar as its social meaning. Holiness, to them, means that the altar is separated exclusively for offering sacrifice to their god, and everyone must respect it as if it were god himself. To some non-believers, a table is a table. Nothing has changed by performing some ritual, calling it an altar, and prostrating before it. How can the holiness of an altar be objective knowledge? Not only the positivists but also quite a few scientists would reject this social meaning as objective knowledge. Walzer, however, endeavours to defend that social meaning is indeed objective.

A. SIMPLE OBJECTIVITY

At the beginning of an article titled *Objectivity and Social Meaning*, Walzer lays out three views of knowledge, or three kinds of epistemologies, which I reformulate as follows:⁸³

1. The cognition of an object is wholly or largely determined by the object.
2. The cognition of an object is jointly determined by the object and the subject's structure of cognition (e.g. faculties of perception and mind).
3. The cognition of an object is jointly determined by the object, the subject's structure of cognition, and the subject's conceptual schemes, which are formulated not by the subject alone, but by a set of subjects.

The first kind of epistemology became prominent since the sixteenth century. We can find its rise in the works of Galileo and its enthronement in Newton. Originally, it is a revolution against the traditional knowledge of nature. In the nineteenth century, people attempted to apply it to all kinds of knowledge, and positivism emerged as its most extreme form. It follows from this epistemology that a knowledge of an object is said to be objective if it is a knowledge of the object alone without any input from the subject. An objective knowledge of an object should remain the same no matter who observes it, when it is observed, and where it is observed. The object imposes itself on the subject, who receives passively and indiscriminately all the data imprinting upon him. A table is a table, and it is the same for anyone anywhere. This has been, perhaps, the most popular view of objectivity until now.

Some philosophers have long rejected the empiricist epistemology for various reasons. The ground of their objections is that the human subject is an active agent, and his faculties of perception are actively involved in the processes of cognition. How can the subject become irrelevant? One simple analogy is that a light beam cast on a white paper is white, and on a red paper red. Obviously, the nature of a receptor affects the resultant signal received. Philosophers like to give more radical proofs. For instance, Kant, in his *Critique on Pure Reason*, argues that the categories of the understanding,

83. *Objectivity*, pp. 165–166.

which are essential to the perception of all physical objects, exist *a priori* in the mind. Time and space do not exist in an object; instead they are forms innate to the structure of the mind. When the data of an object go through the mind, it will arrange them in relation to the forms. And the final signal will then become comprehensible. Now, if the faculties of the subject have helped in the perception of an object, can we still speak of objectivity? The fact that the mind takes part in the determination of the final phenomenon poses no serious threat to objectivity. We may simply assume that every mind has the same faculties, just as every human body possesses the same organs. Of course, there will be exceptions, but they are rare, and we can handle them as abnormal cases. Objectivity then can be defined as the understanding of a normal subject, where normal means the widely shared faculties of perception and cognition. If most people perceive that the colour of a particular table is red, their report is objective. When a person reports that the colour of that same table is green, this is subjective. That person is abnormal: he may have colour-blindness or some other problems. Objectivity, in this sense, refers to the majority opinion.

This second view of objectivity seems to be a moderate proposal, but recent discoveries in cognitive science have led to its rejection. Researches show us that human subject does not come to the object with his faculties alone but also with interests and ideas. Perception is actually a process of interpretation. What the subject sees, recognizes, and understands is predetermined by his cognitive concerns and conceptual schemes. The enquiring subject will not attend all the data emanating from the object but only those that interest him. He then perceives and organizes those data according to his structure of cognition and conceptual schemes, of which the former is his innate structure and the latter the result of the processes of socialization. Thus it would be more correct to say that the subject imposes himself on the object rather than the object imposes itself on the subject. Instead of objectively observing the world, we actually shape the world into our own image.

The idea that human interests play an important role in the acquisition of knowledge is not new. It only comes to the fore recently. We can find its precursor in Durkheim's critique of Kant. Kant attributes the categories of the understanding to the innate structure of the mind. Durkheim queries whether this is a competent explanation: if we attribute something which we don't understand to the inherent structure, this amounts to saying that we don't understand. Worse still, this pretension will prevent further effort of enquiry. Durkheim challenges Kant by pointing out that the categories of the understanding are, in fact, the result of long processes of socialization. Durkheim's argument is supported by a lot of evidence. We can hardly deny it. On the other hand, Kant's proposal is a kind of *a priori* synthetic knowledge which cannot be verified empirically. One solution is to accept both claims and to render them into a consistent statement as formula (3). However, we still have a problem with the conceptual schemes. If our perception is pre-determined by our conceptual schemes and there are different types of conceptual schemes, can we still speak of objectivity?

One response is to give up the idea of objectivity. The modern technological world demonstrates that it is human creativity that shapes the world rather than vice versa. Whether knowledge is objective becomes irrelevant. The most important thing is that it has to be efficacious. Another response clings to objectivity of either (1) or (2). In effect, both epistemology (1) and (2) refer to the object as the ultimate determinant of objectivity. There is no significant difference between them. This understanding is possible because its adherents are ignorant of their cognitive processes. Durkheim is one obvious example. His methodology opens the way to the option of conceptual schemes. Nonetheless, he is unaware of it, and sticks to the so-called scientific objectivity. We can attribute this fault to the trend of his time. Science has been a magic word in the modern world. Even now, almost all disciplines of knowledge have to prove their worthiness by claiming the use of a certain kind of scientific methodology. But a true scientific methodology requires us to denounce the kind of populist

primitive scientific objectivity. A “false conscience” on the part of scientists has prevented them from developing an objectivity in consonant with the third epistemology.

There is another reason, suggested by Walzer, to explain the existing confusion between scientific methodology and its naïve objectivity. This simple objectivity seems to be valid because there exist some apparently “simple objects-in-the-world,” such as stone, tree, and table. They are defined as things, “which we accommodate and shape directly, without any necessary reference to their sociological significance.”⁸⁴ A stone is a stone for everyone everywhere, and a tree is a tree. Presumably, we can make a stone to whatever thing we like without conceivable objection. But is it also true for a tree? Is there any object-in-the-world that is void of social meaning? Walzer doubts it, but assumes that there are.

Ruth Putnam rejects Walzer’s dichotomy between simple-objects-in-the-world and objects-that-carry-social-meaning. She says, “We recognize trees as trees—we have the concept of ‘tree’—because they are important to us, important as resources and, sometimes, as obstacles. Trees answer many of our needs, including the needs which we meet by making tables. We make and recognize tables because we need objects with flat surfaces to put things on, to work on, to consecrate as altars. Finally, trees, tables, and altars entail moral legislation: trees are to be protected from various kinds of blight, tables are not to be chopped up for firewood, altars are not to be used as desks, etc.”⁸⁵ If I have understood her correctly, Putnam seems to say that there are, in fact, no simple objects-in-the-world but only objects-with-social-meaning. This is exactly what Walzer tries to say. The problem of objectivity is now transformed to the question: if there are no simple objects-in-the-world, how can simple objectivity appear to be valid?

The answer hinges on the fact that a simple social object carries rudimentary social meaning and has few social restrictions on how to use it. A teacher points to a table, and tells the children that it is a table. He will expect them to remember the name and nothing more. If someone points to a flat plank supporting by four legs, and says, “That’s not a table,” this will probably lead us to talk about “mistake” rather than “disagreement.” The perception of simple social objects seldom provokes dissent or heated debate. Elaborate social objects, however, give rise to intricate stories. An altar, let alone the body of Christ, will lead to disagreement. Suppose a religious leader declares that a certain table is an altar, and calls everybody to burn sacrifice on that altar. This will certainly initiate a chain of quarrels. The complexities caused by objects with elaborate social meanings make it more urgent and necessary to search for an objectivity that can be applied to objects with social meaning.

B. COMPLEX OBJECTIVITY

To redefine objectivity, Walzer takes up the strategy of first returning to the most intuitive and general idea of objectivity, and in a second move, of clarifying this concept in various complicated situations. Despite admitting the use of sophisticated models and highly speculative schemes, scientists still hold on to the claim that their perception is objective. In their defence, they emphasize that they are sensitive to the resistance of the object to arbitrary conceptual and purposive impositions. In other

84. *Objectivity*, p. 166, n. 1.

85. R. A. PUTNAM, *Michael Walzer. Objectivity and Social Meaning*, in M. NUSSBAUM & A. SEN (eds.), *The Quality of Life*, Oxford, 1993, 178-184, p. 179.

words, scientists are using models to understand the object, but they cannot use whatever models they like. They must use a model that could best account for all the known properties of the object. The central idea of scientific objectivity, Walzer proposes, is that “scientific concepts must accommodate the object.” And “objectivity,” he continues, “hangs (somehow) on the accommodation of the object by a knowing, inquiring subject. The knowing subject shapes the object, but he cannot shape it however he likes; he cannot just decide that a table, say, has circular or a square shape without reference to the table.” After defining the general idea of objectivity, Walzer proceeds to define social meaning as follows:⁸⁶

Social meanings are constructions of objects by sets of subjects, and once such constructions are, so to speak, in place, the understanding of the object has been and will continue to be determined by the subjects. New sets of subjects learn the construction and then respect or revise it with only a *minimal accommodation* of the object.

The definition of social meaning is plain; it does not require further explanation. The main idea is that social meanings are human constructions of objects with a minimal accommodation of the objects. The words “minimal accommodation” seem to be the crux of the idea. What does that mean? I will first demonstrate the complexities of social meanings with a case, and then go on to sort out the meanings of objectivity in different circumstances.

Consider again the example of a table given by Walzer. A flat plank with four wooden legs can be constructed as a table. We can continue to impose meanings on this table. We can say that it is a writing desk, a workbench, a butcher’s block, or an altar. But can it be an intercontinental ballistic missile? No, because it cannot be constructed to function like a missile as we know it. The construction of a table into an intercontinental ballistic missile is invalid or subjective because it does not accommodate the object. How about an altar? Nowadays many people do not recognize holiness. Suppose a religious community uses an altar to offer sacrifice to god. The believers think that the altar is the holiest thing in the world. Suddenly, a member of the community questions the existence of god. He thinks, “The altar is nothing but a wooden table.” Who’s opinion is objective? The majority or the dissenter? Here, two social meanings are involved: altar and table. They are both social constructions of the community, and they both accommodate the physical table. Even outsiders can understand that that “table” is a holy altar of the community. What principle can we apply to judge and to settle this quarrel? Put it more generally, we can perceive the dispute as arising from two groups who have different conceptual schemes. Group *A* and group *B* give different reports on the same object because they adopt different perspectives. *A*’s report and *B*’s report are both objective in relation to their conceptual schemes. An outside observer can verify this fact. But who is right? Is there any objective right or wrong? How can the idea of objectivity be applied?

Simple objectivity assumes that the understanding of an object is solely determined by the object itself. The test of objectivity is relatively simple: it rests on the judgement of the subject. If, however, we take conceptual schemes into consideration, objectivity becomes more complicated. In Walzer’s discussion, we can discern two components, namely the judgement of the subject and the social meaning itself. Walzer himself does not make such distinctions. But in order to clarify the issue, I take the liberty to separate the two components and to elaborate on them so as to make the argument more complete. Complex objectivity concerns an objective judgement on an objectively right social meaning. Since judgement and social meaning are two separable elements, I will treat them separately, starting with judgement first.

⁸⁶. *Objectivity*, p. 166. Italics added.

1. The objectivity of judgement

Walzer has discussed various issues connected with the objectivity of judgement. They can be categorized into two principles: objectivity is (1) a true report on social meaning, and (2) the adoption of an empirical standpoint. I will explicate them systematically below.

1. Objectivity is a true report on social meaning.

The wording of the first principle is taken directly from Walzer.⁸⁷ Its meaning is straightforward and uncontroversial. A report of an object is said to be objective if it is a true report on the social meaning of the object. Consider our example of the altar again. Person *A* reports a flat plank with supports (*p*) as an altar, and person *B* reports it to be a table. Which report is objective? *A*'s or *B*'s? They are both objective reports based on different social meanings of *p*, since an outside observer *O* can verify that both *A*'s and *B*'s reports are true reports on the social meanings of *p*. If *B* denies the objectivity of the altar, he is subjective. His objective report should be a report of the disagreement: "You regard this object as an altar, but I think it is a table." If *B* wants to convince *A* that his construction is wrong, *B* should not argue for the objectivity of the construction of the table-that-is-an-altar, but for the validity or meaningfulness of the construction, that is, the reason why god does not exist.

The acknowledgement of the objectivity of the altar is not neutral. It entails certain constraints or obligations. Since *A* accepts the social meaning of altar, he is bound by the idea of holiness, and he has to uphold the holiness of the altar. For the non-believer *O*, he is bound by some notion of decent respect for the opinions of mankind, but not by the idea of holiness. The positions of *A* and *O* are clear-cut. There will be no serious argument except for those who want to impose their way of life on everybody unconditionally. (We will discuss them in the second principle.) *B*'s position is more ambivalent. He belongs to the same community as *A*, but he does not believe in the holiness of the altar. As a non-believer like *O*, *B* is not bound by the idea of holiness save by some notion of decent respect for the opinions of his fellows. And as a member of the community, unlike *O*, he is obliged to follow the majority rule.⁸⁸ A respect for fellows' opinions is relatively easy to fulfil. It does not require *B* to attend the ritual and to offer sacrifice on the altar. Perhaps, it is enough for *B* to understand the meaning of an altar and to refrain from doing anything which will be regarded as an insult to the altar. The majority rule is something different; it carries with it the full force of prevailing social meaning. If the social meaning of an altar is accepted by most of the members of that community, dissenter *B* is under the majority rule. He has to observe the minimal obligation of the meaning of the altar entailed regardless of his belief or disbelief. Otherwise, he will receive social sanctions for not revering the holiness of the altar. Nevertheless, it does not imply that public vote is a criterion to determine the objectivity or the accuracy of social meaning. The majority rule does not govern social meaning. It controls only social behaviour.

Objectivity as a true report on social meaning pivots on what a true report is. Apparently, Walzer assumes that there exists a true report on a social meaning. But strictly speaking, every report on social meaning is an interpretation since there is no pre-defined social meaning from which a true report can be written. Every report involves various degree of interpretation. Could we judge an interpretation as objective or subjective? Or, should we grade the objectivity of an interpretation? This, if not impossible, will be a difficult and controversial task. Walzer is also aware of the problem of interpretation on objectivity. He does not speak about the objectivity of an interpretation. "Interpretations," he says, "are (except at the margins) only more or less persuasive and

87. *Objectivity*, p. 172.

88. Cf. *Objectivity*, p. 170.

illuminating.”⁸⁹ If a report is an interpretation and interpretation is more or less persuasive and illuminating, there will be practically no objectivity. Objectivity becomes an ideal too high to achieve.

The above conclusion is based on a strict understanding of the nature of social meaning. Yet, a looser understanding is possible. In our daily life, there are many social meanings which are unanimous and stable. We pass them on from generation to generation in oral or written forms through education. It makes sense to speak about a true report of this kind of social meanings. Examples of this category are abundant. Simple constructions such as stone, tree, table, desk, are some of them. More complicate constructions also exist, for example, table-that-is-an-altar, careers-open-to-talents, and sovereignty-that-belongs-to-the-people. For such social meanings, it is possible to make judgement as objectively right or objectively wrong. A report of a table as a desk, as well as a report of it as an altar, is objectively right. And the racial construction of Negroes-are-slaves, which clearly distorts the Western social meaning of human being, is objectively wrong.

There are at least three cases in the writings of Walzer that utilize a high degree of interpretation which can be described as “persuasive and illuminating.” The first relates to the kind of social meanings that are ambiguous. For instance, medicine. In practice, health care is partly private and partly public in the United States. It is unclear whether it should be treated as a commodity to be distributed by the market or it should be nationalized and distributed equally to all citizens in need. Walzer argues for the latter, and he admits that his argument is an interpretation. Second, Walzer states that social criticism involves a higher level of interpretation.⁹⁰ The two most common tactics of criticism are either extending the boundary of a privileged group to include those who are excluded, or exploiting the conflicting claims of two social meanings. We can argue, if human rights can be applied to white males, why can they not be applicable to white females, or Africans, or Asians? Or, if human being has the right to move freely, why does the United States confine that right only to their own citizens and the nationals of some affluent countries. Walzer regards these types of arguments as interpretations. Finally, a systematic conceptualization of justice is one of the most sophisticated interpretations. It involves the clarification of social meanings, the consistent application of ethical principles, and the balance of conflicting claims. The three skills in themselves are difficult to master. A social theory has to apply them not to a single issue but to the society as a whole. It is difficult to tell the complexity involved in social interpretation.

2. Objectivity requires the subject to adopt an empirical standpoint.

In the argument for the first kind of objectivity, Walzer presupposes that there are dissenters as well as outsiders in a world of social meanings. It implies that people can opt for different sets of social meanings, different conceptual schemes, and different world views. Because of this complexity, objectivity requires the inquiring subject to adopt an empirical approach to social meaning. He must know that there exist different societies, of which some of them are pluralistic, that is, they have different religious or cultural communities within themselves. Thus, social meaning always takes pronouns: it is our social meaning, your social meaning, or their social meaning. From this empirical standpoint, we can draw at least two implications in relation to objectivity.

First, we cannot assume that our social meaning is universal. Or conversely, we should assume that there exist equally valid social meanings other than our own. This assumption builds on the knowledge that there are social worlds different from ours, and opinions different from our group’s within our pluralistic society. A person who denies, or is ignorant or not sufficiently conscious of these facts will inevitably become a subjective thinker. He will assume that other people see things as he does, and he

89. *Objectivity*, p. 172.

90. *Objectivity*, p. 172.

will apply his own social meaning universally. For him, an altar is holy, and people will acknowledge this when they see the altar. If they don't know that the table is in fact an altar, they can always be taught to do so.

Second, social meanings which are constructed as universal claims are not valid for people who do not believe in them. This makes for a difficult position for religious fundamentalists, and for those scientists or philosophers who insist on knowing what things really are. Believers of a religion may claim that their god is the only true god. They know it as absolute truth because they have revelation from god. We may imagine a more extreme case in which a fanatic religious leader receives a vision of the end of the world. He orders his followers to set out to convert the world, and to kill anyone who stubbornly refuses to accept salvation. Our God or sword! The secular version of this kind of universal claims can also be found in scientific or philosophical theories. Their claims, of course, are not based on revelation but on some universal rationalities. Perhaps, they are more appealing due to their sophistication in reasoning, or to their efficacy. Nevertheless, scientific and philosophical theories, as well as religious doctrines, are human creations.⁹¹ As human constructions, they are not valid for those who do not believe in them. If a believer, a scientist, or a philosopher imposes his universal claim ignoring the objection of other people, he is absolutely subjective.

An empirical standpoint, however, does not *a priori* exclude the existence of universal principles. Walzer himself declares: "It is not my claim that the whole of morality is objectively relative...."⁹² What he suggests is that we have to approach universality empirically, and see which values or principles are indeed universally present. It is always possible for local constructions of a certain object to coincide. He writes:⁹³

... we might plausibly ask whether there are cases where construction is jointly determined by its objects and its human agents in such a way that the same normative entailments appear again and again, in all or almost all human societies. The same behaviour would be wrongful for the same reasons in all human societies; morality would lose its particularist character without ceasing to be relative to social construction.

According to Walzer, universal principles do exist in reality. In the *Wars*, he says that the right to life and the right to liberty are universal. He argues that aggression, and the killing of unarmed innocent men or women are always and everywhere wrong. Another example is food. The primary meaning of food is the sustenance of life. Walzer thinks that the construction of things-that-are-food-for-the-hungry is respected everywhere, and that hoarding food in time of famine is universally wrong.⁹⁴ We can check these things empirically without reverting to *a priori* assumption or rationality.

2. The objectivity of social construction

Concerning the objectivity of social meaning itself, Walzer focuses on the elaboration of the idea that human construction must have a minimal accommodation of the object. In using the term "minimal accommodation," I think Walzer intends to make room for a maximal human creativity, and at the same time, to maintain a minimal standard of objectivity. In the *Objectivity and Social Meaning*, Walzer touches upon another dimension of social meaning which is not fully discussed in the paper. Putnam points it out that besides social meaning, there is another category found in Walzer's writing,

91. Cf. *Objectivity*, pp. 165-167.

92. *Objectivity*, p. 170.

93. *Objectivity*, p. 170.

94. Cf. *Objectivity*, pp. 170-171.

namely the conceptual scheme.⁹⁵ She argues that the only concept of objectivity needed is the objectivity of conceptual scheme. I personally disagree with her for the reason that conceptual scheme and social meaning, though related, belong to different categories. Conceptual scheme is not one kind of social meaning. Perhaps, it is best to be regarded as the collection of social meanings seen as a whole, or the totality of social meanings, or the network of social meanings. Since it is one of the essential aspects related to our investigation of the objectivity of social meaning, I am obliged to make a distinction, which Walzer himself has not clearly made, between the objectivity of conceptual scheme and that of social meaning. In this way, I might have said more than what Walzer has said.

1. Social Meaning

The objectivity of social meaning depends on its capacity to accommodate the object. Walzer distinguishes two types of objects: one with free-will, the other without. Let us start with the simpler case: object without free-will. Obviously, objects, except those abstract ideas such as good or god, have certain physical properties which will limit the construction of the human subject. The social meaning of an object is said to be objective if it does not contradict the physical property of the object. If the subject imposes a meaning exceeding the physical limit of the object, this construction is subjective. For example, a flat plank with four wooden legs can be regarded as a dining table, a desk, a workbench, a butcher's block, or an altar, but not an intercontinental ballistic missile. If a person thinks that the plank is a latest model of a missile, we may praise his imaginative power, but his idea is entirely subjective even ridiculous. Even if he produces a lot of arguments and convinces many people, a critic can point out that the plank cannot fly, and thus, is not a missile. As long as the majority cannot make the plank fly, their opinion is still subjective. Majority can make a meaning social, but they cannot make the social meaning objective.

When we turn to the objects with free-will, the issue becomes more complicated. Kant's categorical imperative forbids us to treat a rational being merely as means. It says that we should always treat him at the same time as an end in himself. A human person is an end in himself, but sometimes he is willing to offer himself as an instrument of service to other people. Thus Walzer argues that we have to consider human being as both an object of construction, and an agent that can resist any construction.⁹⁶ A construction of a person will cease to be effective if the person objects to that construction. Consider those societies where women are transferred from household to household through marriage. A woman is regarded as an object of exchange. As long as the woman-who-is-an-object-of-exchange confirms her object status, we cannot say that this social meaning is wrong. The racial construction of the black people as tradable-slaves is, however, not merely subjective but objectively wrong because it is both against the Western shared understanding of human being and the will of the blacks. If a dominant group imposes a meaning on another group against its will, this act is tyrannical and immoral, and the meaning is not social but subjective. Or if a ruling class upholds, by repression, a social meaning that a certain group rejects, its act is also tyrannical and immoral, and the social meaning can no longer be treated as valid. Whenever dispute about social meaning occurs, a just society should provide a proper channel to resolve the conflict.

2. Conceptual Scheme

As an example to illustrate the idea of accommodation, Walzer writes:⁹⁷

95. R. A. PUTNAM, *Michael Walzer*, p. 178.

96. Cf. *Objectivity*, pp. 172-176.

97. *Objectivity*, p. 166.

Similarly, someone self-confidently applying a conceptual scheme that divided the world into friends, enemies, reading matter, and edible plants would get the table wrong (objectively wrong), or he would miss the table entirely, and deny its reality, and that would be a merely idiosyncratic (subjective) denial.

In the passage just cited, Walzer is contemplating the consequence of using a simplistic conceptual scheme to look at a table. A person with the conceptual scheme which divides the world into friends, enemies, reading matter, and edible plants would probably regard the table as a non-edible plant, or miss the table entirely. This is a reasonable projection. But is there any problem? Walzer assumes that anybody with some common sense would agree with him that something goes wrong. What exactly is the problem? Walzer says that that person's judgement is either objectively wrong or idiosyncratic (subjective). His fault is caused by the fact that his conceptual scheme is inadequate to accommodate the world. Walzer's argument is certainly correct if that conceptual scheme is invented by the person himself. I, however, want to explore the case that the conceptual scheme is not his own invention, but in fact belongs to his society. Of course, there is no such simplistic conceptual scheme in the world. What we have are a multitude of conceptual schemes and a multitude of categories of social meaning. Could we compare them? What criteria should we use? There are the conceptual scheme that regards every living thing in the world as holy and the conceptual scheme that considers everything as purely matter. The former has the idea of holiness, and the latter none. Could we say that the former conceptual scheme is better than the latter, at least in this respect, or that the latter is deficient?

In order to answer these questions, let us now return to Walzer's argument with my assumption that the conceptual scheme actually belongs to that person's society. When a normal member *N* of that society saw a flat plank with supports *p*, he would either treat it as a non-edible plant, or miss it entirely. *N*'s report of *p* in the former case would be a non-edible plant. In the latter case, if *N* is pressed to look at *p*, *N* would either report it as a non-edible plant, or as something-that-needs-not-be-attended-to, assuming he or they could invent that category. By using the first principle of the objectivity of judgement, both reports are objective because they are true reports on social meanings. The second principle—thou shalt not be ignorant of other peoples living on the same planet—pushes him to know social meanings other than his own. Though table-that-is-a-flat-plank-with-supports is not their construction, he should recognize it as other people's construction. An objective report should be: *p* is something-that-needs-not-be-attended-to for us but a table for them. If he did not have the knowledge of a table, he is said to be subjective because of his ignorance.

So far we are discussing only the issue of the objectivity of judgement. Can we say something about the conceptual scheme? Can we say that the above-mentioned conceptual scheme is objectively wrong? I think we can. Following the definition of social meaning (that is, social meaning must accommodate the object), we may infer that a conceptual scheme or a network of social meanings must accommodate the world. Now, the world has many conceptual schemes and social meanings. The conceptual scheme of friends, enemies, reading matter, and edible plants does not accommodate other conceptual schemes, and thus its members could not grasp that *p* is a table for somebody else. The flaw of this conceptual scheme is that it does not facilitate its members to make objective judgement. I suggest that a minimal objective conceptual scheme in the modern world must have (at least) a blank category reserved for other conceptual schemes. Given that the conceptual scheme of *N* does contain this blank category, when he sees *p* for the first time and notices that *p* had certain design, he would report that *p* is some kind of social construction of some society that he doesn't know. And that is an objective report too.

As for the comparison between two conceptual schemes, Walzer has reservation to do that. For some simplistic conceptual schemes, like the above-mentioned one, which lack important meanings

such as love and justice, we are ready to say that they are defective. But they are rare. In reality, we have some complex conceptual schemes which are difficult to compare.

III. TIME AND INTERPRETATION

Walzer's empirical approach to morality might lift ethics on a par with the modern standard of knowledge. Yet, some questions about his methodology remain to be answered. Even if we accept the proposition that there exists a moral world, we still have to ask how we could approach this moral world in an objective way. Walzer's proposal is interpretation. We can interpret the existing moral world and find out its moral ideals, he says. But critics have doubts about his thesis. Joseph Raz once asked Walzer: "What kind of interpretation is involved in moral argument?" Many activities are said to be interpretive: language translation, music performance, history writing, literary criticism, dream analysis, scientific modelling, legal deliberation. All those involved—interpreters, musicians, historians, literary critics, psychoanalysts, scientists, and lawyers—use different techniques, and are guided by different criteria. "Without knowing what kind of interpretation moral argument is meant to be," Raz says, "it is difficult to evaluate the thesis that it is interpretative."¹ Raz's concern is the nature of moral interpretation, and he is dissatisfied with Walzer's explanation in the *Interpretation and Social Criticism*. Another line of attack is directed at the subjective aspect of moral interpretation. People give diverse interpretations to the same object. The plurality of interpretations is esteemed as originality in art and literature, but it is met with suspicion and repression in disciplines, such as science and ethics, that look for unanimity as a basic requirement. Since interpretation is highly dependent on the interpreter, it may carry with it his personal bias. Hence the critics suspect that Walzer's interpretation is probably subjective. This suspicion has already been raised and expressed in various fashions. The typical form is coined by Joshua Cohen as the "simple communitarian dilemma."² Its basic tenet is that communitarian ideal and radical reform are two incompatible commitments since the former is local and internal, and thus uncritical, while the latter requires the critical examination of the shared values. This intrinsic contradiction can only be resolved in two ways: either (1) you choose to be a communitarian and you remain uncritical, or (2) you renounce the communitarian methodology and commit yourself to social reform, only then will you be truly critical of the status quo. Now the *Spheres*, according to Cohen, invokes communal values and is critical, that is, Walzer has put two incompatible things together. This can only be possible if Walzer's interpretation is an "arbitrary and tendentious" description of the shared values.

In a sense, Raz is correct that Walzer's elucidation of the essence of moral interpretation in the small book *Interpretation* is insufficient. Walzer, for most of the time, is talking about the method of interpretation indirectly. Only in the first chapter can one find an explicit reference, but still it is explained by using the analogy of legal interpretation. Apparently, Raz, who is a law scholar, is not content with this analogy. Later, Walzer is prompted to give an overall defence of his moral theory in the *Thick and Thin*, which contains a more explicit explication of moral interpretation. I do not know Raz's response to that book, but it does give important clues to Walzer's interpretive methodology. If

1. J. RAZ, *Morality as Interpretation*, in *Ethics* 101 (1991) 392-405, p. 394.

2. J. COHEN, Review of M. WALZER, *Spheres*, p. 464.

we arrange the material in the *Thick and Thin* together with those found in other works systematically, we can give a preliminary answer to Raz's question. Moreover, Walzer's moral interpretation reveals itself to be reconcilable with commitments to tradition and social reform, even the radical one.

§1. INTERPRETATION AND REPRESENTATION

In the Western tradition, there are three main types of moral philosophy. Walzer labels them as discovery, invention, and interpretation. Discovery morality assumes that there exists an external moral order independent of human creation. Man can discover this natural order by using his reason. A typical example of discovery is the natural law theory. Alongside this path is the interpretive morality. Both of them have existed for a long time. Moral interpretation can virtually be found in every society. We find its highly developed form in religious ethics. In Judaism as well as in Christianity, for instance, moral rules come from interpretation of the sacred texts. Some interpretations may later become the objects of interpretation themselves. One interpreted version is then followed by another, with the preceding ones serving as the bases of the subsequent ones. The whole ideational webs form an interpretive complex. The advent of modernity, however, has eclipsed moral discovery and interpretation. Modern men and women have, in a bold move, given up revelation and interpretation. They now see themselves as the author of their own history. "Autonomy" is their catchword. How should we as free and autonomous individuals live with each other? As liberated men and women, we have to redesign the social order from scratch, with the aim to create a new world which is fair to everybody. Political theorists thus proceed to make a universal social contract that no rational being will refuse to sign. This path of moral invention is a child of modernity.

Walzer does not deny the possibility of pursuing any one of these three paths. Nonetheless, he doubts, judging on the evidence of their writings, whether the present discoverers or inventors are really doing what they claim to do. He wants to argue that morality here and now has certain continuity with the past, and that its comprehension inescapably involves interpretation.

1. The path of discovery

The path of discovery, Walzer reminds us, is best known in the history of religion, where God is seen as the creator of both the physical and the social world. Just as the physical world is put into order by divine decree, God regulates the social world by another set of commandments. It is man's duty to find out God's will and to seek his kingdom. Discovery needs the aid of revelation. A seer must climb up the mountain, go into the desert, or shut himself up in the inner room, earnestly seeking God out, and finally brings back God's commands.

Most religious narratives would present the prophet holding God's commandments over his head as if the social order were established once and for all. Walzer argues that this is not the case. The divine

decrees are commonly transmitted in the form of written text—the sacred book. Like any other text, the sacred book needs interpretation. And there will always be a gap between the decrees and the actual life. No set of laws can encompass all human circumstances. Even if there were such a set of encompassing laws for a simple community, the laws might sometimes come into conflict themselves. Consequently we need to interpret the divine laws in order to apply them, and to resolve their contradictions.

One of the main advantages of revelation, according to Walzer, is that the divine commands are highly critical—if they have already been known, they are not revelation. Yet this critical edge is short-lived. Once we accept these decrees and structure our life accordingly, we are what god wants us to be, and thus, the critical edge is lost. Of course, any revelation that has already been discovered can always be re-discovered. Nevertheless, rediscovery takes another path. It does not wait upon revelation. Rather it employs historical methods to dig up the original revelation. After that, interpretation will be needed.

Religious morality has as its counterpart, the secular morality. If people can receive religious truth, why can't they perceive natural truth as well? Whenever "a philosopher," Walzer says, "who reports to us on the existence of natural law, say, or natural rights or any set of objective moral truths has walked the path of discovery."³ To walk this path of discovery, the philosopher has to step back and go into solitary—a detachment not only from society but also from the self. He undergoes a journey of mental purification until every bit of his particularity is washed away. Then, he can look at the world from "no particular point of view," as Thomas Nagel puts it.⁴ "No particular point of view," Walzer comments, "is somewhere on the way to God's point of view, and what the philosopher sees from there is something like objective value."⁵ Since the value is objective, it is applicable to all beings like him.

Walzer does not deny the experience of stepping back, but he doubts the possibility of stepping back to the point of nowhere. Besides, there is another limitation. The object of reflection is in the world here and now. We are all confined in a particular world. Even if the philosopher could actually go somewhere to look at the world, he is still looking at a particular world though he may see it with special clarity. What he discovers is already in the world, for he cannot find anything that is not there. This is a general truth in secular moral discoveries.

Walzer further identifies two types of philosophical discoverers: "the owl at dusk" and "the eagle at daybreak."⁶ The owl is the philosopher who is gifted with the ability to see in twilight. He sees in the dark and discovers some moral laws. However, Walzer is not impressed by the discoveries. These principles, he says, are not new. In fact, they are familiar to us. Except their abstract philosophical forms, what they try to say is what we already know or have practised. Nagel, for instance, has deduced an objective moral principle: "that we should not be indifferent to the suffering of other people."⁷ We may acknowledge this principle but miss the excitement of its discovery, Walzer remarks. This principle has been known for many centuries. There is nothing new in it. What is involved in it is something like "a dis-incorporation of moral principles."⁸ It is extracted from and taken out of our complex moral world so that we may see it afresh without particular interests and prejudices. It is

3. *Interpretation*, p. 5.

4. T. NAGEL, *The Limits of Objectivity*, in S. M. MCMURRIN (ed.), *The Tanner Lectures on Human Values*, Vol. I, Salt Lake City, UT, 1980, 75-139, p. 83. Walzer uses Nagel as an example of the traditional way of philosophical discovery (*Interpretation*, p. 5).

5. *Interpretation*, p.5.

6. *Interpretation*, p. 8.

7. The principle is formulated by Walzer. Nagel has not explicitly stated the principle. He only argues that pleasure and pain have objective values, and that it is reasonable of wanting to relieve the pain of others. Cf. *Interpretation*, p. 6; T. NAGEL, *The Limits*, pp. 107-110.

8. *Interpretation*, p. 6.

merely a revamp in philosophical language. Worse still, the philosophical reformulation lacks the critical force of religious decree. “Do not be indifferent” is comparatively weaker than “Love thy neighbour as thyself.” What the owl at dusk can do is to highlight some important moral principles already existing in our world. His work is actually a kind of interpretation.

The other type of philosophers is not content with the mere dis-incorporation of moral principles. This kind is much more ambitious. The philosopher wants to go deeper, to penetrate into the very heart of the truth. He is the eagle at daybreak. With the keenness of the eagle’s eyes, he believes he can see beyond the phenomenon. Though the surroundings are scarcely visible, he is optimistic—he thinks he is at daybreak (instead of at dusk), and he believes he can discover the hidden truth. Like a physicist who isolates an atom and breaks it down into different components, he claims to have penetrated the human psyche and found the deepest truth. Utilitarianism, according to Walzer, is probably discovered in this way. The utilitarians declare that they have discovered the deepest truth of human desire, and think that they are able to construct a new morality based on scientific methodology. Indeed, utilitarianism is marked by its novelty. But this novelty is so bizarre that it more often than not shocks our common moral sense. And utilitarians have to use various corrective means to bring the outcomes closer to our moral sensitivity. The wisdom of the eagle at daybreak may be an alternative to the wisdom of the owl at dusk, but Walzer finds it “more frightening than attractive.”⁹

2. The path of invention

a. *The philosopher’s soliloquy*

Some philosophers are not convinced of either the wisdom of the owl or that of the eagle. They have been enlightened and transported to another plane where man is the master of all. They now stand on their own free from the constraints of tradition or God, and they have to create a moral world of their own. The philosopher who commits himself to this venture is the moral inventor. He imitates God’s creation rather than discovers God’s commands as the seer does, Walzer says. Enlightened and living in an era of cultural pluralism, the philosopher sees no external moral standard. To him, every moral decision is but a personal choice or preference. He denies all external sources that his forefathers relied upon: God was dead, and there is no moral meaning either in nature or in humanity. Morality is then seen as a human project—a social contract that allows human beings to live a civilized life. The inventor, moreover, is not content with the enterprise left by his ancestors. He thinks that the existing moral world is not coherent and fair enough because it comes about through long historical processes of quarrels, arguments, coercion, and political compromises. Such a world tends to be contradictory, and no rational individual would expect to find consistence, unity, or purpose in it. Hence the inventor must himself invent a more perfect world.

Descartes, according to Walzer, is a forerunner of the inventors. His project is self-reformation: “to reform my own thoughts and to build on a foundation wholly my own.”¹⁰ Descartes’s ambition is not confined to the reformation of the self; he also wants to be the architect of the social world. The reform of the self is but the stepping stone to the reform of the world:¹¹

9. *Interpretation*, p. 8.

10. R. DESCARTES, quoted in *Interpretation*, p. 9. Cf. R. DESCARTES, *Discourse on the Method of Conducting One’s Reason Well and of Seeking the Truth in the Sciences. A Bilingual Edition and an Interpretation of René Descartes’ Philosophy of Method*, trans. G. HEFFERNAN, Notre Dame, IN, 1994, p. 31.

11. R. DESCARTES, quoted in *Interpretation*, pp. 9–10. Cf. R. DESCARTES, *Discourse*,

So I thought to myself that the peoples who were formerly half savages, and who became civilized only gradually, making their laws only insofar as the harm done by crimes and quarrels forced them to do so, could not be so well organized as those who, from the moment at which they came together in association, observed the basic laws of some wise legislator; just as it is indeed certain that the state of the true religion, the laws of which God alone has made, must be incomparably better ordered than all the others. And, to speak of human things, I believe that, if Sparta greatly flourished in times past, it was not on account of the excellence of each of its laws taken individually, seeing that many were very strange and even contrary to good morals, but because, having been invented by one man only, they all tended towards the same end.

Descartes has no faith in moral evolution because it tends to diverge rather than to converge. He is preoccupied with the beauty and the efficiency of a coherent system, and nothing but a wise designer and a logically consistent social plan can satisfy him. Descartes's reform, Walzer remarks, is a typical example of invention. The inventor's dream is to invent a moral world that tends to a single end, whether it be justice, fairness, virtue, happiness, or other basic value that he wants to realize.

So, the inventor sets out to design a moral world from no particular design. He desires no help either from revelation, or nature, or tradition. How could he begin? The first problem facing him is legitimacy. The inventor naturally wants people to accept his design. Without the authority of God, nature, or tradition to appeal to, the only thing left is the consent of the people to whom he wants to apply the new moral law. How can he secure the public approval? This can be done in two ways: either the designer is to be authorized by all the people, or all the people have to gather together and vote for the best design. In both cases, we can neither arrange such an incredible gathering nor expect a unanimous agreement, let alone the complication of future generations. The only alternative is to invent a universal procedure that will generate the new moral law. The inventor, like Descartes, has to begin with a discourse on method. "A design of a design procedure," Walzer says.¹²

Philosophers have designed some design procedures. John Rawls's veil of ignorance and Jürgen Habermas's ideal discourse are the best known ones. Though their approaches are dissimilar, there is, according to Walzer, one central characteristic common to both: they both forge their arguments after the model of a planned philosophical conversation.¹³ The construction of this kind of conversation is based on the assumptions that truth can come out as a result of a debate, and that it can also be accepted unanimously by all the participants. A typical philosophical conversation has the following form: a group of protagonists gather together to discuss a certain issue. Each of them is given an equal chance to voice his opinion. After that, a debate is conducted, and in the end, the principles that everybody consents to will become the truths.

The construction of conversation, Walzer points out, is actually not a modern project; rather it is an old trade in philosophy, and maybe the original one. But he is highly suspicious of philosophy being directly presented in dialogical genre, or indirectly modelled on conversation. Dialogical philosophy claims to be able to, or gives the wrong impression that they can, find out an agreement, if not truth, by following a certain procedure. The resultant truth/agreement comes out as a product of the collective effort of the participants and the readers, and thus it should be universally binding for all. Walzer thinks that the procedure is a philosophical rhetoric.

The oldest form of philosophical conversation is dialogue. The plot of this philosophical genre usually begins with contention, and ends with agreement. There are, of course, other dialogues that

pp. 27-29.

12. *Interpretation*, p. 10.

13. Cf. M. WALZER, *A Critique of Philosophical Conversation*, in *The Philosophical Forum* 21 (1989-1990) 182-196.

end with inconclusive endings, such as David Hume's *Dialogues Concerning Natural Religion*.¹⁴ They come close to real dialogue but they can rarely be found in philosophical writings. The common philosophical interlocution pretends to be a dialogue between philosophers, but is in fact a mere monologue of the philosopher himself. At the end, the antagonists will be portrayed as captives of the philosopher. They, in the metaphor used by Walzer, fall on their "verbal knees, desperately searching for new ways to say yes."¹⁵ We can find ample examples in Plato's dialogues. Glaucon, for instance, sings the affirmation chorus to a succession of arguments pronounced by Socrates in the *Republic*:¹⁶

Certainly.
Of course.
Inevitably.
Yes, that is bound to be so.
It must.
Well, that is certainly a fact.
Yes.
No, tell me.
I entirely agree.

Walzer remarks that these affirmations serve to add force to the philosophical argument. The acquiescent interlocutor is the representative of the readers. He speaks not only for himself but also for the readers. In a way, Plato cleverly builds our agreement into his dialogues. Such representation is, however, a distortion of reality. "Real talk," Walzer says, "even if it is only imagined, makes for disagreement as often as for agreement, and neither one is anything more than temporary."¹⁷ Furthermore, the motive for disagreement is as doubtful as the motive for agreement. If disagreement is caused by, as the moral inventors would say, bias such as self-interest, pride and aversion, agreement can also be reached through flattery, weakness, fear, or ignorance. Agreement in a debate, even a unanimous one, is no proof of truthfulness or genuineness.

Finding solutions to these difficulties is a major enterprise in contemporary moral and political philosophy. Many philosophers believe that these human weaknesses can be overcome by detachment or by empowerment. The Rawlsian device—the veil of ignorance, in Walzer's opinion, is the most elegant one.¹⁸ Rawls proposes fairness as the central criterion in the course of choosing a just social charter. His intention is to overcome the difficulties of self-interest and bias, and to filter out the enlightened preferences of people. Only under such a fair condition could people select a just social charter that would be acceptable to everyone. And only in this way, would they establish with one another a fair social contract. In order to eliminate people's self-interest and bias, Rawls innovates a special device called a veil of ignorance, which is assumed to block people from knowing something, but at the same time allowing them to know other things. People should pretend to know nothing about their social status, their inclinations, and their talents. This guarantees their uncertainty of their possible future social positions. On the other hand, they should have general knowledge of all the facts and theories that will affect their choice of a just social charter. The required knowledge ensures that they have the necessary data and theories for making rational decision. People under the veil of ignorance are called the persons in the original position.¹⁹ The persons in the original position are people without identities. They do not know who they are, and what they will become. Persons as such

14. D. HUME, *Dialogues Concerning Natural Religion*, ed. J. V. PRICE, Oxford, 1976.

15. *Philosophical Conversation*, p. 183.

16. PLATO, quoted in *Philosophical Conversation*, p. 183.

17. *Philosophical Conversation*, p. 184.

18. Cf. *Interpretation*, p. 11; *Philosophical Conversation*, 185-186; *Philosophy*, 389.

19. J. RAWLS, *A Theory*, pp. 102-105.

become indistinguishable. They are each equally ignorant of their self-identity, equally knowledgeable of their society, and equally rational. Hence their number is immaterial. They think in unison, and no dialogue is needed between them. If there is dialogue, it will be no more than a soliloquy of their own thinking. A person in the original position is not a human individual but a rational mind (or a super computer?) capable of making fair and optimal choices. It is a representative of all men and women, and its decision is the decision for all.

Habermas's proposed solution, according to Walzer, is more cumbersome.²⁰ It requires us to imagine a hypothetical conversation in circumstances free of ideological conflict. The participants have to accept some regulations of speech as the prerequisite for entering into an ideal dialogue. In the course of conversation, only those norms that have the assent of all participants are to be declared valid. To achieve this aim, Habermas puts forward a set of criteria so as to facilitate an undistorted communication. First, we have to choose a setting. This setting cannot be any real social and political environment because it can never be the right place for genuine dialogue. An ideal conversation has to be conducted in an asocial space where there is no coercion and external interference. Next, we have to make the speakers ideal, that is, they must be rendered into one another's equals. To achieve this end, they have to get rid of their memory of social status, pride, and humility, and to speak as if all relationships of subordination have been abolished. Needless to say, the speakers must also be equally knowledgeable. They are equally informed by a single best set of information about the world. Lastly, the speakers have to be empowered so that they have the capability to detach themselves from their own interests and particular values.²¹ To correct Rawls's monological character of the original position, Habermas leaves the speakers to their own selves. They are allowed to retain the knowledge of their self-interest and particular values.²² Nevertheless he binds them to the Kantian universalizing principle whereby they all commit themselves to speak only those interests or values that can be universalized.²³

Walzer points out a dilemma in Habermas's ideal discourse. He says that if these criteria are all applied strictly, then only a limited number of things can be discussed. Yet these things can probably be said by the philosopher himself without any other participant. It seems that we will not have any real chance to voice our opinions.²⁴ If, however, the criteria are loosely applied, the ideal speech will become a democratic debate, and the participants will be allowed to say almost anything. The situation will then be out of control, and it is possible that some settlements will turn out to be contrary to good morals.²⁵

One reason behind Walzer's harsh critique of philosophical conversation is that this philosophical form blurs the line between philosophy and democracy.²⁶ The traditional task of philosophy is to search for truth. Contemporary political philosophers have a tendency to translate this motive into the search for an amalgam of truth and agreement by using a sophisticated design of representation. This design

20. *Interpretation*, p. 11.

21. *Philosophical Conversation*, pp. 185-186; cf. J. HABERMAS, *Discourse Ethics: Notes on a Program of Philosophical Justification*, in *Moral Consciousness and Communicative Action*. Translated by C. LENHARDT and S. W. NICHOLSEN. Introduction by T. MCCARTHY, Oxford, 1990, p. 89.

22. Cf. G. WARNKE, *Justice*, p. 92.

23. J. HABERMAS, *Morality and Ethical Life: Does Hegel's Critique of Kant Apply to Discourse Ethics?*, in *Moral Consciousness*, 195-215, p. 197.

24. R. Geuss has pointed out that Habermas's "ideal conditions of communication" is not a real free environment for dialogue. The agents involved are subjected to the coercion of what Habermas calls "the peculiar compulsion of the better argument." This compulsion presupposes an ideological world-picture which legitimizes the interests of some particular social groups (R. GEUSS, *The Idea of a Critical Theory. Habermas and the Frankfurt School*, Cambridge, 1981, pp. 72-75).

25. *Interpretation*, p. 11, n. 9.

26. *Philosophy*.

claims to represent all the people, but at the same time it justifies a decision-making procedure on behalf of all by the wisest man or the group of wisest men. A step further, we may infer that philosophy is a better instrument than democracy in the delivering of justice, and that it is sometimes good for philosophy to correct or to limit democratic decision. Walzer discerns that this is a real trend in the works of a group of law professors in the United States.²⁷ If the judge comes to see himself as the philosopher-judge, this certainly poses a real threat to democracy. Legislation and judiciary are distinct political institutions in the Western democratic society, where law is legislated through democratic debate, and judges are only arbitrators, not legislators. Conversational philosophy may lead or mislead the judge to believe that he is the (real) legislator, even the wiser one. Philosophically informed, the judge may think that it is sometimes good to the society as a whole for him to interpret democratic decision in line with philosophical truth. This poses a dangerous tendency in substituting democratic decision with philosophical truth. For Walzer, this is an intrusion of philosophy into the sphere of democracy. He says: "Democracy has no claims in the philosophical realm, and philosophers have no special rights in the political community. In the world of opinion, truth is indeed another opinion, and the philosopher is only another opinion-maker."²⁸ The two should remain separate and distinct. The claim of representation in inventive moral and political philosophy can lead to a privatization of public opinions in the hands of philosophers or philosophically instructed judges or aristocrats. The inventive philosopher claims to know the truth, or the enlightened opinion of the people. But in reality, the designer of a design procedure represents no one but himself. To an "unreconstructed democrat" like Walzer, inventive representation is objectionable, while inventive truth/agreement is contestable.²⁹

b. Maximalist invention

Walzer has distinguished two types of invention: one is maximalist, and the other minimalist. The maximalist legislator is more ambitious: he asserts that his created order is universal. The minimalist, in contrast, tends to be less venturesome: he is satisfied with the invention specifically applicable to his own society; he wants to create not the best possible society, but only the best society for themselves.

The maximalist philosopher-legislator is not so naïve as to be unaware of the fact that morality exists as a social reality. There are moral values and practices before his conscious existence. Few of the philosophers will deny that moral norms are embedded in culture. They are only dissatisfied with the imperfection of the existing morality. The aim of the maximalist inventors, Walzer says, "is to provide what God and nature do not provide, a universal corrective for all the different social moralities." "But," he immediately asks, "why should we bow to universal correction? What exactly is the critical force of the philosopher's invention?"³⁰ Instead of answering these questions directly, Walzer composes his argument in the form of a story and let the reader draw out the implications himself.

The story begins with some strangers meeting at a neutral space:³¹

Imagine, then, that a group of travellers from different countries and different moral cultures, speaking different languages, meet in some neutral space (like outer space). They have to cooperate, at least temporarily, and if they are to cooperate, each of them must refrain from insisting upon his or her own values and practices. Hence we deny

27. *Philosophy*, p. 387.

28. *Philosophy*, p. 397.

29. M. WALZER, *Radical Principles. Reflections of an Unreconstructed Democrat*, New York, NY, 1980.

30. *Interpretation*, p. 13.

31. *Interpretation*, p. 14.

them knowledge of their own values and practices; and since that knowledge is not only personal but also social, embodied in language itself, we obliterate their linguistic memories and require them to think and talk (temporarily) in some pidgin language that is equally parasitic on all their natural language—a more perfect Esperanto.

Walzer asks, “What principles of cooperation would they adopt?” And he makes the concession that “there is a single answer to this question and that the principles given in that answer properly govern their life together in the space they now occupy.”

Our adventurers (in a satellite colony) plan to construct an accommodation for themselves. What should they build? What principle should they rely on? Perhaps, after some discussions and arguments, they come up with the idea of a Rawlsian Hilton Hotel:³²

Away from home, we are grateful for the shelter and convenience of a hotel room. Deprived of all knowledge of what our own home was like, talking with people similarly deprived, required to design rooms that any one of us might live in, we would probably come up with something like, but not quite so culturally specific as, the Hilton Hotel. With this difference: we would not allow luxury suites; all the rooms would be exactly the same; or if there were luxury suites, their only purpose would be to bring more business to the hotel and enable us to improve all the other rooms, starting with those most in need of improvement.

Obviously, this story is a caricature of Rawls’s original position and the difference principle. Walzer openly apologizes for using Rawls’s theory as an example of maximalist inventive morality. He knows that this position was no longer defended by Rawls himself.³³ But some of Rawls’s epigones still uphold it and use Rawls’s argument to propagate the maximalist view. Walzer targets at them rather than at Rawls himself.

The story of the hotel room shows that under certain circumstances, people will give up their own particularities in order to construct a set of neutral rules that govern their common life. For instance, travellers of different nationalities and cultures who meet in some neutral space such as the moon will probably act like that. They are away from home, the local cultures have loosened their grip on them, and they have to co-operate with each other. Their situation comes close to Rawls’s original position, and his procedure will become useful for them. The neutral space is, however, only hypothetical; it is nowhere to be found in reality. Is it then appropriate to invent moral principles from imaginary circumstances, and use them to correct our real social life? Is the imposition of speculative moral rules on people not a violation of their will and a dangerous act? Rawls’s abstract modelling is a typical method of modernity. Yet we can still question its validity, especially when it is applied to the study of the human realm: can abstract modelling adequately express our moral experience? In late modernity, this paradigm is being increasingly criticized as a kind of reductionism.

To expose the irrelevance of the maximalist inventive morality, Walzer pretends to go along with the maximalists, and accept the assumption that there indeed exists a neutral space. People of different cultures meet at that particular space. They invent an impartial language and build a common hotel-home on the basis of the difference principle. But once the travellers return home and each of them re-acquires his own identity, would they continue to speak the common language? Would they build a hotel-home on earth? We have serious doubt about that. Even if they did, the adventurers would still have no sufficiently convincing reason to ask their fellow countrymen to give up their old way of living and to take up the novel one.

In a pictorial way, the story of the hotel room illustrates Walzer’s idea of thick and thin. The hotel is a thin design whereas home is a thick heritage decorated with memory-laden objects. Though

32. *Interpretation*, p. 15.

33. Cf. *Interpretation*, p. 13; J. RAWLS, *Justice as Fairness. Political not Metaphysical*, in *Philosophy and Public Affairs* 14 (1985) 223–251.

sometimes a hotel can give some conveniences to travellers, it can never substitute home. Apparently, the maximalist inventors have confused home with hotel. As Walzer puts it, “It is as if we were to take a hotel room or an accommodation apartment or a safe house as the ideal model of a human home.”³⁴ Here, Walzer has made a distinction between liveability and life. Liveability is the minimal living conditions, but life is a product of the interplay between humans and environment. Philosophers can invent ideal liveability, but they can never invent life. For life is infinitely thicker and complexer than the imagination of any philosopher. Notwithstanding the possibility of the invention of moral principle/agreement, it is simply unwise to use it to re-orient our complex relationships in our thick historical context. Contrary to the claim of maximalist ethicists, inventive morality has neither moral compulsion nor critical force. If it happens to be able to criticize reality, it is because there are many sojourners in the world who are deprived of their own home. For them, a shelter or a resting place is something of prime importance.

c. *Minimalist invention*

In comparison with the maximalist, the minimalist inventor is more pragmatic. Surrendering the grandiose mission of building the ideal home for mankind, the minimalist philosopher turns to renovate his own home. He acknowledges that there is no other starting point in moral reflection except the ground where we are standing. Let us then assume that the existing moral world has already incorporated valuable moral principles, he says. Whether the principles come from divine inspiration or nature or human invention is not important. Our major concern is to perfect it. Rawls’s enterprise should, perhaps, be seen from this perspective.³⁵

Liberté, Egalité, Fraternité, these ideas are widely accepted as the fundamental intuitive concepts of modern society. Rawls translates them into “a fair system of cooperation between citizens as free and equal persons.”³⁶ Now, the existing society of the United States, the acclaimed emblem of democracy, cannot yet be said to be a fair (or fair enough) system of cooperation because the citizens are not perfectly equal. Notwithstanding the fact that the United States has a relatively well-developed democratic system, not all its citizens have the same degree of representation in the determination of the social system. The difference is the consequence of “bargaining advantages.”³⁷ Due to the cumulative effect of time, it is inevitable that some people in a society will have more bargaining advantages than the others. And these privileged citizens will probably secure a social system in favour of themselves. This bias cannot be eliminated by democratic procedure because the rich and the poor have unequal standing. Thus the resultant social contract is not absolutely fair. To correct it, we need critical principles derived from ideal conditions. Now the problem facing us is twofold: first, we have to fashion free and equal persons; second, those free and equal persons have to filter out the impurities from the existing moral mixture and to crystallize critical moral principles.

Rawls proposes to solve these problems by re-explaining the original position as a “device of representation.” He says, “In sum, the original position is simply a device of representation: it describes the parties, each of whom are responsible for the essential interests of a free and equal person, as fairly situated and as reaching an agreement subject to appropriate restrictions on what are to count as good reasons.”³⁸ Rawls assumes that it would be a good reason for all representatives of

34. *Interpretation*, pp. 14–15.

35. *Interpretation*, pp. 16–18.

36. J. RAWLS, *Justice*, p. 238.

37. J. RAWLS, *Justice*, p. 236.

38. J. RAWLS, *Justice*, p. 237.

free and equal persons to give up a conception of justice that favours their own social positions. The veil of ignorance conceived metaphorically blocks their access to the knowledge of their social positions and connections. But they may retain the common values that they share among themselves. The overall aim is to remove all personal ambitions or advantages. After that, the representatives start proposing arguments with good reasons. Rawls suggests them to follow this procedure: first, to reflect upon their own moral convictions and judgements and to construct a model out of them; next, to compare the model with the moral judgements and to revise either the model or the judgements; further, to repeat the process of reflection and revision by moving back and forth between model and judgements until no discrepancy can be found between them. This final state is known as the “reflective equilibrium.”³⁹

Walzer’s comment to this minimalist moral inventiveness is that it is a “more plausible way of thinking about the process of moral invention.”⁴⁰ Nevertheless, the enterprise of the minimalist is not invention *de novo* but the transformation of the existing morality into an ideal type. Its purpose is to construct a model of the existing morality that will give us a clear view of its critical edge, free of personal interests and prejudice. The way of modelling or idealizing relies on materials already in existence. The philosopher must concede that there are some given moral values before he can reflect upon them. And reflection on existing values inescapably involves interpretation. Thus, the minimalist enterprise is less inventive than interpretive. This comes close to the path of interpretation.

3. The path of interpretation

Interpretation, as demonstrated by Walzer, is involved in the process of deducing a plausible moral principle or theory. More than that, he actually puts forward the strong statement that “philosophical discovery and invention ... are disguised interpretations; there is really only one path in moral philosophy”—that is, the path of interpretation.⁴¹ Since law and morality are closely linked, Walzer uses the analogy of law to demonstrate his argument. He says that the three paths in moral philosophy can be compared to the three branches of government: executive, legislative, and judicial. The moral discoverer works like the executive official. He does not invent moral principles. Instead, he discovers them and is obliged to enforce them. Although law enforcement is unlikely to be a task for philosophers, the burden of discovery or revelation itself compels the discoverer to enforce what he has discovered. Because he knows something that others don’t, he believes that he has the obligation to teach them to the people and to see to their observance. Moses is one of these figures. He is sometimes reluctant to be the teacher and judge of the Israelites. But since he is the (only) one who receives God’s commandments, he has to take up this duty against his own will. Plato’s philosopher-king is the philosophical counterpart. He discovers the truth, and with the same reluctance, he has to implement it. The utilitarians and the Marxists are the latter-day reluctant law-enforcers.⁴²

Discovery is not the source of authority. It appeals to some higher hierarchy, which can be God or nature. When men and women become sufficiently powerful, knowledgeable, and confident, they want to replace the higher authority with their own: *vox populi* as a whole resembles *vox dei*, as it were. Invention is legislative in nature. The philosophical inventor constructs a set of moral principles, and vests them with the force of law. That is why the philosopher-legislator has to design a device of

39. J. RAWLS, *Justice*, p. 228; *A Theory*, p. 18.

40. *Interpretation*, p. 16.

41. *Interpretation*, p. 21.

42. *Interpretation*, pp. 18–32.

representation for all men and women. Any one of us can take part in the philosopher's design procedure, and comes up with the same conclusion and the same endorsement. There are, however, two types of invention and two corresponding legislations. Maximalist invention is like constitutional legislation. Since the lawmaker invents moral law from nothing and for everyone, his representation must be accountable to all men and women everywhere, and to their children, and to their children's children. By contrast, the minimalist invention resembles law codification. Here, the lawmaker is not confronted with invention *de novo* but the task of codifying the existing beliefs and practices. The representation is specifically for a group of people here and now. The minimalist inventive philosopher, interpreting the morality of his society, can claim the right of representation.⁴³

Between legislation and execution comes the work of arbitration, the work of judges and lawyers. Laws are made by legislators, but their implementation and enforcement are the work of executives. Before putting them into effect, laws need interpretation, which is inevitable because it is difficult to decide how to apply the laws to real cases, or because the laws themselves may come into conflict. The interpretation of laws entails the profession of lawyers. When a case is brought before the court, judges and lawyers, having neither the privilege of philosophers nor universal corrective principles to guide their judgement, have to sort through a morass of conflicting laws and precedents. They interpret the laws, and try to figure out the best interpretation for the case. There is, however, no definite answer to the case. Contesting parties have to present their arguments, and let the judge or the jury decide which interpretation accords best with the laws. Moral interpretation treads a similar path. We don't have a moral authority issuing the right answer to every issue from his throne in Zion or Athens. What we have are moral traditions. Publicists, philosophers, theologians, as well as ordinary men and women argue among themselves. Each of them tries to convince the others that his opinion leads to a better way of life. There is no ordained judge or jury, and people have to make their own choices.

After establishing the parallels between moral philosophy and governance, Walzer immediately overturns the analogy by pointing out that there is a substantial difference between morality and politics. He says, "Morality, unlike politics, does not require executive authority or systematic legislation." That means: "neither discovery nor invention is necessary because we already possess what they pretend to provide." In reality, we already inherit moral rules and practices. We are their bearers, practitioners, and executives all at the same time. It is both unnecessary and undesirable to install moral enforcement officers. Likewise, there is no need to invent moral laws to replace the existing ones. Besides, codification is neither a good method of interpretation nor a proper form of expression. Walzer says that the inherited moral world, which grows in interactions with changing circumstances over many generations, has a "lived-in quality."⁴⁴ Though human-made, it evolves

43. *Interpretation*, p. 19.

44. Some philosophers challenge Walzer by pointing out that this is now no longer the case in modernity. In the past, tradition, culture, or shared understanding did play a role in moral deliberation. People in modern times have forfeited particular cultures, and built a universal one. This universalist culture is invented on the basis of rationality alone, and its understanding does not require historical background or knowledge of a particular culture. For example, natural science or mathematics has a history of development. But it has developed in such a way that a student does not need to study its history before mastering its theories. Science and the history of science have become two separate subjects. Indeed many students are instructed in science without knowing its history. Apparently, these students can apply their scientific knowledge as well as those who know the history of science. Walzer concedes that this may be true in some cases. He cites The Declaration of Human Rights as an example in humanity. But he immediately calls to our attention that someone who has the Jewish or the Christian idea of *imago dei* may have a fuller understanding of human rights. Moreover, human rights cannot cover all the complexities of a moral life. Whenever human rights are elaborated into specifics that have the shape of a way of life a life that is not only liveable but also desirable and enjoyable, we can always spot some cultural particulars in them. Not all attempted elaborations,

without a blueprint or a central planner. What are we supposed to do with it? “Thick description,” in the opinion of Walzer, is a more appropriate way to handle it than “abstract modelling.”⁴⁵

4. The dilemma of idealization

Walzer’s refutation of moral discovery and invention, and his argument for interpretation are general and sketchy. Followers of Rawls or Habermas are ready to point out his mis-readings here and there.⁴⁶ Walzer is not insensitive to his vulnerability. Indeed, he concedes that his criticism may not fully account for the complexity and sophistication in the discovery or inventive theories.⁴⁷ This incompleteness, I think, mirrors his virtue of trying to be persuasive without being victorious. He has no intention to present a knockdown argument against his opponents. What he is doing is to contrast the differences between his interpretive methodology with the other two types of methodologies. In this way, he exposes the main weaknesses of some common moral and political theories. Is his proposal a better alternative then? This question is open to the reader. Nonetheless, Walzer has made some important points that we have to take heed of. Below I will give a brief review of them.

I think Walzer is certainly right that “the eagle at daybreak” is a kind of dangerous moral discoverer. People with good sense will naturally be suspicious of the person who claims that he has exclusive access to the Truth and is sent by the Truth. Someone may be quick to correct me by saying that Moses, Jesus, Mohammad, and Buddha are either gods or men of god. Many people believe in them, and they have had many followers throughout history. One easy response is to attribute these facts to the blindness or the religious feelings of the masses who easily fall prey to the manipulation of the priests or the prophets. But this explanation is just too simplistic to explain why people believe in religion. The rationale for believing in religion is complex. Surely, it is much more complex than the Marxist explanation. Even in the matter of revelation, we can see the rationality of the believers at work. To explain it, let me first distinguish two types of revelation: the immanent and the distant. By immanent I mean the kind of apocalypse here and now, that is, a man among us claims to be god or the prophet of god, and that everyone is obliged to follow him. This type of god-man usually polarizes the population, and causes strife and bloodshed. The Moses-led exodus is an example. These figures are sometimes frightening. Revelational religion depends on them. Believers, on the one hand, are attached to them, and on the other, tend to confine their discovered truths as distant facts. The visions and the teachings of a god-man are recorded, preserved, and zealously studied, but the re-appearance or the re-incarnation of a god-man is controlled or terminated. There is only one Moses in Judaism, one Jesus in Christianity, and one Mohammad in Islam. Although there are latter prophets, buddhas, saints, or vicars of Christ, their power and authority are incomparable to that of the original ones. The consequences are that believers believe in god and his revelation, but that the god is no longer palpable, and the revelation becomes a fixed and distant document. What the believers possess now is a sacred text, which is open to rational discussion. The frightening of immanent revelation is tamed by reason and is transformed into a milder form by the interpretation of revelation.⁴⁸

however, are plausible. A plausible elaboration involves nothing less than interpretation. (See the dialogues between Herman De Dijn, Arnold Burms, and Walzer, in *Seminar with Michael Walzer*, in *Ethical Perspectives* 6 (1999) 220-242, pp. 225-227.)

45. *Interpretation*, pp. 19-20.

46. Cf. G. WARNKE, *Rawls, Habermas, and Real Talk. A Reply to Walzer*, in *The Philosophical Forum* 21 (1989-1990) 197-203; B. BARRY, *Social Criticism*.

47. *Philosophical Conversation*, p. 185; *Interpretation*, p. 13.

48. There are many ways to understand revelation as a continual process. In any case, the present forms of revelation are much weaker and less compelling than the original immanent revelation.

Scientific discovery is a modern version of religious revelation. The scientists claim to have discovered truth not from the revelation of God but from nature or humanity itself. Parallel to religious revelation, scientific discovery has one weak version and one strong version. The weak version is a project that attempts to look for rational philosophical arguments for what we are practising. It is a kind of disguised interpretation. The strong version, such as Marxism and utilitarianism, claims to be a genuine scientific discovery. It brings excitement and great hope together with disaster. Marxism, which was deemed as the scientific gospel for the oppressed, was first received with enthusiasm. But in the end, it exhausted people's life as well as their faith, and became bankrupt like any other apocalyptic cult. Marxism is bizarre and terrifying. So does utilitarianism. Had it been strictly applied without correction, it could also have generated the same kind of terror as Marxism. It is well-known that the utilitarian calculus of utility can be a horrifying formula: it is not a question of who satisfies or who suffers, and neither is the reason a concern; the only thing that matters is the marginal happiness. Imagine a poor man living in a slum or a refugee camp of a war-torn under-developed country in Africa, South America, or central Asia. He has hardly enough to sustain his life. He has no happiness of any kind, in fact, no hope at all. He is waiting either to die from starvation or to be killed by a bullet or bomb coming from nowhere. Should we invite him to live in the wealthiest country for a period, say one year, and then terminate him painlessly without his knowing, and utilize his organs, tissues, bones, and skin to save some other lives of that country, the total amount of utility will probably be maximized. Certainly, this act will shock our conscience. It is in complete contradiction with our moral sense. We find the calculus of utility, which allows one person's happiness to compensate for another's misery, unacceptable. What saves utilitarianism from practising brutal terror is the reversion to moral intuition coupled with the technique of reflective equilibrium.

Despite the fact that utilitarianism is still popular among Anglo-American ethicists, it seems to have lost its ground. Utilitarians become shy of claiming their methodology as scientific discovery. Barry, who is a severe critic of Walzer, argues that we can find a foundation for utilitarianism in the popular beliefs. He suggests that utilitarianism has two sources: "One is the idea, which roots in Stoicism and the monotheistic religions, that everyone's life is equally valuable. Utilitarianism develops this idea by suggesting that the fairest way of treating everyone equally is to count everyone for one in an aggregative calculus. The other source is the virtue of benevolence, universally recognized and perhaps especially prized in the eighteenth century ... Building on the virtue of benevolence, utilitarianism invites us to commit ourselves to the good of the social whole."⁴⁹ That is why utilitarianism was the working political morality in Victorian England. Barry is probably right that utilitarianism has its root in the English culture. He thus testifies that utilitarianism is in fact an interpretation of culture and not a novel invention. This is exactly what Walzer tries to prove. Utilitarianism comes from an English root, but it is presented as if it were rootless, as if it were universal just like any other scientific discovery. Or better still, it acknowledges its root but it claims to have transcended its particularity and become universal. This belief, however, is a bad faith. If utilitarianism is transcendent, why does its calculus sometimes deviate greatly from good morals? Why do utilitarians not press for their shocking deductions? What prevents them from so doing and what assists them in correcting their outlandish calculations is the existing morality. Utilitarianism may be transplanted to other soil even if it has an English root. But it cannot live without soil.

The problems of utilitarianism have been noted since its appearance. Starting from the 1930s, some welfare economic thinkers have abandoned utilitarianism and sought for an alternative method in decision-making.⁵⁰ The first candidate they considered was Vilfredo Pareto, a late nineteenth century

49. B. BARRY, *Liberty*, p. 19.

50. Philip Pettit supplies the link from utilitarianism to Rawls's theory of justice. The following paragraphs are based on his book *Judging Justice*, pp. 143-

Italian economist and sociologist. According to Pareto's theory, if everyone in a society is indifferent to either of the two policies offered, the society, as a whole, ought to be indifferent to either of them too; but if there is a person who prefers a particular policy, while the others are indifferent, then the society ought to prefer that particular policy. For example, a government has to choose between two policies *A* and *B*. It asks its citizens to express their preference. All citizens except one are indifferent to either policy, while the one citizen prefers *B*. Then the government should choose *B*. The Pareto criterion seems neat and easy to apply. Yet this theory has one serious drawback: incompleteness. Once under the circumstances of conflicting preferences, the theory will become indecisive. Suppose there is another citizen who is not indifferent but has a strong preference for *A*. Then society as a whole does not know which policy to prefer. The Pareto theory is unable to deal with conflicting claims. In reality, almost all policies have contenders. The Pareto case is rare, if not nonexistent. The theory is not of much use.

The second candidate was the majoritarianism. It is an attempt to translate democracy into decision-making by using a democratic ranking procedure. Public administrators first draft or collect some proposals for an issue, and they announce the alternatives to the public. People are then asked to rank the options. When votes are collected and calculated, the victor goes to the one that has the highest vote. The best social option, according to majoritarianism, is the most popular one. This procedure not only pays equal respect to each person but also avoids the complicated utilitarian calculus. It nevertheless has its own flaws. In the early 1950s, the American economist Kenneth Arrow showed in his impossibility theorem that the majoritarian principle will produce contradictory result in cases that exceeds two options.⁵¹ Majoritarianism is also incomplete; it is also indecisive in some cases. But its more serious problem is the tyranny of the majority. Although majoritarianism remedies the awkwardness of the utilitarian calculation, its voting procedure guarantees that the majority can always win. As a result, the minority will consistently be discriminated and suffer under the oppression of the majority. And this is likely to happen in most cases.

In the recent stage of development, Rawls's theory of justice emerges as the natural successor of majoritarianism. The majoritarian ranking procedure registers the most popular vote, but is unable to reconcile it with the conception of justice. Although the recorded preference is fair to the majority, it can be unfair to the minority. To make the selecting procedure fair to everyone, Rawls introduces the idea of the "enlightened preference." He attempts to filter out self-interest and bias in the recorded preference by using the veil of ignorance. Under such enlightened condition and the guidance of reason, Rawls believes, people will select a social charter that is fair to everyone, and thus they can make a genuine and just social contract with each other.

Rawls's solution is the most elegant one but it is not without problems either. The major charge is the metaphysical character of his original position: there is simply no such person in the original position. The proposition is unrealistic and can in no way be applied to real political decision-making. Habermas's ideal discourse may be seen as a correction to this weakness. He intends to construct a dialogue with real persons, while at the same time filter out the bias of the parties by imposing certain rules. Instead of proposing some principles of justice, Habermas constructs an ideal environment to resolve conflicts.⁵²

Walzer's criticism of inventive morality may be summarized as the dilemma of idealization. Traditionally, the typical task of philosophers is to search for ideals. Since the world is inherently

155.

51. For an explanation of the impossibility theorem, see P. PETTIT, *Judging Justice*, pp. 145-146.

52. Cf. G. WARNKE, *Justice*, Chapter V Habermas and the Conflict of Interpretations, pp. 87-110.

contingent, it can hardly give us ideal knowledge. One way to cope with the erratic nature of the world is to detach from it and to use our mental capacity to shape an ideal world. Applying this method to ethics, the moralist will try to extract one idealized covering principle or a set of principles from the existing imperfect moral norms. He then uses it to correct the existing moral world. This is what and how the moralist is supposed to do in philosophy. But the tide has turned: people nowadays become more sceptical about the accuracy and the validity of idealization. We prefer, for good reason, to use empirical findings to correct conceptions rather than vice versa. Still, the majority of the moral and political philosophers engage themselves in idealizing. Walzer challenges that this-worldly justice is better comprehended by describing its complexity rather than reducing it to an idealized or a metaphysical form. Rawls (and Habermas also) seems to agree that justice is not a metaphysical speculation. Indeed, he clarifies his position by declaring that the original position is not metaphysical but political.⁵³ Given that we accept Rawls's apology, another problem arises, namely, this-worldly justice renders his methodology inadequate. The traditional philosophical methodology—the Principle of Prior Simplicity or abstract modelling—is designed to search for metaphysical justice. When it is used to interpret and to express this-worldly justice, it is strained to its limits, and reveals its disability to circumscribe complexity. How can the simple encompass the complex?

The situation calls for a radical change. Habermas's ideal speech is one of the attempts. But in the opinion of Walzer, Habermas's design is cumbersome. He tries hard to construct an ideal environment for real talk, but real talk in idealized conditions is not real anymore, not the one we commonly encounter in real life. He wants to filter out his participants' biases and weaknesses, but he ends up imposing his own criteria on them. Walzer thinks that any idealization or abstraction is an escape from reality. Politics is politics, and people are what they are; they cannot be transformed into a mind-game. There is no ideal representative or ideal conversational environment. Philosophy cannot substitute politics. Walzer's emphasis is correct. Even philosophers are taking part in an ongoing political process. They have their own cultural traditions, their own bases, their own financial sources, and their own organs or channels to promulgate their own positions. How can they be impartial or idealized? The existing moral world is just too complex to be adequately represented by abstract modelling. This-worldly justice demands a more radical change in methodology. Walzer's suggestion is to replace the "reduction to the simple" by the "thick description of the complex."

"Thick description" is not an accurate description of Walzer's methodology: his moral arguments are thick but only partly descriptive; some of them are not descriptive at all. "Thick description" is best understood as an interpretation that gives full expression of the existing morality. It is "a kind of argument," in Walzer's own words, "that is itself 'thick'—richly referential, culturally resonant, locked into a locally established symbolic system or network of meanings." Thick morality can be theorized, but the theorizing should be interpretive in nature, and the product should be acknowledged as a local theory. Besides, "it is a good thing," Walzer says, "if the interpreter is able to tell a story, making his critical argument from within a tradition, acknowledging the significance of historical events and proper names even as he reaches for the appropriate theoretical terms."⁵⁴ In this sense, his three books, *Just and Unjust Wars*, *Spheres of Justice*, and *The Company of Critics*, are examples of thick descriptions.

Walzer's claim of thick description is a moderate one. On the one hand, the theorizing of the existing morality is mostly interpretive, and on the other, it is only good "to tell a story" and to mention "historical events and proper names." He seems to say that a moral theory is acceptable insofar as it is

53. Cf. J. RAWLS, *Justice as Fairness*.

54. M. WALZER, *Maximalism and the Social Critic*, in *Thick and Thin. Moral Argument at Home and Abroad*, Notre Dame, IN - London, 1994, 41-61., p. 50.

done mostly in an interpretive mode. You prefer storytelling, and I like abstract modelling. Since interpretation is essentially incomplete, there is no criterion to determine which interpretation is better. Rawls's interpretation may be as good as Walzer's. Indeed, some scholars such as Miller and Warnke propose that Walzer's *Spheres* is one among many equally plausible interpretations, which include Robert Nozick's minimal state.⁵⁵

I appreciate their scholarly hypothesizing and assent to their suggested possibility, but I do not concur with their suggestion that the minimal state is as good an interpretation of the United States as the spheres of justice. For incompleteness does not mean totally undeterminate. Somehow, we can still compare different interpretations. Complexity or subtleness can be one criterion. The difference between Walzer's theory of justice and those of the others is not merely in form but also in substance. Their difference is not only in representation but also in the method of interpretation. Abstract modelling employs a quite intuitive and crude interpretive technique of reflective equilibrium, whereas thick description requires and makes room for a more nuanced interpretive methodology. Walzer himself does not make this stronger claim. He nonetheless elaborates his interpretive methodology in his later works. One distinct feature of this methodology is the incorporation of the multiple facets of time. This can improve the accuracy in reading of the existing morality. Perhaps, Walzer's interpretation may not be better, but his interpretive methodology is, that is for sure.

§2. TIME AND SHARED UNDERSTANDING

A. PHYSICAL TIME AND SOCIAL TIME

The interpretation of shared understandings not only offers a viable entrance to the moral world, it simultaneously prescribes its own method of interpretation. The proper way of interpreting shared understanding is related to and to a large extent determined by its properties. Translating one language into another, playing musical compositions, interpreting historical events, reading poems, analysing dreams, conceptualizing experimental data, and interpreting law, all these are different kinds of interpretation, which require different methods and skills. The difference is due partly to the essence of the object of interpretation and partly to its tradition of interpretation. Now, what does shared understanding require of its interpretation that best suits its nature? Maybe, there are many equally cogent methods of interpretation, but it is not my purpose to explore them here. In response to Walzer's claim in the *Spheres* that his theory draws in part upon history, I prefer to attend to the historical dimension of shared understanding.

An underlying principle of history is the concept of time. Time plays an important role in all historical processes. It seems to have control over history, and looks as if it imposed restriction on human activities and possibilities. In the case of shared understanding, a variation of duration can be

55. D. MILLER, *Introduction*, in *Pluralism*, 1-16, p. 10; G. WARNKE, *Justice*, pp. 30-31.

observed: some of it seemingly remain unchanged over thousands of years, some last for hundreds of years, some stay for tens of years or even shorter, some appear just once, some recur again and again. How are we to understand the patterns of change? The second aspect of history that concerns us is the idea of cause and effect. Consecutive historical events can be perceived as existing in a cause and effect relationship. A previous event causes the happening of the next or a series of events. Historical events are seen as chain reactions, which can be taken as either deterministic or probabilistic. The deterministic view of history is an extension of the mechanistic determinism in physics. In Newton's classical theory of motion or Einstein's theory of relativity, a projectile or motion is completely predictable if its initial conditions are known. Conceivably, all happenings in the universe can be reduced to movements of particles. If the universe starts with a big bang, then the subsequent cosmos is the result of the interactions of particles. Particles condense to form atoms, and atoms knock into shape of molecules, and molecules combine to produce physical objects and living organisms; and all human activities can be regarded as a small part of the continual movements after the big bang. Once the initial conditions of the big bang and the laws of the universe are known, we can comprehend all human actions, past, present, and future. Of course, our present knowledge of the universe is still insufficient for us to predict the complicated movements of living organisms. Perhaps, we can never fully understand the cosmos and can never explain human activities in terms of physical laws. Nevertheless, we can still grasp the picture that the universe is created, or that it initiates itself, once and for all. This is the belief held by many scientists, though few historians adopt it. Historians tend to take historical causality in a probabilistic way: one event causes the other. Yet, that cause does not necessarily lead to a certain consequence. There are many possible consequences, and it is uncertain which one will take place. The best we can know is the probabilities of the possibilities. This probabilistic view of history makes room for human decision-making and creativity. Until now, I have raised some hard questions that cannot be dealt with adequately in this project. I can only present briefly some scientific notions of time as an introduction to the social conceptions of time.

The concept of time has become indispensable in natural sciences since Galileo ushered in the dimension of time in his formulation of the physical law. But it is Newton who formulates the classic modern view of time. In his *Principia Mathematica*, Newton argues that time is a non-material, absolute reality of the universe, and that absolute time and absolute space together form the grid of the universe, in which all material bodies move around. He says that time or duration is absolute and has no relation with anything external. Absolute time flows equably by itself. It can neither be sensed nor measured. We can only experience and measure its relative duration by the motion of material bodies or by any mechanical device, and express it in terms of hour, day, month, or year.⁵⁶

Newton's ideas of absolute time and absolute space come more from his religious conviction than his empirical observation. Absolute time and absolute space are his way of theologizing. He assumes that time and space are the two attributes of God through which God acts upon the world. The belief in absolute space, as pointed out by Stephen Hawking, is in fact contradictory to the implication of Newton's own theory.⁵⁷ Nonetheless, Newton refuses to accept a relative space. It is not until Einstein who takes Newton's theory seriously, and shows in his special theory of relativity that not only space but also time is relative. Experiments confirm that Einstein's theory is correct. A clock in a high-speed spacecraft moves slower relative to a clock on earth. As if the relativity of time were not startling or perplexing enough, Einstein goes on to incorporate time into space or to geometrize time. Time and

56. I. NEWTON, *Sir Isaac Newton's Mathematical Principles of Natural Philosophy and His System of the World*, Vol. I: *The Motion of Bodies*, trans. A. MOTTE & F. CAJORI, Berkeley, CA, 1966, pp. 6-8.

57. S. W. HAWKING, *A Brief History of Time. From the Big Bang to Black Holes*, London, 1989, p. 18.

space now become space-time. In this new configuration of space-time, “the distinction between past, present and future,” Einstein tells his friend, “is an illusion, although a persistent one.”⁵⁸ His verdict is that the irreversibility of time is an illusion. This conception of time is in total discordance with our common experience of time. It sounds more like science fiction, yet it comes from the mouth of one of the greatest scientists of the twentieth century. Hitherto, Einstein’s theory is still predominant in the science world, but he is not without challengers.

Notably, Ilya Prigogine has pleaded for the “arrow of time” and “uncertainty.”⁵⁹ His argument is based on the findings of two fields: thermodynamics and quantum mechanics. To state simply, in a complex chemical system as well as in the subatomic system, there exist some processes whose paths of change are irreversible and cannot be predicted with certainty. Hence, Prigogine proposes that time is irreversible, and that the irreversible time is part of the structure of the universe. Everything in the universe is drifted forward to an uncertain future by the current of time. This idea of the arrow of time, in a sense, is a reverse to Newton’s absolute time except that the world perceived by Prigogine is most often non-symmetric and irreversible—Newton’s conception of symmetric and reversible motion is valid only in a simple system, and thus can rarely be found in the universe. Newton puts two irreconcilable ideas into his physics: either time is absolute, or the motion of bodies is symmetric and reversible; they cannot both be true. Einstein takes up the latter notion and relativizes time. But Prigogine opts for the former and affirms the irreversibility of time.

Is time an illusion, or is it a reality that imposes its irreversibility on everything in the world? This is a question still under debate, and we could not expect to have a definite answer in the near future. Right now, we, as bystanders of natural science, are not sure which notion is a more consistent description of the physical world. (Though I think Prigogine is probably correct.) In any event, it is possible for us to experience timelessness and the arrow of time in the system called “society.” For instance, the institution of family has existed for so long and appeared to be so important that it seems it will continue to exist as long as there are human beings. This kind of seemingly universal social structures attracts the attention of some social scientists. There are also some seemingly universal human values, usually expressed in the form of prohibitions such as “thou shalt not steal” and “thou shalt not kill,” which are the subject of study for the ethicists. Besides timelessness, we can also experience the arrow of time in our everyday life. We know that something once happened cannot be undone. Past, present, and future impose an invisible barrier on us. We cannot move between them. Instead, we are carried along by the current of time. This experience of time is conceptualized by the historians in their writings. They commonly take a historical event as instantaneous or as occupying a short period. Then, each historical event is located on a linear progressive time line, one after the other. It never makes (historical) sense to reverse the order. Besides these two conceptions of time, we have the social experience of cycle. The Buddhist teaching of reincarnation gives us a glimpse of this notion. One might argue that reincarnation is a belief rather than a reality. Yet, the fluctuation of market price is an undeniable fact, as anyone who has experienced its burn will know it. Economists have to study the cyclical trend, and companies have to hedge against the fluctuation of price. There is moreover another social conception of time, which is named by Fernand Braudel as the *longue durée*.⁶⁰ This long-term or structural time has previously been mentioned by some economists and historians, but it was not studied seriously. Braudel brings this conception of time anew to the attention of historians and sociologists. This notion is based on the fact that some social structure has existed over hundreds or thousands of years. Dynasty or party in power may change, but the form of government

58. A. EINSTEIN, quoted in I. PRIGOGINE, *The End*, p. 165.

59. I. PRIGOGINE and I. STENGERS, *Order*; I. PRIGOGINE, *The End*.

60. F. BRAUDEL, *Histoire et Sciences sociales. La longue durée*, in *Annales. Économies, sociétés, civilisations* 13 (1958) 725-753.

lingers on. This cannot be treated as a short-term event or a cyclical trend. It comes closer to the timeless or very long-term structure. Nevertheless, it will collapse, and another structure will take over its place. Braudel suggests that this is the core concept of time in the study of history. All the other concepts should be subordinated to it.

We have just mentioned four social concepts of time: the short-term, the very long-term (or timelessness), and in between, the cycle and the long-term. Detached of their context, they are contradictory and incompatible. But Braudel tells us to conceive them as the plurality or multiplicity (*pluralité* or *multiplicité*) of social time.⁶¹ They are indispensable to the formation of a common methodology in social science. Unlike the natural scientists, Braudel does not argue for one true description of time. Rather, he affirms the four experiences of time as four different social realities. A proper application of them is crucial to a comprehensive understanding of history.

Shared understanding, a product of historical processes, displays the various properties of time. There is clear evidence that Walzer is conscious of its multiplicity. In his interpretation of shared understandings, he has explicitly applied three of the four concepts—the short-term, the cycle, and the long-term. Later I will show that the cyclical and the long-term perspectives constitute two major interpretive principles in Walzer's methodology. There is a third interpretive principle which makes use of the very long-term perspective. Although Walzer does not explicitly refer to it, his just-war theory and his idea of a universal minimal code can reasonably be understood from the perspective of the very long-term. The above three temporal interpretive principles will render moral interpretation too deterministic. Since Walzer is an advocate of social reform and human creativity, these three alone cannot adequately represent his enterprise. A fourth interpretive principle is thus needed to complete the methodology. I call it tradition reflexivity. It is an attitude that holds tradition in high regard, but at the same time remains critical towards it. This attitude can be objectified in various ways of reflective interpretation that opens up tradition to dialogue with the ever-changing social conditions. These reflective activities originate from within the boundaries of time and tradition, but sometimes they may break open the boundaries, and bring forth some values that are forward-looking and untraditional.

It is not my claim that Walzer consistently uses the four interpretive principles in his social and ethical writings. My aim is to point out that they are present in Walzer's works, and that they are important in moral interpretation. In the course of systematizing Walzer's interpretive methodology, I run the risk of imposing my own scheme on him. Whether I have over-systematized Walzer or not, I leave it to the good judgement of the reader.

B. FOUR PRINCIPLES OF MORAL INTERPRETATION

1. The first principle: the long view

The most explicitly explained concept of time in Walzer's writings is what he calls "the long view." Walzer observes that at a particular moment and place, there may exist conflicting ideas of how a particular good should be distributed. And there seems to have no theoretical way of resolving the differences. Often it has to be settled by politics. This is certainly the case if we confine ourselves to a

61. F. BRAUDEL, *Histoire*, pp. 726–727.

very short-term view. If, however, we take a longer view, things will appear differently. We shall discover that the social meaning of an important good usually remains in dominance for a long period of time, perhaps for hundreds or thousands of years. During its life time, rival meanings may arise and challenge the old one. The dominant one may retreat, but only for a while. It will surely return, dressed perhaps in a new form with rejuvenated vigour. Of course, a dominant social meaning will not last forever. At the end of its life, it is replaced by another social meaning, which then prevails for another long period. We are not certain at which moment the social meaning is taken over by another. The best we can say is that the dominant social meaning stays for a long period, and is then succeeded by another social meaning. In between these two epochs lies a transition period. If we put a social good within this time frame, we shall know its overall social meaning and the gross structure of its distribution.

This kind of experience and conception of time is not peculiar to social meaning. Indeed, some economists and sociologists have noticed them long ago, but they have not paid it the due attention. Fernand Braudel draws our attention to it. He coins it "*la longue durée*," which is commonly translated as the "long view," the "long-term trend" or the "structural time." For the observer of society, the *longue durée* refers to the social coherence and stable relationships between the masses and social realities over a long period. Such long-term structures, according to Braudel, can distort the effect of time, like stretching the time scale to a longer length.⁶² That means they reveal another reality of social time, which is different from the ordinarily experienced time as momentary consecutive events situated on a linear straight line. The *longue durée* appears to be slow-moving, and sometimes even practically static. This effect is produced by the stable structures, which maintain themselves by supporting the status quo, and at the same time impede the infiltration of alternative ideas or structures. The thought paradigm of the reduction to the simple is one good example, which has reigned over two thousand years in the West. It meets its challenges only in recent times and in limited areas. Whether these challenges should be seen as irregular disturbances or successors of the old paradigm is still undecided. But there are signs that we are in the transition period.

Another example given by Braudel is the mercantile capitalism in Western Europe from the fourteenth to the nineteenth century. Despite fluctuations and crises, certain features of this economic system remain stable. To name but a few: major economic activity supported by mobile populations; main trade routes dominated by water and ship; commercial growth took place along coastal cities; merchants became influential; precious metals, such as gold, silver, and copper, became the medium of exchange.⁶³ We can never properly understand the history of this period without identifying the dominant mercantile capitalist system. Once we recognize the stable characteristics of the system, irregular events and cyclical changes will become readily comprehensible.

To show, on the one hand, that my interpretation of Walzer's "long view" by the *longue durée* is not arbitrary, and on the other, how the concept of structural time helps us recognize the dominant social meaning, I am going to present Walzer's own argument. The passage that explicitly mentions the ideas of time can be found in the article *Distributive Justice as a Maximalist Morality*.⁶⁴

Indeed, agreements on the most critical social goods are commonly both deep and long lasting, so that we are likely to recognize them and understand how they change over time and how they come into dispute only if we turn away from more *immediate and local*

62. F. BRAUDEL, *Histoire*, pp. 731-734.

63. F. BRAUDEL, *Histoire*, p. 733.

64. M. WALZER, *Distributive Justice as a Maximalist Morality*, in *Thick and Thin. Moral Argument at Home and Abroad*, Notre Dame, IN - London, 1994, 21-39, p. 28. Italics added.

arguments and take the *long view*. We will never grasp the idea of social meaning unless we get its horizons right.

In the above passage, the first thing mentioned by Walzer is that the social meanings of important social goods are both “deep and long lasting.” I take “deep” to mean deeply embedded in the social life and intricately woven into the social fabric. Whether consciously or unconsciously, and in one way or another, members of any society are shaped by social meanings in the process of socialization. In their daily social interaction, and especially in their complaints of their neighbours, they articulate and reinforce the social meanings. Because of this “deepness,” social meanings support a way of life peculiar to that society and deter changes. Consequently, social meanings change slowly and last for many generations. The recognition of the slowness of social meaning is of foremost importance. Walzer says, “We will never grasp the idea of social meaning unless we get its horizons right.” The right horizons, I think, begin with seeing social meaning as slow-moving. To study the slack social meaning, it is necessary to take the long view. If we concentrate our attention only on the immediate and local arguments, we will never know which of these competing social meanings is the deep and long-lasting social meaning, nor will we notice our position in the lifespan of the social meaning, that is, whether we are at its rise, on its summit, or in the transition period.

Philosophers also realize the fact that the short view cannot resolve moral conflicts. But unlike Walzer, they commonly take the eternal view. In contrast to the long view, the eternal view sees things as static. The movements and changes, though perceived, are treated as illusions, and are explained away as the limitation of human cognition. The Truth is out there, changeless and timeless. Only human beings on their part need strenuous collective effort to approach the Truth. Even then, we can never be sure what exactly the Truth is. Nevertheless, we believe that it exists. Some philosophers may no longer accept the existence of the external Truth, but they still tend to treat things as timeless or in the eternal time. When there are disagreements on a certain issue, it is not uncommon among the philosophers to resolve the conflict by searching for the right answer, either selecting the best one from the competing claims, or forming a conglomerate of them, or better still, inventing a new one by the philosopher himself.

Walzer’s suggestion is to take the long view. An important social meaning is deeply embedded in daily life, and thus enduring. In order to understand it properly, we have to look at it from the perspective of the long view: What is its origin? How does it grow? Why does it decay? What does it transform into? Consider the social meaning of medicine. Walzer uses it as an example to explain the long view.⁶⁵ In order to underline the successive turning points of its life, I will not follow his argument strictly but will present it with a slight elaboration on the historical development of medicine. If we look at medicine from the perspective of the long view, the first point that catches our attention is its transition period. It is not difficult to notice that between the nineteenth and the early twentieth century, medicine was being institutionalized into the public life. Since then, doctors have become a prominent social class. There is a change in the meaning of medicine. In order to fix the present meaning, we have to go back to the origin.

The practice of medicine is an ancient trade. The earliest professional medical body in the West is usually ascribed to the Hippocratic guild. Doctors at that time served chiefly the wealthy who could afford to pay for the service. When ordinary Greeks were sick, they treated the illness in their traditional way. If they could not recover, they might go, as a last resort, to the temple of Aesclepius, and wait for the healing of the god. Apparently, medicine was not so central in the mind and in the life of the people in the ancient Greece.

65. *Distributive Justice*, pp. 28-31. See also *Spheres*, pp. 86-91.

Plato even mocked the medical profession and those persons who were obsessive with health and longevity. In the *Republic*, thus he criticizes Herodicus' medicine:⁶⁶

“... Herodicus was a trainer who fell into bad health, and by a combination of gymnastic and medicine worried away to nothing first and chiefly himself, and then many others after him.”

“How?” he said.

“By making death a long process,” I said. “His disease was mortal, and he could not, I imagine, cure himself, but he kept dancing attendance on it, gave up all his business, and spent his life in cures, worrying to death at the smallest departure from his regular diet, so that through his science he came to old age and died hard.”

For Plato, the proper use of medicine is to cure those who are curable, and to apply only to those who can restore to the vigour of life:⁶⁷

“When a carpenter is ill,” I said, “he expects his doctor to give him medicine which will expel the disease by vomiting or purging, or to cauterize or cut the wound and set him right. If any one prescribes him a long course of treatment with head bandages and so on, he says at once that he has no time to be ill, and that it does not pay him to live like that, giving all his attention to his illness and neglecting his proper work. At that he bids that doctor good-day, and goes back to his ordinary way of life, regains his health, and lives on doing his work; or if his body is not strong enough to carry him through, he dies, and is released from troubles.”

“Yes,” he said, “that is the medical treatment befitting a man of that class.”

Plato holds an opposite view of medicine from the way we are practicing now. We are doing what he regards as benefiting neither the patients nor the state. Indeed, he is arguing against an extensive health care programme run by the state. For him, the cure of the body is for the “truly wellborn.” As for those who have defects in the body, “they will suffer to die.” The meaning of “wellborn” applies not only to the body but also to the “soul.” Plato conceives that those who are “evil-natured” and “incurable in soul” will ultimately destroy themselves.⁶⁸ Underlying Plato's opinion is his idea of life as pre-given and pre-conditioned. The good will flourish and the evil perish. It is neither appropriate nor effective for man to intervene or to change his destiny. External assistance should only be administered to those who can truly be benefited from the intervention.

The belief of life as incurable in both body and soul is gnawed away by Christianity. The gospel proclaims an eternal life for anyone who follows its salvific regimen with its focus on the purification of the soul. Though the cure of the body was uncertain and often unattainable, the cure of the soul is theoretically within the reach of everyone. Once the idea of eternal life was widely accepted in the Roman Empire, it became a necessity to organize its distribution and administration to everyone in the Christendom. Even the collapse of the Roman Empire had apparently no adverse effect on its permeation and ramifications. During the Medieval Period, the idea of eternal life was in its full bloom. It was probably the most important idea in organizing the life of Christians. Many institutions were established to realize the availability of eternal life. Tithes were collected to finance its administrative institution. Priesthood was regulated by ecclesiastical laws, so did the division of parish and the presence of priest. The Church worked hard to make sure that baptism was received by every newborn, catechism was taught to the children, confession and communion were available to the adults at regular intervals, and extreme unction and funeral were administered to the dying and the death.

66. PLATO, *Republic* 3.406A-406B.

67. PLATO, *Republic* 3.406D-406E.

68. PLATO, *Republic* 3.409E-410A.

This whole elaborate system was meant to guarantee that the access to eternal life was distributed to everyone.

By and large, Walzer is correct to call the distribution of eternal life as the “cure of the souls.” Nevertheless, the Church has never ignored the cure of the bodies. It has a long tradition of caring for the sick, partly because of charity and partly because of its conception of life. Christians tend to value the body more than the ancient Greeks do. The resurrection of the bodies is the central message of the gospel, though one may argue that the resurrected body is different from this worldly body, and that the belief in the resurrection of the bodies does not entail the care of the earthly bodies. Nevertheless it constitutes a significant change in the conception of life—the Greeks believed only in the immortality of the soul. This belief has, together with charity, compelled Christians to pay more attention to the sick. We can find such evidence in the Gospels’ numerous records of the miraculous healing of the body, in the rite of unction, in the establishment of hospital, and in various cults that are fanatically obsessed with the pursuit of miraculous healing. Generally speaking, Christians see life as consisting of body and soul, even in the new heaven and the new earth. They, unlike Plato, are more willing to cure the bodies. The inefficacy of medicine in the ancient time is a possible factor that impedes the development of the health care system.

Noticeably since the sixteenth century, people came to question the effectiveness of the expensive distributive system of eternal life. The consequence was the separation of the Church and the state. In addition, the advancement of science and its rationality has also devalued the idea of eternal life. When more and more people became sceptical of and indifferent to eternal life, they saw no point in spending public funds to support such a huge system. In the meantime, there was a tremendous progress in medicine. It became viable to distribute it to the public. It is not surprising that the emphasis on eternal life was transferred to earthly life, and that the cure of the bodies overshadowed the cure of the souls. Gradually, health care was socialized and pastoral care privatized. Up until the early twentieth century, this process was almost completed in most Western countries.

From the long view, Medicine is tied up with the conception of life. Owing to the lack of means to manipulate either the body or the soul, ancient Greeks showed no interests in organizing the distribution of life, and it was left to the care of individuals and nature. The spread of Christianity set in the second phase, in which eternal life was guaranteed to everyone who followed the Christian way of life. The main characteristics of this dispensation can be summarized as the cure of the souls. It reached its peak in the Middle Ages. Since then, it started to decline, and came to an end at the close of the nineteenth century.⁶⁹ This does not mean that there is no more pastoral care, it means only that the cure of the souls has become the cure of the soul—that is, the cure turns from a public good into a private good. The third phase of the meaning of life begins with modernity, in which people are sceptical about eternal life but have achieved great breakthrough in the manipulation of earthly life. Consequently, the cure of the bodies takes up the place of the cure of the souls.

With this structural understanding of life in mind, we can construct a framework of health care. I think a brief sketch should at least include the following features: medicine is for the care of the body; it is best organized to support a communal life; it should be administered and regulated by the state; it should be available to anyone who needs it. Having said that, it is still undetermined what the actual forms of health care should be. These are open to discussion. Debate on a specific arrangement is unavoidable. Health care systems everywhere are constrained by limited resources, be it a deficit in the budget, a shortage of medical professionals, or a lack of organs for transplantation. Because of scarcity, medical administrators are forced to compromise between principle and actuality. Organ transplantation is a case in point. In principle, any sick person who needs organ transplantation should

69. The dating is only suggestive. It serves to give a vague idea.

be given such operation at the time that benefits the patient most. Since the number of organs needed far exceeds that of organs donated, this principle cannot be put into practice. Instead, a medical committee, comprising of doctors and citizens, has to make a list of priorities so that the scarce organs go to the right patients. How the priorities are ordered is unclear. But one thing is for sure, the organs should in no way be auctioned in the market. The details of health care are left to us to decide. “But the gross structure of justice-in-cures,” Walzer says, “is given in advance of these arguments.”⁷⁰

2. The second principle: the cycle

The second principle of moral interpretation is related to the concept of cyclical time. This reality of time is readily experienced in the cycles of the sun, the moon, the heavenly bodies, the seasons, and in the life cycle of all living things. This paradigm can also be found in social system. Braudel calls it “*la conjoncture*,” (literally “the conjuncture”), which means the “cyclical time,” or the “middle-range time.”⁷¹ A typical example is the Kondratieff cycle in economy. Nikolai Kondratev, a Russian economist, argues that economic activity is controlled by the cycle of expansion and contraction. He observes that during a period of 150 years, from 1790 to 1940, there are three cycles of expansion and contraction in the economic production of major European countries. Each cycle has approximately a 50-year lifespan with half for expansion and half for contraction. Thus, he proposes that the capitalistic production comprises of successive life cycles. This experience of recurrence gives rise to the idea that time moves in a circle.

Walzer is unmistakably using the cyclical time to explain the relationship between communitarianism and liberalism in the article *The Communitarian Critique of Liberalism*. I shall cite below the first paragraph. Despite being expressed in a different terminology, the reader will immediately recognize the concept of cyclical time:⁷²

Intellectual fashions are notoriously short-lived, very much like fashions in popular music, art, or dress. But there are certain fashions that seem regularly to reappear. Like pleated trousers or short skirts, they are inconstant features of a larger and more steadily prevailing phenomenon—in this case, a certain way of dressing. They have brief but recurrent lives; we know their transience and except [*sic*] their return. Needless to say, there is no afterlife in which trousers will be permanently pleated or skirts forever short. Recurrence is all.

What we speak of as cycle, Walzer calls it “recurrence.” He reminds us that fashions are trendy things. Clothing styles change every season. Some of them emerge, become popular, then fade away, and never appear again. But some of them do reappear recurrently so that we will expect its reappearance in the future. The consecutive appearance and disappearance constitute a cycle. In order to understand them and to live with them, we would conceptualize them by using the cyclical time.

Without giving substantial evidence, Walzer proposes that communitarianism is a kind of intellectual fashion. He only mentions that Karl Marx’s critique of capitalism and the current communitarianism are cycles of the communitarian trend. Beyond that, he says nothing about its frequency or the span of the cycle. However Walzer does not take the communitarian trend as self-evident; rather, he reasons at a deeper level, which we will explore shortly. If communitarianism is cyclical, it has significant implications. I don’t mean we have to give up our stands and follow the trend: turn to communitarianism at its rise, and shift to some other rising –ism at its fall. But once we

70. *Distributive Justice*, p. 31.

71. F. BRAUDEL, *Histoire*, p. 730.

72. *Communitarian Critique*, p. 6.

know the time, it will be more probable for us to choose the right means to pursue our ends, and it will also be more probable that we are the authors rather than the victims of history.

The apprehension and the speculation of social cycle date back to the ancient time. We can find such record in the Sinaean classic Mencius as early as in the fourth century B.C. Once his student Kung-tu Tzu asked Mencius why he was so contentious, Mencius answered that he was not fond of disputation, but he was compelled to do so by his time. Generalizing the history before him, Mencius pointed out to Tzu that the world was proceeding in cycles of chaos and order: a period of chaos was succeeded by a period of order, and then, by another cycle of chaos and order. Now, Mencius was in the time of chaos, which was characterized and caused by heresies and violence. In order to usher in order, he had no choice but to fight against heresies.⁷³ The same conception of time can also be found in the Jewish sacred book Ecclesiastes. Absorbed in the thought of cycles, the preacher, in a gloomier mood, exclaimed: "The thing that hath been, it is that which shall be; and that which is done is that which shall be done: and there is no new thing under the sun (Ec 1,9)." Although separated by time and space, both authors express the same idea of the iron rule of cyclical time.

If Walzer knew only the cyclical time, he would be no better at understanding social realities than the ancient men. What is special of Walzer is his knowledge of other concepts of time. He is aware of at least three realities of time: the long view, the cycle, and the short view. And he is able to integrate them to interpret social phenomena by incorporating the other concepts of time into the core of the long view. Consequently, his picture is more nuanced.

Take Walzer's discussion of fashions as an example. He observes that fashions are "short-lived." This is the "short-term time" or the "episodic history." From this perspective, things happen one after the other, they pass away, and they never happen again. Each event is viewed as situated in a linear arrow of time. Historians try to explain the cause and effect between consecutive events. In their explanation, they commonly attribute a series of events to a preceding dramatic event. This method can give a coherent view on past events, but it lacks the power to predict the future with confidence. Historians may study a historical event thoroughly, and make extensive connections with subsequent incidents. Nonetheless, the result of this study, strictly speaking, cannot be applied to a future situation because no two social milieux are the same. The social world is in a constant flux, which limits the predictive power of episodic history.

What is more interesting is that some fashions, instead of showing up once, "seem regularly to reappear." Walzer notices that there is a cyclical pattern in some series of events. It is not to deny that two events can never be the same. Still, we can recognize some identical distinguishing features in the events. No two pleated trousers have the same pleat, and no two short skirts are of the same length. Yet, the "pleat-ness" of trousers or the "shortness" of skirts can be conceived as identical. We observe a cycle, and we expect this cycle to reproduce the same pattern. Now, we can use this pattern to predict the future with more precision. The economic analyst, for instance, is keen on speculating the cycle of price.

It is Walzer's insight that the phenomenon of recurrence depends on a more stable social structure. The recurrent event is parasitic on the structure, and forms a complementary relationship with the structure. Standing by itself, the fashion is incapable to reappear. Pleated trousers and short skirts reappear regularly because they are the variant features of a certain way of dressing. Pleated trousers are a variation of trousers. And short skirts are a kind of skirts that can only exist in the social milieu that permits the exposure of certain parts of body contours. It is unimaginable that short skirts for women would appear in medieval Europe, in the Arab world, or in ancient China. In a more abstract way, we may say that Walzer has incorporated cyclical time into structural time, that is, cycles are seen

73. Cf. *Mencius* III. B. 9, in D. C. LAU (trans.), Harmondsworth, 1970.

as variations of a dominant phenomenon over a long duration. The recurrence of a fashion does not necessarily last forever. It will not appear again if its host structure passes away.

So far, I have mainly talked about clothing fashions. I should perhaps speak something about intellectual fashions as well. Like pleated trousers, the communitarian critique of liberalism is a recurrent intellectual fashion. Thus writes Walzer:⁷⁴

It is a consistently intermittent feature of liberal politics and social organization. No liberal success will make it permanently unattractive. At the same time, no communitarian critique, however penetrating, will ever be anything more than an inconstant feature of liberalism. Someday, perhaps, there will be a larger transformation, like the shift from aristocratic knee-breeches to plebian [sic] pants, rendering liberalism and its critics alike irrelevant. But I see no present signs of anything like that, nor am I sure that we should look forward to it.

The above-cited passage touches two realities of time: a structural time and a cyclical time within it. The overall logic runs as follows. Modernity is a liberal era. Walzer sees no sign of its transformation or of its replacement by another mode of life in the near future. Furthermore, liberal society has a kind of attractiveness, certainly better than the aristocratic society. So far Walzer does not conceive of any alternative. For this reason, the communitarian critique, no matter how penetrating, cannot defeat liberalism. If communitarian critique appeared only once, we could regard it as an accident. Since it recurs, we should seek its explanation in the phenomenon of liberalism.

Walzer substantiates his claim by pointing out that the present dominant structure is the capitalist economic system.⁷⁵ This system is characterized by progress, economic growth, and the endless accumulation of capital. Walzer seems to accept the capitalist system. But he points out that this system brings with it “deracinated social forms,” which all modern social theories try to cope with. Walzer characterizes the deracinated force by “mobility.” The capitalist economy pushes and encourages people to become individuals pursuing all kinds of mobility. As an example, Walzer coins, in the Marxist style of China, the Four Mobilities: Geographic Mobility, Social Mobility, Marital Mobility, and Political Mobility.⁷⁶ He argues that in spite of their undesirable effects, people love mobility. Liberalism captures and articulates the people’s aspiration to movement. It endorses and justifies this social reality. In the liberal doctrine, mobility is the realization of liberty and the pursuit of personal happiness. On the other hand, liberals do not, as some communitarians would say, deny social associations or commitments. Rather, they transform all permanent relationships into voluntary and thus temporary ones. We now need to attach ourselves neither to one region, nor to one nation, nor to the social class of our fathers, nor to one spouse, nor to one political party or ideal, nor to one religion.... There are associations, in fact much more than in the past, but the relationships and commitments are ordained by law to be voluntary and temporary. Thus, Walzer reminds us “there is no one out there but separated, rights-bearing, voluntarily associating, freely speaking, liberal selves.”⁷⁷ This mode of life has its underside: misery and discontent. Nevertheless, most people embrace it. For those who do not like it, they are obliged to live under its authority. For instance, some Christian churches prohibit or strictly control divorce. But the believers are under the state’s rather than the churches’ jurisdiction. Christians can divorce and remarry if they wish, and they do. Churches do not have effective sanction in their disposal to tie a separating couple together. Hence marriage is a voluntary relationship under a liberal state’s jurisdiction regardless of individual beliefs or convictions.

Although liberalism constitutes the theoretical backbone of modern society and everybody lives under its hegemony, it is not a must that everyone should prostrate before it or embrace it unreservedly.

74. *Communitarian Critique*, p. 6.

75. *Communitarian Critique*, p. 7.

76. *Communitarian Critique*, pp. 11–12.

77. *Communitarian Critique*, p. 15.

Liberalism has left room for resistance and rebellion in a legitimate way. The acceptance of liberalism is also voluntary. Christians can still cling to their own ideal and criticize the liberal society, for this too is a liberal ideal. If, however, they want their criticism to be heard in the public, they must formulate their argument in terms of the liberal ideals. Otherwise, their voices will remain within their own circles. The communitarian critique has temporarily a wide and loud resonance in the public because it seizes and makes use of the often-neglected side of liberal association and commitment. Liberalism tends to overemphasize individualistic freedom from time to time. The communitarian critique serves to remind the public that they are living in society, and that they have communal obligations. Yet the inability on the part of communitarians to propose a viable political programme demonstrates that the communitarian critique is parasitic on liberalism. In contrast, social democracy has gained a permanent place in society side by side with the mainstream liberalism. Walzer attributes this success to social democrats' acceptance of the capitalist economic system and the resultant mobility, and to their ability in depicting a feasible alternative. This implies that it is possible to construct a rival social theory provided that it accommodates the main structure of modern life.

3. The third principle: the very long view

We have discussed three concepts of time and now we come to the last one. (The short-term time has been mentioned previously. Since it is not very important in relation to interpretation, we will not give it a separate heading.) In comparison with the other three, the fourth concept of time seems quite strange. Our usual experience of time is that it has movement and direction of flow. This is true either in the long view or in the short view. The cycle has movement and direction too, though it changes its direction constantly along a circular path. We can add the arrow of time into the cycle by assimilating it with the structural time. The resultant time will be a spiral. The fourth idea of time, however, has no movement at all. Perhaps, it should not be called time. We experience it as time not because of itself, but because we have memory of other time-experiences. We experience it as the opposite of time, as timelessness. Imagine time in a geometric way as a straight path without a beginning and an end. People on this path were carried forward by a conveyor belt. They could walk on the belt on both directions, but the speed of the belt was so fast that their efforts were insignificant. This is how we usually experience time. Somehow, a person invented an ultra-speed device, with which he could move to any place on the conveyor belt almost instantly. Now, he could transcend the limitation imposed on him by the motion of the belt, and move as if the belt were motionless. We do possess such a device, which is our mind. With it, we can transcend the flow of time. Starting with all the available historical records, we dive into history and move freely between historical events. We focus our attention only on those patterns or ideas that are perpetual. We then project them back into the unrecorded past and forward to the uncertain future as if there were no time boundary— we affirm them to be invariable always and everywhere.

Timelessness is only an extrapolation of the opposite of time, a human idealization. I cannot think of anything that is strictly changeless. In reality, things are only seemingly changeless, and time is seemingly timeless. Timeless time moves, though in an extremely slow pace. In comparison with the long view, this conception of time is much much longer, and it may be called the “very long view.” Braudel names it “*la très longue durée*,” which is translated as the “very long-term,” or the “eternal time.”⁷⁸ It is presumed by philosophers and confirmed by scientists. We have ample examples of it in

78. F. BRAUDEL, *Histoire*, p. 742.

theories of nature and in theories of society. Braudel, for instance, mentions that the system of kinship is a permanently established institution. Though there are many such systems and the practices vary from time to time and from place to place, two rules appear to be constant throughout. The first is consanguinity and the second the prohibition of incest. The reason that kinship is primarily defined by consanguinity is due to the biological nature of human procreation. As for the prohibition of incest, Braudel attributes it to the struggle for survival. In order to increase the chance of survival, either against the odds of nature or against enemy, a small group of men and women must open themselves to the outside world. To achieve this end, different kinds of incestuous rules have taken shape.⁷⁹ We notice that both reasons are related to the chance of survival. In a trial and error manner, mankind has laid out the minimal conditions for life. Violation of any one of these basic conditions will certainly bring disaster to the group.

To be more exact, Walzer has never used the term “the very long view.” It is only my suggestion. Nor has he explicitly explicated this concept. Nevertheless, such idea can be found in his works. Apparently, the *Just and Unjust Wars* is written from the assumed perspective of the very long view, and arguably *The Company of Critics* also. But I will focus only on the more obvious cases. In the first chapter of the *Wars*, in which the fundamental argument of the book is laid out, Walzer attempts to show that there exists a moral culture of war, that we can access it through the moral language, and that the language is “sufficiently common and stable” so that people pass the same moral judgement on the same case.⁸⁰ The two words “common and stable” refer to some moral rules of war that can be discovered across all time and space. This is an indication of the idea of the *très longue durée* involved in Walzer’s conception of the morality of war. An analysis of the arguments in the first chapter confirms my proposition. In his refutation of moral realism, Walzer uses two historical cases: one from the Peloponnesian War, and the other from the battle of Agincourt. The arguments of both cases have the common form that all people in different times and at different places understand the moral issue at stake, and the majority of them share the same judgement.

Take the conquest of Melos in the Peloponnesian War as an example. It is a story recorded by Thucydides about the Melian defender and the Athenian aggressor. The island state of Melos, being a Spartan colony, was drawn into the contest for hegemony between Athens and Sparta. Now, Athenian army approached the city of Melos. Before the actual armed conflict, first came the battle of words. The Athenian generals Cleomedes and Tisias spoke to the magistrates of Melos, and demanded them to surrender. Their argument can be formulated in direct speech as follows: “Don’t speak to us about justice. Don’t say that the Melians have done no harm whatsoever to the Athenians and thus have the right to be neutral. Think about feasibility and necessity. Can you defend yourselves against us? If not, then surrender. Otherwise, the city and all its inhabitants will face severe punishment for defiance. It is not only you that must yield to necessity. We, as aggressors, have to conquer lest we are taken to be lack of strength and invite rebellion and attack.” The general offered a naked intimidation. But the magistrates of Melos did not give in, for they valued liberty above safety and they were ready to risk their lives. They knew it was difficult for them to defend themselves against the military superiority of Athens, and yet they wanted to fight for freedom. They refused to surrender. They bravely turned down the proposal of the generals. Their reply was mixed with practical calculation and an appeal to justice: “... for fortune, we shall be nothing inferior, as having the gods on our side, because we stand innocent against men unjust.” And as for power, they thought that the Spartans would come to their defence. The dialogue ended. The Athenians besieged the city. The Spartans sent no help. After several months of fighting, Melos fell into the hands of the Athenians. The generals imposed, as they promised, severe

79. F. BRAUDEL, *Histoire*, pp. 746–747.

80. *Wars*, p. 20.

infliction on the city: “who slew all the men of military age, made slaves of the women and children; and inhabited the place with a colony sent thither afterwards of 500 men of their own.”⁸¹ The punishment amounts to the destruction of all lives in the city. For those who have resisted or are capable of resistance, they slaughter; and for those who are vulnerable, they enslave.

A cruel war indeed! “Cruelty” is the usual moral judgement of most wars. And precisely because of its usualness, some historians and philosophers want to separate the realm of war from the realm of moral life so that we would not naively incur the calamity that the Melians have incurred. War has rules of its own, different from moral ideals. War is driven by a “necessity of nature,” which Thucydides has tried to demonstrate in his *History of the Peloponnesian War*. Thomas Hobbes later translated Thucydides’ book into English, and revamped its argument into his own *Leviathan*, in which he argued more generally that by the necessities of nature, all critical decisions were made or should be made without reference to morality. While not denying that necessity plays an important role in the decision-making of war, Walzer insists that morality has its part in the deliberation, and that moral rules are the ultimate yardstick for judging both the reasons and the means of fighting. People always call aggression “unjust,” and the infliction of the innocents “cruel.” “Utility” or “effectiveness” can never clear the names of “injustice” or “cruelty.” To vindicate his claims, Walzer cites examples from different times and places.

The first thing that Walzer calls to our attention is the speech of the generals Cleomedes and Tisias. Their refusal to accept moral argument is not an indication that they do not share an idea of just war with the Melians. On the contrary, they know what a just war is, and understand that their aggression cannot be justified. They just tell the magistrates not to waste their time by trying to convince them because they are not going to be persuaded anyway. Save your time and mine, and surrender, they say. The magistrates of Melos, thus, make no lengthy argument for justice in their reply. They nonetheless appeal to the gods, saying that the Athenians’ aggression is unjust. Some Athenians, Walzer points out, also condemn the war. Euripides pronounced immediate judgement against the slaughter and slavery of the conquest, and predicted a divine retribution in *The Trojan Women*. And about four hundred years later, the classic critic Dionysius of Halicarnassus of the first century B.C. severely criticized the Athenian generals. He commented that the speech of the generals displayed a kind of “depraved shrewdness” that was “unfit to be spoken by Athenians.”⁸² He mourned that the generals behaved no longer like the Athenians who were the noble defenders of freedom.

Cleomedes, Tisias, Thucydides, and Hobbes are some of those few who hold a realist view on war. How about the Assembly of Athens? They passed the decree of Melos and ordered the attack. Their decision represented the majority will of a people. Thucydides tells us nothing about the debate in the assembly of the Athenians. But Walzer proposes that the argument in the assembly would not be conducted in the same way as on the battlefield of Melos. The debate is not pre-determined by “inevitability” or “a necessity of nature.” In the assembly, arguments of all kinds will be thrown into the ring. We cannot be sure beforehand which argument, whether utilitarian or moral, will have the upper hand. In the Melian debate, the utilitarian one apparently wins. This is, however, not always the case. Moral argument sometimes, if not often, carries the day. Thucydides’ earlier record of the debate on Mytilene illustrates this point well.

In 428 B.C., Mytilene, a former ally of Athens, rebelled and formed an alliance with the Spartans. The Athenians decided to attack the city of Mytilene. The attack could be justified in the Greek terms: the Athenians had the right to suppress the rebellion. The problem was what to do with the punishment after the victory. As usual, the Athenian army besieged the city of Mytilene. After some serious effort

81. *Wars*, pp. 5-6.

82. DIONYSIUS OF HALICARNASSUS, quoted in *Wars*, p. 6.

of defending, the city finally fell into the hand of the Athenians. The Assembly of Athens passed the same kind of sentence for the Mytilene as for the Melians some years later. They determined “to put to death ... all the men of Mytilene that were of age, and to make slaves of the women and children: laying to their charge the revolt itself, in that they revolted not being in subjection as others were ...”⁸³ The following day the citizens of Athens felt remorse, and thought that the decree they had passed was greatly cruel. They re-opened the debate. Cleon came to defend the original decree, claiming that the decree was “not cruel,” only “severe.” While Diodotus advocated the revocation of the decree. At last, the assembly accepted Diodotus’ position. The case of Mytilene is similar to that of the Melos. If the Athenians think the punishment of Mytilene is “greatly cruel,” we cannot imagine why the sentence for Melos is not more so, given the innocence of the Melians. To sum up his argument, Walzer writes,⁸⁴

The Athenians shared a moral vocabulary, shared it with the people of Mytilene and Melos; and allowing for cultural differences, they share it with us too. They had no difficulty, and we have none, in understanding the claim of the Melian magistrates that the invasion of their island was unjust.

From the above discussion, it is not difficult to discover that despite the persistence of the moral judgements of “injustice” and “cruelty,” there are inconsistency, hypocrisy, and dissidence. Moral realism has a long tradition. It has its own adherents, like Cleomedes, Tisias, Thucydides, and Hobbes. Some realists may not be as outspoken as Thucydides or Hobbes. Nevertheless, they are genuine believers. They think in the realist terms; in private, they speak in their own language; but in public, they cast their realist calculation in moral argument. Couldn’t we say that moral realism persists alongside moral idealism? Most realists, I think, are best perceived as hypocrites rather than true dissidents. They acknowledge the moral law, and are acted upon by the law. They only argue in the best interest of themselves. Their argument is hypocrisy, which is “the tribute that vice pays to virtue.”⁸⁵ As for professed and consistent realists, they are true dissidents of moral idealism. They have a different conception of the world, and they advocate a different way of life. Such persons, however, are rare. They can at most be treated as recurrent deviants of moral idealism. Persistent behaviour or ideal perceived in the very long view does not exclude accident, inconsistency, hypocrisy, or deviation.

We find here a distinction between the human world and the physical world. Physical law appears to be universal. It reigns everywhere and without exception. If we throw a stone upward (assuming that the speed of the stone is not fast enough to escape the attraction of the earth), it will always fall back to the ground. It is incredible that there was an exception in the past, or there will be an exception in the future. Uniformity and certainty seem to be the norms of the physical world. Yet this kind of observation is only valid for large physical objects. In the molecular and the sub-atomic levels, scientists have discovered some phenomena that cannot be predicted with certainty. Human society comes closer to the molecular or atomic system than to the motion of large bodies. It has even more irregularities, which render the study of society more difficult and the result more inexact and uncertain. Nevertheless, the very long view can help us comprehend part of the human world. Walzer clearly expresses this idea when he writes: “At every point, the judgements we make (the lies we tell) are best accounted for if we regard life and liberty as something like absolute values and then try to understand the moral and political processes through which these values are challenged and defended.” The absoluteness of “life” and “liberty” is not a historical fact. On the contrary, we find the persistence of homicide and oppression in history. How should we explain them? Should we see humanity as intrinsically brutal or moral? Perhaps, it is best to accept both, and see morality as the expression of

83. THUCYDIDES, quoted in *Wars*, p. 9.

84. *Wars*, p. 11.

85. *Wars*, p. xii.

the desire to control brutality. I think that this is where Walzer stands, when he asks us to regard life and liberty as “something like absolute values,” and then try to understand the historical drama of war.

4. The fourth principle: tradition reflexivity

The above three principles of moral interpretation taken together appear to be quite deterministic, and seem to go against the modern spirit of freedom and autonomy. It is not surprising that a number of critics suspect that Walzer’s theory is nothing but a description of the status quo, and that his theory lacks the critical edge.⁸⁶ Since reflexivity is highly valued in modern times, descriptive and uncritical theory can have at most a secondary standing. To adapt the comment from a review, which ironically is excerpted as a complement and printed on the backcover of the *Spheres*, Walzer’s political theory is an excellent *entrée* for students into more critical discussions of justice.⁸⁷ But, anyone who has read Walzer’s writings, I believe, would agree that he is critical. How can a non-critical methodology lead to a critical theory? The logical conclusion, as proposed by nearly the same critics, is that Walzer’s interpretation is “arbitrary and tendentious.”⁸⁸

This suspicion is not entirely without ground. Reality is full of contradictions and tensions. When one tries to interpret it, one would, Walzer himself confesses, “change some part of the world to bring it into alignment with some other part.”⁸⁹ Which part should be changed, and which part should be magnified? The choices, to a certain degree, are influenced by one’s preferences. Walzer is a social democrat. He plainly states, “So I am an advocate of social change, and often of radical social change.” Judging from his declaration, couldn’t one say that Walzer’s radicalness is a kind of bias, and that his interpretation is infused with a leftist flavour? A leftist or personal flavour, surly. Bias, not necessarily. Walzer’s radical change has two main characteristics: equality and democracy. I will argue that radical change, equality and democracy, all of them are shared understandings of modern society and can be derived from the first principle—the long view. Of course, Walzer’s interpretation contains his own creativity. But this might not be regarded as something biased or undesirable.

Writing on the practice of social criticism, Walzer hints that there may be two ways to create a critical distance from the status quo. Either you look backward to the past like Cato in the Roman time, or you look forward to the future like the progressive Marx. Which way is better? Walzer thinks that there is no definite answer. It all depends on the present condition of a society. He says, “In a passive and decadent society, looking back may well be the best thing to do; in an activist and progressive society, looking forward may be the best.”⁹⁰ Walzer does not go on to explain whether the modern society is progressive or decadent. There are two possible interpretations of that passage: (1) A modern

86. Cf. R. DWORKIN, *To Each*, p. 5; N. DANIELS, Review of M. Walzer, *Spheres*, pp. 143–144; J. COHEN, Review of M. Walzer, *Spheres*; L. A. DOWNING & R. B. THIGPEN, *Beyond Shared Understandings*, in *Political Theory* 14 (1986) 451–472, p. 455; J. RAZ, *Morality*, p. 397.

87. “This book is wonderfully stimulating, above all for its rich variety of examples ... an excellent *entrée* for students into more abstract discussions of justice.” This remark of Barrie Paskins is quoted at the backcover of the paperback edition of *Spheres of Justice* published by Blackwell in 1996. The original text can be found in B. PASKINS, Review of M. WALZER, *Spheres of Justice* (Oxford, 1983), in *Philosophy* 59 (1984) 413–415, p. 413.

88. Cf. J. COHEN, Review of M. Walzer, *Spheres*; D. MILLER, *Introduction*, p. 10; N. DANIELS, Review of M. Walzer, *Spheres*, p. 145; B. BARRY, *Spherical Justice*, p. 78; L. A. DOWNING and R. B. THIGPEN, *Beyond Shared Understandings*, p. 457.

89. *Seminar*, p. 229, c. 1.

90. *Interpretation*, p. 49; cf. pp. 60–61.

society can be decadent or progressive—it depends on the specific conditions of that society; (2) all modern societies are progressive. The first interpretation looks from the short-term view. It would interpret Walzer as saying that a decadent society is like Cato's Roman Empire, and a progressive one is like Marx's modern society. The second interpretation takes up the perspective of the long view. It follows that premodern society symbolized by Cato's Roman society is decadent, and modern society represented by Marx's is progressive. From the context of the passage, the first interpretation is more likely to be the right one. Even then, it does not exclude the second interpretation: modern society is basically progressive, though it may have momentary or cyclical regression.

I am not sure whether we should look at premodern society as passive or decadent. Modern society, however, is activist and progressive. The evidence of progressiveness can be seen in the scope and the speed of social changes. Few people would doubt that modern society is moving at a high speed unparalleled by any society before. The advancement in knowledge and technology is undeniable, even though it is arguable that humanity is really progressing. Despite the fact that it would be difficult to measure progress in reality, modern men and women have a strong desire for progress. Historians catch this aspiration and epitomize it in the slogan of the French Revolution. Sociologists conceptualize and legitimize it. Economists use it to preach economic development worldwide. Politicians exploit it to solicit popular support. Entrepreneurs translate it into an endless gain of capital. No doubt, progress is the spirit of modernity. At this structural level, Walzer's inclination to social change can be justified as following the demand of the people.

So, the furtherance of social change can be derived from the first principle of moral interpretation. But how about "radical" social change? Walzer professes that he is often an advocate of radical social change. Wouldn't his passion for radicalness drive him into tendentious interpretation? The answer to this question, I think, has to be sought empirically in the writings of Walzer. In general, Walzer's radicalness lies in his demand for the realization of equality and democracy. This is also the demand of the people in the modern age. The liberals also accept equality and democracy. Indeed, they see themselves as the pioneers and defenders of these values. This self-image is, on the whole, correct. Nonetheless, their means of change is different. They want to mediate social change by an expert system. They seem to assume that the masses are emotional, blind, and dangerous. Thus, social change is best controlled by rational and knowledgeable persons. It is at this point that Walzer's criticism enters. The expert system is a modern form of aristocracy. The expert proclaims himself to be the vanguard of democracy, and in this way, he takes away the sovereignty of the people and puts it into his own custody. Walzer's radicalness is revealed in his trust in the rationality of the people and in re-vesting them with power and governance. This radicalness, I suppose, is the meaning of the fundamental constitution of the modern state that sovereignty belongs to the people. Furthermore, Walzer's radicalness is mediated by the strategy of the inclusion of the excluded. Its method consists of the reflection on history, tradition, and the existing social milieu, and the extension of the privilege enjoyed by a limited number of groups to a larger number of groups. This kind of tradition reflexivity can be carried out in several ways.

a. Reinterpretation

The first way to engage in tradition reflexivity is reinterpretation. The possibility and the necessity of this activity rest on the fact that there are always discrepancies between moral ideals and moral practices. Society professes to honour some ideals, but in reality, we often do not live up to the standards. We usually encounter such experience, Walzer says, in our daily contact with friends.

According to the high self-esteem they hold about themselves, our friends tell us who they are and what they believe. We trust them and take them at their word, only to find out later that they are not as good as their words. Walzer calls this shortfall “bad faith.” Similarly, society, like individuals, falls short of the justice it proclaims. Moral interpreters can diagnose this disease of society by scrutinizing the actual social arrangements against the social ideals.⁹¹

For example, liberal society declares that it is a democratic régime, but its parliament may be under the control of a few privileged groups. An obvious case is the domination of male in politics. Among the Western democratic states, there is a common phenomenon that the members of parliament are predominately male; women members are the scarce species in the house of representatives.⁹² Consider the United States of America. It claims to be the greatest democracy in the world. But a quick look at the statistics of gender distribution in the state elected office will cast this claim into doubt. Women have traditionally been discriminated in politics. They did not gain a better standing in the new democratic régime initially. Only after a series of hard political struggles, American women won the right to vote in 1920. Ahead of her time, Jeannette Rankin was the first woman elected to the Congress in 1917, three years before the ratification of the nineteenth amendment to the Constitution. Since then, there have been women in the Congress. Nevertheless, their number remains small. Although we see a rising trend in the number of women representatives, the recent ratios of women to men in the House of Representatives or in the Senate are still astonishingly low. In 1995, there were 388 male and 47 female members in the House of Representatives—women members occupied about 11 percent of the seats. They were even more poorly represented in the Senate: there were only 8 female senators out of the 100 seats.⁹³ Given the roughly equal number of the sexes in the country, it is obvious that the political representation of women is seriously disproportionate to their numbers in the population. Such great disproportion is an indication that the United States is still far from its proclaimed ideals of equality and active political participation for every citizen.

The above example is, of course, too simplistic. It only serves to illustrate the kind of reflexivity involved between beliefs and deeds. In reality, moral argument is more complicated than that. The long history of male domination in politics, even after the official admission of women into public elected office, indicates that there may exist some deep-rooted moral norms legitimizing the rule of the male. Those norms in favour of the male are selected and elaborated into apologetic morality. So, the disproportion in female political representation could be explained away by appealing to procedural justice and competition on the one hand, and by affirming her traditional roles as affection-bearer, helper, child-rearer, and housekeeper on the other. Because of the presence of apologies and ideologies, and other complexities as well, we need reinterpretation more than a straight reading of moral facts.

Walzer is conscious of that: “Interpretation does not commit us to a positivist reading of the actually existing morality, a description of moral facts as if they were immediately available to our understanding. There are moral facts of that sort, but the most interesting parts of the moral world are only in principle factual matters; in practice they have to be ‘read,’ rendered, construed, glossed, elucidated, and not merely described.”⁹⁴ A little further, Walzer opines that the best reading of factual moral matters is a reinterpretation rather than a compilation of an anthology of all existing interpretations. He says, in comparing morality with poetry, “Perhaps the best reading is a new

91. *Maximalism*, pp. 41-43.

92. Cf. S. M. OKIN, *Politics and the Complex Inequality of Gender*, in *Pluralism*, 120-143, pp. 123-124.

93. No. 469. *Members of Congress—Selected Characteristics: 1981 to 1995*, U.S. Census Bureau, 1998, p. 14. <http://www.census.gov/prod/3/98statab/sasec8.pdf> (access 29.01.2001).

94. *Interpretation*, p. 29.

reading, seizing upon some previously misunderstood symbol or trope and re-explaining the entire poem.”⁹⁵

Walzer has told us a way of poetry reinterpretation. As to moral reinterpretation, his explanations are even more detailed. The starting point of moral reinterpretation is the existing moral ideals or theories that justify the status quo. How are we going to understand these norms? How can they be values that we commonly treasure, and yet at the same time, work in favour of a limited number of privileged groups? Walzer suggests us to find the first answer in the Marxist idea of ideology.⁹⁶

Marx’s conception of morality is strongly influenced by his social theory. In his analysis of society, he distinguishes an infrastructure and a superstructure. All physical realities belong to the infrastructure, whereas the ideas, which are created *a posteriori* to legitimize the existing social structure, form the superstructure of society. The infrastructure is primary and the superstructure secondary. Now, the primary reality of society is that it is divided into classes, which are engaged in a continuous class struggle. Whenever a class wins and becomes dominant, its members wish to hold on to power for as long as possible. They know that they cannot achieve this end by physical force alone. Their rule needs public recognition and consent. In short, they have to legitimize their interests. And so their intellectuals elaborate these class interests into an ideology.

“Ruling ideas,” Walzer observes, “are always something more than rationalizations of class interest.”⁹⁷ Marx has already suggested this in his *German Ideology*: “For each new class which puts itself in the place of the one ruling before it, is compelled, merely in order to carry through its aim, to represent its interest as the common interest of all the members of society.”⁹⁸ But Marx has not worked out its implication. The Italian Marxist Antonio Gramsci, Walzer says, “elaborates on this suggestion: ideas don’t come to rule ... unless they expressed in ‘universal’ rather than ‘corporate’ terms....”⁹⁹ Thus every ruling class, Walzer explains, “is compelled to present itself as a universal class.”¹⁰⁰ Self-assertion or hypocrisy is not an effective means of legitimation. The victory must be presented as belonging not only to the ruling class but also to all the people. The ruling class must present itself as transcending all class struggles and its own interests: it is impartial, and it is the rightful guardian of the common interest. To legitimize a universal class, the ideology must contain universal ideals. The intellectuals work out the universalist ideology by universalizing the particular interests of the ruling class and at the same time incorporating the interests of the lower classes. The resultant ideology is thus inherently contradictory, and the contradiction is double: the universalist ideals contradict the particular interests of the ruling class, and the ideals that represent the interests of the lower classes contradict with the ideals that express the interests of the ruling class.

Walzer goes on to elucidate the internal contradiction of ideology in the light of Gramsci. In his analysis of ideology, Gramsci discovers that the hegemonic culture must be a complex political construction, which contains internal contradictions. “The fact of hegemony,” he writes, “presupposes that one takes into account the interests and tendencies of the groups over which hegemony will be exercised, and it also presupposes a certain equilibrium, that is to say that the hegemonic groups will make some sacrifices of a corporate nature.”¹⁰¹ “Because of these sacrifices,” Walzer infers, “ruling ideas internalize contradictions, and so criticism always has a starting point inside the dominant culture.” Ideology is double-edged: it works for the ruling class and it can also be pushed back to work

95. *Interpretation*, p. 30.

96. *Interpretation*, pp. 40-44.

97. *Critics*, p. 86.

98. K. MARX, quoted in *Critics*, p. 86.

99. *Critics*, p. 86.

100. *Interpretation*, p. 40.

101. A. GRAMSCI, quoted in *Interpretation*, p. 41.

against the ruling class. It is as dangerous as the high seas, which can buoy a ship and sink the ship as well. We could agitate the water, so to speak, until violent waves were formed to crash the ship. Gramsci has described how the radical critic disturbs the seemingly still water. His work starts with a differentiation in the ideology. By examining the elements of the ideology carefully, the critic gains an understanding of how the contradictory parts are put together to work for the best interest of the ruling classes. A slight shift in emphasis can tilt the balance much in favour of the critic. Indeed, a nascent ideological and theoretical complex can be formed by taking out some “secondary and subordinate” elements from the old ideology and treating them as “primary” to reinterpret the whole system.¹⁰²

Walzer elaborates this reinterpretation by the example of equality. He draws our attention to the fact that this ideal is couched in universalist terms. Apologists are anxious to limit its meaning, but “radical critics delight in ‘exposing’ its limits,” says Walzer. Equality, as conceived by the Marxist, is the ideology of the bourgeoisie. For them, the intended meaning of equality is “*carrière ouvert aux talents*.” Their concern is not equality for all men and women, though stated as their creed. What they want is an equal standing before the nobility and among themselves. Their explication of equality, Walzer writes in the Marxist vein, “describes (and also conceals) the conditions of the competitive race for wealth and office.” It describes that all men are equal before the law, and that office should be awarded to those who are truly qualified to perform the duties entrusted to them. And it conceals that “all men” actually refer to the proprietors. The proletarians, the colonial subjects, and women are excluded. It also conceals the facts that talents have to be trained before they are qualified for the office, and that formal education and the social skill required in upper-class association are out of reach of ordinary men and women. Equality, however, has “larger meanings,” which are present in the ruling ideology. These larger meanings are concessionary gestures that the bourgeoisie make to the lower classes. We are all equal in principle, they say. But in practice, we have to make all kinds of inegalitarian arrangements. Walzer does not doubt that some of them are sincere in making the gestures. Otherwise, social criticism will have “less bite” than it has now. Reinterpretation begins with the dominant ideal and exploits its larger meanings. This is how social change actually happens. First came the working men fighting for political equality for all men. Then the women joined in the demand for the same right for all human beings. “Equality is the rallying cry of the bourgeoisie; equality reinterpreted is (in the Gramscian story) the rallying cry of the proletariat,” writes Walzer.¹⁰³

The Marxist conception of morality as purely an ideology seems to have gone to the extreme. Suppose simple equality will never be realized in society. Does it mean that morality is ideology for the rulers and opium for those being ruled? Morality, of course, has a function of legitimizing the status quo, but this does not necessarily transform morality into ideology. We can imagine that the working men and women will be content with their conditions in some inegalitarian societies that give genuine opportunities to those who can help themselves to move upwards. Indeed, they are satisfied, as Rawls argues, with the inequality that makes the least advantaged richer than with the equality that makes everyone poorer. Couldn't we say that this understanding is genuine morality instead of ideology? Marx excludes this possibility. He calls this kind of beliefs on the part of the workers “false consciousness.” Walzer regards false consciousness as one of the fatal flaws in the Marxist theory. He says it is the wilfulness of Marx that leads him to dismiss the common sense of ordinary people. He attributes Marx's blind spot to the singular conception of equality. Marx defines equality in direct reference to the objective interests of the workers. Insofar as the measurable benefit of a worker is much lower than that of a bourgeois, the two are unequal. Walzer does not think that this position can be satisfactorily defended. The worker may have an incorrect knowledge of the facts about the income

102. *Interpretation*, p. 42.

103. *Interpretation*, p. 43.

differences and the real chances of upward mobility. “But how can they,” Walzer asks, “be wrong about the value and significance of equality in their own lives?” Walzer is most probably right. How can the worker be wrong with his own experience? If we take equality in its strict quantitative sense, this conception will become an oppressive ideology legitimizing one form of utopian social revolution that will never come to realize. It is not difficult to imagine that workers may like to have income differentials among themselves. They may decide to give more material reward to those who are senior, more skilful, or more productive. Only an iron hand from above can impose a singular income scale for all the workers.

The Marxist account of ideology, Walzer opines, is only one version of the moral world. Contemporary philosophers have another version. They prefer to see morality not as the superstructure and the work of the intellectual collaborators of the ruling class but as the artefacts of all men and women. We have a high opinion about ourselves, and we are driven by our strong desire to seek justification. Unfortunately (or fortunately?), we cannot justify ourselves by ourselves, and we need others to affirm us, not to negate us.¹⁰⁴

Sometimes, we think that only God can justify us because only He truly knows us. Man judges our behaviour. Only God judges our heart. Morality in such case, Walzer suggests, “is likely to take shape as a conversation with God or a speculation on the standards that he might, reasonably or unreasonably, apply to our behaviour.”¹⁰⁵ These, Walzer assures us, will be high standards, and thus highly critical. Saint Augustine’s confessions, I think, show us how a typical divine moral discourse is actually conducted. We sincerely seek God’s will and search our own soul. We then compare God’s will with our acts and thoughts. We discover that we have done something good and something bad, and that among our good deeds, some were done in goodwill and some were not. But at a closer scrutiny, even the few good deeds done with good intention vanish altogether: we discover that we actually do all things for our own sake—to justify and to receive praise, that is, for our pride. In the end, moral conversation turns into a confession, a petition for forgiveness and divine grace. Religious morality that comes out of such kind of divine conversation is highly critical and refractory to manipulation. Powerful men and women may tame it, and produce their own version of interpretation to legitimize their own interests. But their attempt is at most a half success because their interpretation will be strained and clumsy. They live anxiously, constantly worrying that a prophet may pop up somewhere and contradict their version with a new interpretation of the sacred text.

“In a secular age,” Walzer says, “God is replaced by other people.”¹⁰⁶ Human beings can never understand us as fully as God. Nonetheless, we want their approval. This desire is triggered by the existing moral beliefs, and it is also the trigger of moral belief. It is not only the bourgeois who want to justify themselves. We all want to justify our acts. Morality in this case takes on the form of conversation with other people. We argue with a specific person or a group of persons about a specific issue in a particular way. The resultant moral world that comes out of many-people talks will be sufficiently pluralistic and altruistic without tilting in favour of one person or one group of persons. This everyday morality is critical in essence. It justifies certain acts and condemns other acts. We like its justification, though sometimes we also like to do something it condemns. But it is utterly possible to manipulate morality in such a way that it justifies something it condemns. We call this act apologetic. Walzer emphasizes that apologetic interpretation is not a “natural” one, and that a sustained apologetic interpretation is an ideology.¹⁰⁷ Although the existing morality is not an ideology, the apologist can always create one out of the critical morality. But an ideology always carries with it

104. *Interpretation*, pp. 46–48.

105. *Interpretation*, p. 46.

106. *Interpretation*, p. 46.

107. *Interpretation*, p. 48.

awkwardness and ugliness, like the South African arguments for apartheid. The apologist has to worry about his ideology. A “natural” interpretation of the existing moral world will shatter the lies he tells.

b. Coherence

The second way of tradition reflexivity is related to the coherence of our moral beliefs. The existing moral world conceived either in the Marxist terms as ideology or as many-people-talk is essentially incoherent. There are tensions as well as contradictions in it. Although the world and our life are incoherent, we still prefer a more coherent story of our moral life. If we are asked to choose between two interpretations of our moral world, we will probably select the more coherent one as a better account of our beliefs. Walzer expresses this idea when he is considering the question of better interpretation. He uses Rawls’s difference principle as an example, and asks what we would do with its various interpretations. Walzer thinks that “there is no definitive way of ending the disagreement,” but he suggests: “the best account of the difference principle would be one that rendered it coherent with other American values ... and connected it to some plausible view of incentives and productivity.”¹⁰⁸ Coherence, for Walzer, is a criterion in choosing the best interpretation, and it implies that coherence is also the guiding principle of interpretation.

Later when he was questioned about the nature of his moral interpretation, Walzer gave a more explicit explanation:¹⁰⁹

I am committed to the notion of philosophy as an interpretive enterprise and what we are interpreting is what is, but I don’t believe that ‘isness’ has either singularity or coherence. Often when we interpret the moral and social world we find all kinds of contradictions and tensions which may lead us to want to change some part of the world to bring it into alignment with some other part. Most often, to change what is called the real world is to bring it into alignment with certain realities of our moral life.

Walzer speaks of the coherence of the interpretation as if it were a consequence of the incoherence of the moral world. Because of the incoherence, we just want to make it more coherent by bringing some parts of it into alignment with some other parts when we try to comprehend our moral life. This is often what social critics do, and how social reforms are actually carried out. Social critics, Walzer says, “hold some other idea or complex set of ideas ... over against this idea and its instances.”¹¹⁰ By holding one principle against another, we plead for the abolishment of the undesirable one. We say that this principle is obsolete and incompatible with that principle, and so we should limit its application to its proper sphere, or do away with it altogether.

Walzer’s *Spheres of Justice* does not lack such examples. A striking one is found in the discussion on political power. Walzer argues that the economic enterprise exercises its control over its employees in just the same way as the state over its citizens. Although this private government cannot be compared with the state, the influence is serious enough for the employees to consider it as a kind of political power. In a democratic society, political power should be distributed in a democratic way. Now, this principle of democracy is at variance with the principle of propriety, which entitles the owner to exercise his control over what he owns. The principle of propriety, Walzer argues, should not trump the principle of democracy. It is most ridiculous that democratic citizens gain sovereignty from the state only to surrender it to the private governments. Democrats cannot tolerate this incoherence. Thus, Walzer pleads for the separation of ownership and management in the economic enterprise. The

108. *Interpretation*, p. 28.

109. *Seminar*, p. 229.

110. *Objectivity*, p. 172.

shareholders own the company and share the profit, but the workers own the right to manage the company.¹¹¹

The above example is hypothetical. It illustrates how we can argue for a more coherent moral life, and that such argument can initiate radical social change. Still we have to wait for its acceptance and implementation. Walzer mentions another example that has actually taken place. Consider the premodern society in which women were regarded as a property of men. Women in this kind of society did not have control over the important things in their lives. As daughter, a woman was under the authority of her father. In marriage, she was transferred to another household with or without her minimal consent. In the new home, her husband became her new lord. After his death, her son would take over the place of her husband. In short, women were dependent on men. They could not plan their own lives. Walzer calls this social construction “women-who-are-objects-of-exchange.” This social construction prevailed over a long period and attained a universal status. We see it fading away with the emergence of another social construction, namely careers-open-to-talents. At a certain point of time, the economy and social institutions enabled or even required some men to plan their lives. Some women seized this opportunity and argued that women need to plan their own lives too. If careers-open-to-talents is so important to men that it warrants the abolition of the hierarchy, men find no reason to refuse women’s demand of repudiating their object status. By holding careers-open-to-talents over against women-who-are-objects-of-exchange, women have won their liberation.¹¹² Yet the victory is incomplete: there is still hidden discrimination in public places. And women have to carry on the fight. Nevertheless, their struggle shows us how the harmonization of social and moral life can actually proceed.

c. *Invention ex vetere*

Some critics suggest that the two above-mentioned ways of tradition reflexivity are not critical enough. Sometimes, justice just entails a more radical change, a break from the past, a new beginning. The under-representation of women in politics is a case in point. The United States has a healthy democratic structure and a fair electoral system, but its number of elected female officials has been in serious disproportion since the founding of the union, and there is no sign that the gap will be self-corrected if it is left unattended. This phenomenon indicates that there are some fundamental problems in the American shared understandings. Perhaps the shared understandings as a whole are in favour of the male sex. Or the shared understandings are not really shared but imposed by the more powerful. In order to rectify the inequality between the sexes, we must shake the foundation. This is indeed the opinion held by Susan Okin. She attributes gender inequality in politics to the division of labour between the sexes. Our shared or “imposed” understandings support the gender role of man and woman. The role of gender in personal and domestic life is firmly established in the family, and it multiplies and is reaffirmed in other spheres. The whole thing works together to form a complex inequality that is extremely difficult to break open. Something less than a “revolution” of gender role cannot correct the complex gender inequalities in various spheres.¹¹³ If Okin’s argument is expressed in terms of our discussion, she seems to advocate for a moral invention of gender role.

“Moral argument,” Walzer claims, “is most often interpretive in character.”¹¹⁴ We have to note that it is “most often,” but not “always.” Walzer entertains the possibility of invention or discovery. In fact,

111. *Spheres*. 295–303.

112. *Objectivity*, pp. 172–176.

113. S. M. OKIN, *Politics*, especially pp. 136–143.

114. *Interpretation*, p. 22.

he mentions two kinds of moral inventions, and makes a distinction between them. The first one is invention *de novo*. This kind of invention has its counterpart in science and technology. We can actually see how these inventions transform the way we live and the way we think. The theory of gravity, the atomic fusion, the printing press, the steam engine, the computer, and the contraceptive methods, all of them are great inventions that change our mode of existence. And the thriving genetic engineering might even change the human nature. Can't we contemplate such invention in morality? There are, Walzer admits, indeed such inventions. The "principle of utility" is one of them. For reasons we have discussed before, Walzer finds it "more frightening than attractive." Rawls's difference principle is perhaps another moral invention, and an attractive one. But it does not abruptly change our moral landscape. Walzer has pointed out the impotence of such inventions: "The sorts of ... inventions likely to be incorporated into our moral arguments (ignoring for now ... inventions that are coercively imposed) are unlikely to have definitive effects upon these arguments."¹¹⁵ The inventions are attractive only if they do not disrupt the existing moral arguments? Walzer cites Rawls's difference principle as an example. There is already a literature developed around Rawls's theory. It raises questions and discussions, but there are no "definitive and final answers" to the implication of the principle. What we have are interpretations and interpretations of interpretations. And the interpretations that are incorporated into the principle itself are those that render it coherent with the existing American values. There is indeed invention *de novo*, but such invention is unlikely to change the existing moral world. In short, moral invention is either groundbreaking but frightening or attractive but equivocal.

The comparison of morality to science and technology is inappropriate. Whereas the increase in scientific and technological knowledge has tremendously changed human life, the progress in morality is not so dramatic. "Insofar as we can recognize moral progress," Walzer says, "it has less to do with the ... invention of new principles than with the inclusion under the old principles of previously excluded men and women. And that is more a matter of (workmanlike) social criticism and political struggle than of (paradigm-shattering) philosophical speculation."¹¹⁶ Walzer does not deny that there exist some more plausible moral inventions. Maybe, "the rights of man" is one of them. Granted that "the rights of man" is an invention, it is an invention of another sort. Walzer seems to explain it from the perspective of "the inclusion under the old principles of previously excluded men and women," and to consider it as "a matter of (workmanlike) social criticism and political struggle." This invention originates and depends on the old stuff. It is similar to a shoot growing out from an underground seed—the plant is different from the soil but it depends on the soil. It has both continuity and discontinuity with the old moral world. To distinguish it from invention *de novo*, I call it invention *ex vetere*.

Invention *ex vetere* is also a kind of tradition reflexivity, though it broaches a new horizon of moral discourse, and brings forward a new social reality. Walzer's explanation of John Locke's argumentation for religious toleration offers an example.¹¹⁷ Locke's *Letter Concerning Toleration* is a renowned defence of religious liberty in the modern history. Nobody doubts what he defends or the force of his argument, but some philosophers find his argumentation enigmatic, not that the reasoning is perplexing, but that the form of argument is inappropriate to a pioneer of human rights. In his *Two Treatises of Government*, Locke attempts to limit the sovereignty of the state over individuals by appealing to the novel idea of natural rights. Then, just a year before the publication of the *Two Treatises*, the *Letter* is couched in the traditional theological language. Following the Protestant doctrine that salvation is effected only through personal faith in Christ, Locke argues that religious worship should be left to individual choice. He says:¹¹⁸

115. *Interpretation*, pp. 26–27.

116. *Interpretation*, p. 27.

117. *Interpretation*, pp. 52–55.

118. J. LOCKE, *A Letter Concerning Toleration*. Introduction by P. ROMANELL,

Although the magistrate's opinion in religion be sound, and the way that he appoints be truly evangelical, yet, if I be not thoroughly persuaded thereof in my own mind, there will be no safety for me in following it. No way whatsoever that I shall walk in against the dictates of my conscience will ever bring me to the mansions of the blessed. I may grow rich by an art that I take not delight in, I may be cured of some disease by remedies that I have not faith in; but I cannot be saved by a religion that I distrust and by worship that I abhor. It is in vain for an unbeliever to take up the outward show of another man's profession. Faith only and inward sincerity are the things that procure acceptance with God.... How great soever, in fine, may be the pretence of goodwill and charity, and concern for the salvation of men's souls, men cannot be forced to be saved whether they will or no. And therefore, when all is done, they must be left to their own consciences.

Salvation by faith, inward sincerity, and conscience are some of the essential elements in Christianity. Augustine and Thomas have appealed to them to resist authority imposed from without. The argument of conscience will not sound strange to theologians or the seventeenth century populace in Europe. The Protestants took "what was previously secondary and subordinate" to be "primary," and Locke continued the process of elaborating this nucleus into a "new ideological and theoretical complex." Now, some critics regret that Locke's argument is not liberal enough and radical enough: he should have spoken about the right to freedom of worship, but he was labouring within the old régime, which renders his *Letter* void of lasting philosophical importance.¹¹⁹ Other commentators come to Locke's defence and explain why he has to consider not the rights of the tolerated but the obligations of the perpetrators of intolerance. Walzer's explanation, however, runs in another path. He sees Locke's exposition on Christian conscience as a springboard to natural rights. He says that Locke's argument suggests "how one might move *from old to new*," and "hence Locke's use of rights language was not a surprise sprung on his contemporaries."¹²⁰ Walzer does not go on to explicate the transition from conscience to rights as if the reader would have no difficulty in grasping the connection at all. Understandably, at the time of writing, his focus was not on interpretation but on criticism.

Later, in the article *Maximalism and Social Critic*, Walzer gives an explicit explanation of how one might move from old to new. Proposing a hypothetical situation in ancient Egypt, Walzer invites us to imagine how social criticism, especially the one that brings forth radical social reform, is conducted. The pharaohs of Egypt claimed to see to it that justice was done, the poor sustained, and widows and orphans protected. Because of these professed commitments, they opened themselves to criticism. The simplest form of criticism was the charge of hypocrisy. An Egyptian scribe might draft a list of injustices, and urged the pharaoh to fulfil his promises. But this is not the only possibility of social criticism. Other bolder attempts can be made. The scribe might say that sustaining the poor with charity was not a solution to poverty; what was needed was to make the poor self-sufficient: a property reform or a redistribution of cultivable land. Or the scribe might argue that, in view of the Egyptian history, no pharaoh could actually live up to his promises; thus a scribal rule would be a better form of government. Walzer's point is that "if the new vision is to be persuasive ... it will have to be connected by arguments to the old one." And the critics may proceed in the following way: "They start from the existing social idealism and claim that the ideals are ... ineffectively enforced by the powers that be, or inadequate in their own terms."¹²¹ In short, a new social order has to be built on the rubble of a failed government.

Indianapolis, IN, ²1955, pp. 34-35.

119. Cf. S. MENDUS, *Locke. Toleration, Morality and Rationality*, in J. HORTON & S. MENDUS (eds.), *John Locke. A Letter Concerning Toleration in Focus*, London, 1991, 147-162.

120. *Interpretation*, p. 54. Italics added.

121. *Maximalism*, pp. 42-43.

The emergence of the ideal of equality or democracy is a real case of invention *ex vetere*. Walzer observes that the medieval hierarchy is marked by two forms of justification: Christian and feudal. But he wants to focus on the secular ideology only. The feudal system is hierarchical, and its inequality is justified by the myth that the strong defends the weak. The nobles and the gentlemen claimed to serve the ranks below by maintaining justice and providing protection. When the upper classes did not perform their duties or abused their authority, a critic would somehow appear and rebuke the aristocrats. One might reasonably argue that this kind of criticism is part of the hierarchical system. It pretends to provide a transcendent judgement, but in fact it reaffirms the whole system of service and inequality. Walzer admits that this is true from the short-term view. However, he asks us to consider the matter afresh from the long-term view. The criticism of hierarchy has a history, and that history reveals that these privileged men rarely perform the duties their position entails. Hence it proves that the hierarchy is a failed system. No ideology can justify a failed hierarchy, and the system collapses. "The feudal fortress," Walzer says, "was not stormed from without until it had been undermined from within." And in his opinion, "the egalitarian doctrine of 'the rights of man' was the product of, or was made possible by, this collapse."¹²²

Once again, Walzer does not go on to demonstrate the relationship between the failed hierarchy and the modern democracy, or to speculate on the new and better social order. When a régime fails, what should we do? It seems that Walzer would approve a reform that includes "under the old principles of previously excluded men and women." I will try to show briefly that the inclusion of the excluded is a prudent principle in the time of structural change.

In his *End of Certainty*, Ilya Prigogine argues with Newton and Einstein about the predictability of the universe. He proves that reversibility and certainty are only possible in a stable system, which is only the scientists' idealization that can hardly be found in nature. What we normally find in nature are unstable systems. A stable system is one that will restore itself to its initial equilibrium state after the intervention of an external force. A pendulum is a classical stable system. For an unstable system, especially a chaotic one, a slight perturbation in the initial conditions will multiple itself over the course of time and disturb the whole system. The consequences are nonequilibrium and uncertainty. The so-called "butterfly effect" is a popularized chaotic amplification: a butterfly in Amazonia, by flapping its wings, may affect the weather in the United States.

Arguably, Prigogine's model can be applied in the study of human society since society is an equally (if not more) complex system, and thus potentially chaotic. If we incorporate the idea of unstable system into the structural time, a social structure can no longer be regarded as a static system throughout its lifetime. Instead, the social structure is seen as a system evolving from nonequilibrium to equilibrium and again to nonequilibrium.¹²³ During most of its lifetime around the maximal equilibrium state, the social system is at its near-equilibrium, that is, a small change in the system only produces a minor effect. When the system, however, passes through its point of maximal equilibrium and proceeds to the other end of nonequilibrium, the resultant fluctuation increases. At a certain point from the maximal equilibrium, bifurcation occurs, and the near-stable system transforms itself into an unstable one. From then on, a seemingly unimportant social action may induce a significant change in the system. And the emerging social order is unpredictable.

If the above description is applicable to social system, a radical structural change presents both opportunity and catastrophe. Since the result is unpredictable, no one can assure us, though some will attempt to do so, that the change will bring forward a progress and not a regress. An exodus may lead to a land of milk and honey or to hell. We have no time to celebrate revolution because we need to put

122. *Maximalism*, pp. 43-45.

123. Cf. I. PRIGOGINE, *The End*, pp. 60-71.

erratic changes under control. The period of transition opens to novelty and creativity, but there is no guarantee of a desirable outcome. What is the best way to appropriate structural change? Historically, there are various responses. For simplicity's sake, I stereotype them as the right, the centre, and the left. The rightists are conservatives who think that societal change comes naturally, and that human intervention is unnecessary and undesirable. They wish to maintain the status quo. This effort is in vain during the period of transition because no one can put down all the demands for social reform. You just can't make the butterflies stop flapping, so to speak. The leftists are radical reformers. They want to change society into its most idealistic and final form. Communism is such an ideal. Between the right and the left lie the centrists or the liberals. They also advocate social change, but only the moderate one. In practice, they mediate changes with an expert system, and the usual strategy they employ to buffer social change is the inclusion of the previously excluded. First the bourgeoisie were co-opted into the ruling class, then some more men, then some more women, The liberal society is so structured that it allows a gradual co-option of men and women into the bourgeoisie. In contrast, the aim of the communists appears to be too ambitious. They wish to give every man a "genuine and free development."¹²⁴ Communist governments, however, did not succeed in actualizing this lofty ideal in the countries under their control, and they relapsed into a new form of hierarchy. When people realized the true nature of the communist régime, they deserted it just as their fathers had deserted the *ancien régime*. The success and failure bear witness to the facts that society has a history and man has memories. Society cannot simply change in whatever imaginable ways. A failed highflying project can be disastrous. Because social change is unpredictable in the bifurcation period, it is less dangerous to mediate radical change by channelling it to a mode that can be managed by some people. A manageable social change is likely to be one that somehow relates to the old system. The inclusion of the excluded is a strategy that keeps the major functioning parts of the old system, while at the same time ushers in changes.

I have presented systematically the central features of Walzer's interpretive methodology. (Once again, I do not mean that Walzer follows these interpretive principles strictly or consistently.) Walzer argues that "moral argument is most often interpretive in character." This statement is forceful. Few persons dare to claim to be the Law Giver. Even Kant, the sometimes revered new Moses, declares that he is neither a moral discoverer nor a moral inventor: "Who would think of introducing a new principle of all morality and making himself as it were the first discoverer of it, as if the world before him were ignorant of what duty was, or had been in thoroughgoing error."¹²⁵ No sensible person would. Not even Jesus, the Son of God, who says, "Think not that I am come to destroy the law, or the prophets: I am not come to destroy but to fulfil (Mt 5,17)."

So, Walzer's statement is almost self-evident. Why would he defend it as if other ethicists did not know it or their theories were not based on the existing morality? They acknowledge it. They come to explain that their theories are also interpretations, and the interpretive method they use is called the reflective equilibrium. Now, it becomes clear that the crux is not whether moral argument is interpretive in character, but whose interpretation is better.

The moral interpretation thesis is only an introduction to Walzer's interpretive methodology. In his argumentation, Walzer focuses mainly on the criticalness of his methodology. This is quite defensive. As to the other criteria that may be used to judge moral interpretation, his answer is weak and non-systematic. It seems that he wants to leave the question open so that the reader could have more room

124. K. MARX and F. ENGELS, *The German Ideology*, in J. COHEN *et al.* (eds.), *Collected Works*, Vol. V, London, 1976, p. 439.

125. I. KANT, *Critique of Practical Reason*, in T. K. ABBOTT (trans.), *Kant's Critique of Practical Reason and Other Works on the Theory of Ethics*, London, 1948, p. 93, n. 1.

to make his own judgement. We may consider Walzer's response either as a weakness or as a virtue of incompleteness.¹²⁶ Since I am a reader and I am not bound by the virtue of the author, I present a stronger version of his methodology. The reflective equilibrium, in my opinion, is a crude mimic of the scientific modelling. At its present stage, it relies too much on intuition, and tends to neglect the vigorous study of the empirical moral world. My objective is to show that the interpretive methodology in Walzer's thick description is more nuanced than that in abstract modelling. If I am correct, Walzer's interpretation is probably more accurate. I make no claim that Walzer's is the best interpretation. The above-mentioned interpretive principles can only be used to determine the gross structure of our moral world. Details have to be filled in through discussion, and details are everything.

Walzer's interpretation is not the final one, and no one else's will be. How then, could we distinguish a better one? Walzer has laid out some interpretive principles, and we may use them as guidance. Beyond that, all are left to the exercise of persuasion. Morality involves endless argument, which is part of the process of culture elaboration. It is both impossible and undesirable to stop this process. A Talmudic story recounted by Walzer best illustrates this point:¹²⁷

The story involves a dispute among a group of sages; the subject does not matter. Rabbi Eliezer stood alone, a minority of one, having brought forward every imaginable argument and failed to convince his colleagues. Exasperated, he called for divine help: "If the law is as I say, let this carob tree prove it." Whereupon the carob tree was lifted a hundred cubits in the air ... Rabbi Joshua spoke for the majority: "No proof can be brought from a carob tree." Then Rabbi Eliezer said, "If the law is as I say, let this stream of water prove it." And the stream immediately began to flow backward. But Rabbi Joshua said, "No proof can be brought from a stream of water." Again Rabbi Eliezer said: "If the law is as I say, let the walls of this schoolhouse prove it." And the walls began to fall. But Rabbi Joshua rebuked the walls, saying that they had no business interfering in a dispute among scholars over the moral law; and they stopped falling and to this day still stand, though at a sharp angle. And then Rabbi Eliezer called on God himself: "If the law is as I say, let it be proved from heaven." Whereupon a voice cried out, "Why do you dispute with Rabbi Eliezer? In all matters the law is as he says." But Rabbi Joshua stood up and exclaimed, "It is not in heaven."

126. In a book review, titled *The Virtue of Incompletion*, Walzer praises the author for her "incompletion." "Incompleteness is a virtue," he says, "for it leaves room for local self-determination and cultural diversity." (M. WALZER, *The Virtue of Incompletion*. Review of A. HELLER, *Beyond Justice* (Oxford, 1987), in *Theory and Society* 19 (1990) 225-229, p. 225.) Incompleteness, in fact, is a virtue of Walzer himself, who seldom presents an all-embracing knockdown argument. His argument often aims at refining a debate. "What gets better," to borrow the words of Geertz, "is the precision with which we vex each other." Walzer's characteristically Jewish virtue of incompleteness leaves room for intellectual diversity.

127. *Interpretation*, pp. 31-32.

IV. THE PRACTICE OF SOCIAL CRITICISM

§1. THE FAILURE AND THE SUCCESS OF SOCIAL CRITICISM

The last Talmudic story is well known among the Jews. It is often quoted to support the rabbinic doctrine that rational interpretation alone is sufficient to understand the given Torah. The rabbis who formulate this argument do not deny the possibility of revelation. On the contrary, they presuppose it, even in its most spectacular form as a voice coming from heaven. The rabbis ingeniously show that God himself has to bow to the shrewdness of human reason by using God's words against God's words. Rabbi Joshua's protest is a direct reference to Deuteronomy 30,12: "It is not in heaven, that thou shouldest say, Who shall go up for us to heaven, and bring it unto us, that we may hear it, and do it?" These are the words that God says to the Israelites. He tells them that he has given them his commandment and that they cannot pretend not to know it. He says, "But the word is very nigh unto thee, in thy mouth, and in thy heart, that thou mayest do it (Dt 30,14)." If the law is given and written down in readily comprehensible form, it is natural to infer that no one, with no exception for its author, should have special privilege or authority to interpret it. Once something is uttered, it is open to public interpretation. The correctness of its interpretation is not determined by the author or by an elected central committee. Rather it is left to persuasion and the majority rule. God must likewise obey this rule. Thus the Talmud confidently concludes: "After the majority must one incline."¹

This rabbinic argument can have diverse implications. Walzer adapts and incorporates it into his moral interpretation. But one thing he does not mention, a downside in the Jewish history, is that the story conceals the failure of prophecy. The names of the rabbis in the story already hint at the conflict between the prophet and the sage: it is Eliezer versus Joshua. Eliezer might be an allusion to Elisha, the disciple of an outstanding Israelite prophet Elijah, who prophesied against the King and the Queen at the risk of his life, and who once challenged 450 prophets of Baal, defeated them, and slaughtered them all (1 Kg 17-19).² Elijah is the symbol of a solitary, oppositional, and charismatic prophet. Joshua, on the other hand, was the disciple of Moses. He served the people more like a judge than a prophet. In the Talmudic story, Eliezer stands alone against a group of sages headed by Joshua. God is clearly on the side of Eliezer, but the sages manage to defeat him. And the victory is put in the mouth of Elijah: ³

R. Nathan met Elijah and asked him: What did the Holy One, Blessed be He, do in that hour?—He laughed [with joy], he replied, saying, 'My sons have defeated Me. My sons have defeated Me.'

1. Baba Metzia 59b, I. EPSTEIN (ed.), *Hebrew-English Edition of the Babylonian Talmud*, London, 1962.

2. Cf. M. WALZER, M. LORBERBAUM, N. J. ZOHAR (eds.), *The Jewish Political Tradition*. Vol. I: *Authority*, New Haven, CT - London, 2000, pp. 209-211.

3. Baba Metzia 59b.

The defeat is not merely the defeat of God. Its intended references are the defeat of supernatural revelation and the defeat of the practice of prophecy.⁴ Since the failure of prophecy appears to be paradigmatic—that is, it has parallels with the failure of the twentieth century social criticism described by Walzer, it is worthwhile to look into it in more detail.⁵

A. WHEN SOCIAL CRITICISM FAILS

1. The prophet and the sage

In the biblical literature, the basic meaning of “prophet” is “a messenger of God”—a person who receives a message from God and proclaims it to the people. Needless to say, this understanding is quite loose. Many personalities have been called “prophet,” though they have played different roles in the Jewish history. Moses, Samuel, Elijah, Amos, Daniel, Haggai, and Jonah, to name but a few, are all of them prophets. Not each one of them, however, may be understood as a social critic. In view of the diverse activities of the prophets, it is necessary to narrow down the spectrum to a certain type of prophets that will be useful in our comparison with the modern social critics. At first sight, the classical prophets to whom a collection of biblical books has been attributed are the closest match. Among them, Amos, possibly the first classical prophet, stands out sharply as a social critic. He is indignant at the current social practices, and believes that things are not done in the ways that they should be. In the name of God, the prophet speaks out against the injustice and condemns the oppressors to divine retribution.

It is difficult to trace with certainty the origin of prophecy in Israel. Some say it starts with Moses; others ascribe it to Samuel.⁶ We are not sure who the first prophet is. They, however, have one thing in common: they take charge of all things from great to small. We are told that Moses had to work “from morning unto the evening” until his father-in-law intervened and advised him to delegate part of his responsibility to other capable men (Ex 18,13-22). At all events, there was not yet a clear division of labour in governance. The early Israelite leader was simultaneously the lawmaker, arbitrator, administrator, military commander, and sometimes even priest. This kind of so-called judges went on to rule Israel until this institution collapsed under the pressure of Philistine aggression. Apparently, the political organization of the Philistines was more efficient than that of the Israelites. Their king, who had more authority and resources, could assemble a regular army and rapidly deploy it whenever necessary. The people of Israel seemed to have no choice but to replace the old system with the institution of kingship. Samuel, who was the judge at that time, yielded to public demand. He made the compromise of handing over the military and administrative power to the king while holding on to the spiritual authority himself. As a result, Paul Hanson opines, the office of judge was split into two separate offices: “the spiritual responsibility of discerning Yahweh’s will and translating the implications of his cosmic rule into the categories of history fell to the new office of the *nābî*’ (‘the

4. Cf. David Hartman’s commentary on Bava Metzia 59b, in *The Jewish Political Tradition*, pp. 264-269.

5. Walzer intends the prophet to be a paradigm of social criticism. But I suspect that his paradigm is more rabbinic than prophetic. As a full development of this hypothesis lies beyond the scope of this dissertation, I will just give some hints of the rabbinic criticism.

6. Cf. J. BLENKINSOPP, *A History of Prophecy in Israel. From the Settlement in the Land to the Hellenistic Period*, Philadelphia, PA, 1983, Ch. 2.

one called'), whereas the political responsibility of carrying out the action required by this translation was invested in the office of *nāgîd*, or military leader."⁷ In other words, Hanson suggests that the executive responsibility goes to the king and the legislative responsibility to the prophet. Hanson's conception of prophet as a political office is inaccurate. As noted by the editors of *The Jewish Political Tradition*, "from the time of the monarchy forward, prophecy is more closely tied to divine knowledge and critical judgement than to political office." Here, the word "role" is preferred to "office."⁸ It is better to say that the role of the judge is divided into political and prophetic roles. While the former is institutionalized, the latter is vocational though its authority and function are generally acknowledged. The two roles are often antagonistic. Prophets are ill at ease with political power. They expose the hypocrisy of the ruling classes, condemn the abuse of power, and criticize foreign and internal policies.

a. *Waiting in the desert*

This division of labour was the framework of governance throughout the period of the kingdoms. It was only plunged into crisis when the First Temple was destroyed in 586 B.C. and the ruling élite was sent into exile in Babylonia. Now the Jews lost their sovereignty and the king was abolished. Could the prophet assert himself and adapt his mission to the new political milieu? Many theologians think that the blow is fatal, and that prophecy has come to its demise. Joseph Blenkinsopp contends against the popular opinion that prophecy has in fact entered into its second phase of proliferation and diversification. Quite a few prophets have arisen. They recorded the exilic history, condemned the foreign oppressors, encouraged the people in exile by proclaiming the hope of restoration, edited the previous prophetic oracles, and reinterpreted the history of Israel.⁹

If Israelite prophecy survived its first blow, it obviously could not stand the second. After the destruction of the Second Temple, the Jews refused to believe in prophecy anymore. The cause for the failure of prophecy is a long story. Here I can only briefly suggest some reasons. First, the king and the prophet are two complimentary roles in the Israelite social order. Prophecy exists and evolves around the political leadership. If sovereignty is taken away, prophecy will lose its immediate ground of existence. Second, in the exilic and postexilic periods, the prophet has had the chance to adjust his role and message to the new situation. He seizes it, but he does it in such a way that ultimately leads to the final failure of prophecy. In his reflection on the fall of the kingdom and the subsequent exile, the prophet attributes the cause not to God's reluctance to intervene in human affairs or to the mightiness of their neighbours but to idolatry and oppression committed by the Israelites themselves. Hence exile is perceived as a divine punishment. The solution, he thinks, lies in reconciliation and restoration. He sets himself the tasks of asking the people to propitiate God with their genuine repentance, and of proclaiming the promise of restoration. The destruction of the Second Temple, however, utterly shatters this promise. By now, the hope of the people has been exhausted. Prophecy, in the form of criticism, judgement and redemption, has lost its credibility.¹⁰ Finally, prophecy is perceived as an ineffective means of education. A modern rabbi, Abraham Kook, commenting on a verse from the Talmud—"A

7. P. D. HANSON, *The Dawn of Apocalyptic*, Philadelphia, PA, 1975, p. 15.

8. *The Jewish Political Tradition*, pp. 202-203.

9. J. BLENKINSOPP, *A History*, Ch. 5.

10. Walzer also opines that "the popular hatred of prophets" is not "entirely unwarranted" because "the sins of ordinary people don't seem large enough to warrant the total destruction of the city." The doctrine of collective punishment is suspect and looks always strained. If the promised redemption cannot be delivered, prophecy will become bankrupt. (*The Jewish Political Tradition*, pp. 217-219.)

sage is superior to a prophet (Baba Bathra 12a)—argues: “And what prophecy, with its impassioned and fiery exhortations could not accomplish in purging the Jewish people of idolatry and in uprooting the basic causes of the most degrading forms of oppression and violence,—of murder, sexual perversity, and bribery,—was accomplished by the sages.”¹¹ For a long period of time, the prophets have had the opportunity to educate the people, but they fail to achieve the intended result. The prophets blame the people for their stubbornness and rebelliousness. The sages, in their turn, shift the responsibility to the prophets: the chief cause of the fall is the inefficacy of prophetic instruction.

In any event, our interest here is more in the consequences of the failure than in its causes. They may offer us (and Walzer as well) a perspective to conceptualize the responses of modern social critics to their failure. What would the Jews do when prophecy failed? A straightforward response would be to carry on the prophetic tradition regardless of adverse circumstances. And this was precisely what happened. After the destruction of the First Temple, instead of beginning to wane as some might expect, prophecy actually entered its renaissance in the exilic era. Signs of its decline can only be found in the postexilic period. We may even say that it is not declining, but that it is transforming into a new kind of apocalyptic literature, which proliferates well after 70 A.D.¹² Prophecy and apocalypse, as noted by Hanson, form a continuum: apocalypse is prophecy adapted to the socio-political milieu of sovereignty lost.

According to Hanson’s analysis, there are two important elements in Judaism: vision and reality, or the cosmic realm of the divine council and the historic realm of everyday life. The prophet, who is endowed with divine privilege, witnesses the happenings and the decision made in the divine council. After returning from the cosmic world, the prophet translates his vision into reality, and instructs the ruler or the people in the proper reaction. Prophecy thus consists of vision and its application.¹³ A typical example can be found in Isaiah 6. In the year when king Uzziah dies, the prophet Isaiah has a vision in which he ascends to the divine court, and sees God sitting on his throne with his divine council. Isaiah hears God saying, “Whom shall I send, and who will go for us?” The prophet immediately responds, “Here am I; send me (Is 6,8).”¹⁴

In stark contrast to this emphasis on revelation, there are other passages that emphasize the concealment of revelation. At the end of the Book of Daniel, the prophet is told to “shut up the words, and seal the book, even to the time of the end (Dn 12,4).” What it means is not to bury or burn the book but to conceal the interpretation of the vision. Hanson points out that this is the main difference between prophecy and apocalypse: prophecy contains visions and interpretations, but apocalypse contains visions only.¹⁵

Although Hanson’s study is restricted to the corpus of eschatological texts, his distinction between vision and reality is quite useful for our purpose. The preexilic and exilic prophets, generally speaking, are mainly concerned with real politics. They invoke the name of God and appeal to cosmic vision, but their aim is to deal with a particular problem in a concrete historical context. In the postexilic period, prophets tend to leave their visions unexplained. As for the apocalyptists, they formulate their visions in specialized languages which, though tangible to the members of their own groups, cease to address the concerns of ordinary people.

11. A. I. KOOK, *The Sage Is More Important than the Prophet*, in H. DIMITROVSKY (ed.), *Exploring the Talmud*, Vol. I, New York, NY, 1976, 103-104, p. 104. Cf. *The Jewish Political Tradition*, pp. 271-273.

12. Readers who are unfamiliar with the apocalyptic literature can consult R. H. Charles’s two-volume collection: *The Apocrypha and Pseudepigrapha of the Old Testament in English*, Oxford, 1913.

13. P. D. HANSON, *The Dawn*, p. 11.

14. Cf. *The Jewish Political Tradition*. Vol. I: *Authority*, New Haven, CT - London, 2000, pp. 206-208.

15. P. D. HANSON, *The Dawn*, pp. 11-12.

The transition of prophecy from perspicuity to ambiguity, and then to obscurity is readily understandable in the light of Israel's history. In the beginning, the prophets firmly believed they could bring about real social change. Even in the exilic period, they were optimistic that if the people followed their instruction, Israel would regain its sovereignty and past glory. They had hope in this world; their tangible messages reflected their optimism. The test of their prophecy came when the Jews were given the chance to rebuild their community in Judea. Under the reigns of the Persian kings, they were allowed to return to their own land. But the restoration, the fruit of their hard labour, was far from the ideal promised by the prophets. This time, it became nonsensical for the prophets to blame solely the people for its failure when there were successive oppression and exploitation inflicted by their Persian, Greek, and Roman masters. The prophets, though trying hard to uphold the hope, lost the optimism of its fulfilment in the near future. Instead, they proclaimed visions to encourage the people, but they were unwilling to translate them into real politics. Such visionary prophecy was difficult to attract a large audience, and it eventually slid into apocalypse. Gradually, the apocalyptists had lost all hope of establishing a righteous kingdom in this world. Their hope had to be otherworldly, which would not be fulfilled until the coming of the Son of Light, who would then establish his kingdom on earth and reign forever with his righteousness. Hence they, as exemplified by the community of the Essenes in Qumran, retreated into the desert and waited for the Messiah.

b. Compulsive globalization

Another way to give meaning to the exile is to invent the idea of compulsive missionary or globalization. Such idea is certainly not extraneous to the Jewish monotheism. Since God is the creator of heaven and earth, abundant in love and grace, he could not be so partial or mean as to elect only the Israelites. His election of Israel should be seen as the initial step of his universal salvation plan. He intends Israel to be a holy people, a kingdom of priests, and a light unto nations. The Israelites fail to understand this global mission and God has to execute his plan himself, without their full understanding, by dispersing them among the nations.

There are some biblical texts that support the idea of compulsive globalization. The Book of Jonah is an example. Although it contains no reliable data as regards its date of writing, it is highly probable that, judging from its language and its message, it was written in the exilic or postexilic period.¹⁶ The book is composed in a third-person narrative genre, which is different from the first person narration usually found in other prophetic books. The author portrays Jonah as a prophet on the run, who refuses to accept the mission of preaching in a foreign land. God commissions Jonah to go to the city of Nineveh, but Jonah flees instead to Joppa and boards a ship bound for Tarshish towards the opposite direction. God impedes the prophet from running by hurling a great storm into the sea. Jonah, however, does not care. He sleeps under the deck while the other passengers are earnestly praying to their gods. When all means have been exhausted, they cast lots and discover Jonah to be the cause of their misfortune. Jonah admits it. Nonetheless, instead of pleading to Yahweh, he asks the crew to throw him into the sea. The prophet is stiff-necked. If he is not allowed to go to Tarshish, he prefers to go to hell. But God has no intention to let Jonah go to hell. He sends a great fish to swallow up Jonah. After three days and three nights in the purgatory, Jonah yields and cries out to God. God orders the fish to vomit Jonah onto the land, and sends him to Nineveh again. This time Jonah reluctantly obeys.

Why is Jonah so reluctant to preach in Nineveh? Is it because of the awkwardness of the mission? Who would believe in a stranger pronouncing judgement in the name of his tribal god? The author,

16. Cf. U. SIMON, *Jonah* (The JPS Bible Commentary), Philadelphia, PA, 1999, pp. xli-xlii.

however, assures us that this is the least thing that needs to be worried about. Jonah is so proud of his Yahweh, the God of heaven, that he will not be shy of speaking his name (Jon 1,9). Besides, the Gentiles are God-fearing and ready to repent. (One must say that they are too pious and too willing to repent.) We are told that when the passengers of the ship hear the name of Yahweh and Jonah's rebellion, they are "exceedingly afraid," and afterwards they offer sacrifice to God (Jon 1,10-16). When Jonah casually walks through one-third of Nineveh and heartlessly issues the doom, the people return to God whole-heartedly: they put on sackcloth, sit in ashes, and fast, from the greatest to the least, with no exception for the animals (Jon 3). The reluctance of Jonah is an enigma to the theologians. Why would a messenger of God refuse to save people from the wrath of God? Several explanations have been put forward.¹⁷ Apparently, the "mercy-versus-justice" hypothesis is the most plausible. On the one hand, God is love and merciful, whose ultimate will is to save, both Jews and Gentiles. On the other, man's demand for justice exceeds his love and he cannot love as God loves. Jonah knows that God will surely forgive the people of Nineveh once they repent, but he thinks that the Ninevites should receive their due punishment. Hence he refuses to prophesy in Nineveh. This hypothesis, albeit plausible, has one weakness: the biblical author has never explicitly told us the reason for Jonah's reluctance. For some reason, Jonah refuses to preach in Nineveh. Perhaps we should take the face value of the book seriously and withhold our judgement. It is true that God's ultimate will is to save, but for some unidentified reasons, the messenger of God does not want to carry out his mission. This is also a plausible interpretation.

If the allusion of Jonah in the stomach of a fish as the suffering Israel looks rather strained, there are other passages in the Bible that interpret the affliction of Israel as divine providence. Second Isaiah is full of such allegories of which the Song of the Suffering Servant is the most well-known (Is 52,13-53,12). In this song, Israel-in-exile is portrayed as the suffering servant of God. "For he shall grow up before him as a tender plant, and as a root out of a dry ground: he hath no form nor comeliness; and when we shall see him, there is no beauty that we should desire him. He is despised and rejected of men; a man of sorrows, and acquainted with grief: and we hid as it were our faces from him; he was despised, and we esteemed him not (Is 53,2-3)." Afflicted and despised, yet the servant of God is a "righteous" man. He suffers not for his own wrongdoings but for the sins of others. God wills him to be the sacrifice for the iniquities of mankind. "But he was wounded for our transgressions, he was bruised for our iniquities: the chastisement of our peace was upon him; and with his stripes we are healed. All we like sheep have gone astray; we have turned every one to his own way; and the Lord hath laid on him the iniquity of us all ... Yet it pleased the Lord to bruise him; he hath put him to grief: when thou shalt make his soul an offering for sin ... (Is 53,5-10)." By using the concept of scapegoat, Israel's exile is interpreted as the atonement for all sins. This explanation may seem incredible to the modern mind, it may look the same as well to the Israelites. The Israelites have themselves slaughtered many scapegoats, but this does not make it easier for them to accept themselves as a scapegoat. Even the prophet exclaims, "Who hath believed our report? and to whom is the arm of the Lord revealed? (Is 53,1)" Incredible though it is, the prophet is pressed by an emergent need to seek an alternative rationalization, and he chooses to couch his explanation in symbols plucked from their sacrificial rites.

Since the Song is written in allegorical form, the suffering servant has been given various interpretations despite some explicit references in second Isaiah which suggest the servant to be Israel (Is 44,1; 44,21; 48,20). The early Christians overwhelmingly took it for granted that Jesus of Nazareth was the fulfilment of the suffering servant. The conversion of a Judaistic proselyte into Christianity recorded in Act 8,26-35 reveals that the Song of the Suffering Servant might be a strategic text in the hand of Christian preachers. The story begins with an eminent Ethiopian eunuch, a proselyte of

17. Cf. U. SIMON, *Jonah*, pp. vii-xiii.

Judaism, returning home from his worship in Jerusalem. The eunuch is reading Isaiah 53,7-8 in his carriage, but he does not understand who the suffering servant is. A Christian preacher, Philip, approaches him and explains to him that this servant is Jesus. The Ethiopian eunuch is convinced beyond doubt, and on his own initiative, he is immediately baptized into Christianity. Jesus as the suffering servant was a fundamental conviction in early Christianity. Indeed, the Gospels follow basically the plot of the Song. All of them directly or indirectly refer to it. The Nazarene movement has certain connection with the idea of compulsive globalization. Whether the disciples of second Isaiah have anything to do with the Nazarenes, we cannot be sure. In any case, the movement finds its inspiration and justification in the Song.

c. *Nation-building*

Besides retreating to the desert or going global, some Jewish intellectuals have worked out a third way. These rabbis neither want to detach themselves from the people and to wait for the Messiah in the desert, nor desire to universalize their religion and to dissolve themselves in the Empire. Their option is to stay with the people, and their mission is to keep the community intact. Apparently, the rabbis have devised an effective strategy that is similar to the “national-popular” position described by Walzer.¹⁸

The two main issues confronting the Jews in the postexilic period and afterwards are the messianic hopes and the religious worship in the temple, which are related to the prophets and the priests respectively. The numerous messianic passages collected in the Jewish canon indicate that messianic salvation was widely preached among the Jews. This hope accords with the traditional Jewish collective desire for national identity and independence. They believe that God delivered them from the bondages of Egypt through Moses, and that God will save them again through the Messiah. It is not surprising that the Nazarenes, who daringly broke down the wall of partition between the Jews and the Gentiles, were condemned by the rabbis as the first Jewish heretics. The prophets, in the eye of the rabbis, rightly sustain and elaborate the national self-understanding by their prophecies. In the name of God, they bolster the faith of the community by invoking the messianic redemption. The prophetic hope, however, must be tangible and imminent. Otherwise, the proclamation will be unverifiable, and it will be rendered into a false prophecy (Dt 18,21-22).¹⁹ History happens to work against the prophecy: the Messiah, according to the Jews, has yet to come. The late-coming of Messiah creates a tension in the prophecy. To resolve it, the sages disparage revelation but affirm the messianic hopes. Being free of the burden of divination, they can extend the coming of the Messiah to an indefinite time, and urge the people to wait for the salvation without putting their credibility at stake. The people wait for the Messiah, and they have a cause to cling to the community despite the loss of sovereignty and the hazard of discrimination.

Competition for leadership also came from the priests. In the Second Temple period, the high priests were effective rulers of Judea. Under the imperial edicts, they took over the political authority and became a kind of priest-king. The Pharisees, however, did not accept the hegemony of the priests and the Sadducees. They thought that the only legitimate authority had to come from the interpretation of the tradition. Apparently, the Pharisees and the Sadducees have different interpretations. The Pharisees insisted that theirs was superior, for correct interpretation hung upon learning and piety and

18. The term originates from Antonio Gramsci and is elaborated by Walzer. See *Critics*, pp. 83,233-238.

19. True and false prophecy is an important category in the Jewish tradition. Cf. *The Jewish Political Tradition*, pp. 220-235.

it had nothing to do with heritage. Nevertheless, they recognized that the priests were doing an indispensable service to the nation by performing cultic rituals in the temple. Thus, the Pharisees affirmed the cultic role of the priests but rejected their spiritual leadership.²⁰ The Sadducees were finally defeated not by the arguments of the Pharisees but by the army of the Romans. The destruction of the temple in 70 A.D. swept away the very foundation of the authority of the priests, and their demise followed. In spite of their antagonism towards the Sadducees and the ruin of the temple, the rabbis devoted more than half of the Mishnah (the oral Torah) to the temple cult.²¹ This fact reflects the centrality of the temple in the life of the Jews in the Second Temple period. The rabbis captured this national spirit and successfully transformed the temple rituals into other forms of religious acts. A modern Jewish theologian, in assessing the work of the rabbis, comments: “The greatest accomplishment which the teaching of the Talmud achieved for the Jewish people was to make them feel that the end of the Temple did not imply an end to their religion. Severe as the loss was, the way of approach to God was kept open. In addition to charity, justice, and Torah-study there was also prayer, which was declared to be even ‘greater than sacrifices’ (Ber. 32b). On the basis of the words, ‘We will render the calves of our lips’ (Hos. xiv. 2), the doctrine was taught, ‘What can be a substitute for the bulls which we used to offer before Thee? Our lips, with the prayer which we pray unto Thee’ (Pesikta 165b).”²² The rabbis, indeed, took over the duty of the priests. But they did not claim this privilege only for themselves, they also distributed it among members of the household. They invented domestic rites, established laws, and taught every Jew to observe them.²³ In this way, the Jewish people are entrusted with the responsibility of building a spiritual temple in each of their own homes.

The rabbis’ assumption of both spiritual and political functions, one suspects, will put an end to the critical prophetic tradition. The prophet has the king or the priest to criticize. But the rabbi has neither a target, nor is he himself the object of criticism. How can he be critical now? Walzer seems to share the same concern. Nevertheless, he affirms that the rabbi still retains certain critical edge. The editors of *The Jewish Political Tradition*, of which Walzer is one, point out: “Rabbinic interpretation replaces prophetic inspiration and turns out ... to be more accommodating (though never easily or entirely so) to political considerations.”²⁴ Conceivably, the rabbis can now criticize the people or one another. Criticism does not come to an end with the prophet. Rather it takes up a new form in the rabbinic literature. The rabbi, I think, tends to focus on what Walzer calls the second task of criticism: “he [the critic] gives expression to his people’s deepest sense of how they ought to live.”²⁵

2. The vanguard

The twentieth century social criticism, as perceived by Walzer, is a failure. At the end of the *Company of Critics*—a study on a series of social critics and movements, he draws the following conclusion: “The movements they [oppressed men and women] create, heroic in their origins, turn out later on to be lethargic, bureaucratic, corruptible.... In the best of cases, neither national liberation nor

20. Cf. *The Jewish Political Tradition*, pp. 196–198.

21. E. R. TRATTNER, *Understanding the Talmud*, Westport, CT, 1978, p. 19.

22. A. COHEN, *Everyman’s Talmud*, New York, NY, 1975, pp. 157–158.

23. Cf. G. F. MOORE, *Judaism in the First Centuries of the Christian Era. The Age of the Tannaim*, Vol. I, Cambridge, MA, 1958, p. 114.

24. *The Jewish Political Tradition*, p. 205.

25. *Critics*, p. 232.

socialist revolution meets the standards of the social critic; and sometimes the new regimes are as bad as the old; sometimes they are far worse.”²⁶

Popular movements do not originate in the twentieth century. They are rather commonly said to have originated with the 1789 French Revolution. First come the bourgeois, then the socialists, then the communists, and then the nationalists. Although the movements are organized by different radicals and for different purposes, the storyline of liberation undergirds all these struggles. Liberation, in fact, is also not a modern idea. It owes its origin to the biblical narrative of Exodus. Many leaders of radical movements, Walzer notes, have received their inspiration from the narrative. He argues that the Exodus is “a paradigm of revolutionary politics.”²⁷ Nobody wants to be enslaved in Egypt, and the alternative is Exodus. Partly due to the intuitive imperative of liberation and partly due to the centrality of the Bible in Western societies, intellectuals who see themselves as the conscience of society unreservedly endorse the liberation movement. They join the movement and become critics of society. They have great hopes that the modern world will soon become an earthly heaven free of oppression and inequality. Surely, exodus should be recommended to the oppressed if not for its risky nature. The army of Pharaoh is strong and his chariots formidable. And before stepping into the promised land, freedom fighters must traverse the dangerous desert where some will certainly perish. For the heroic intellectuals, risk is a threshold of authenticity; those who refuse to take risk do not live a genuine life. The intellectuals see to it that everyone joins the exodus, and whip the people into motion if necessary.

In the struggle for liberation, revolutionaries have developed a two-stage strategy: (1) control the state power by any means; (2) use the state as an instrument to implement social reforms or developments. Many Marxists and nationalists have succeeded in achieving the first goal, but they are unable to deliver the ultimate goods that the people desired. They leave Egypt, defeat the army of Pharaoh, cross into the promised land, and set up a people’s country. The people work hard to realize their dream. Having gone through years of great effort, it proves that their country will never become a land flowing with milk and honey as its prophets have promised. More distressingly, the life in the people’s country is all in all worse than that in Egypt. The liberation movement has failed, and the failure is twofold—the vanguards are, at best, the same as the conservatives; and the radical ideals are infeasible. Ironically, the radicals gain power only to prove their politics impractical. The former British-occupied Hong Kong, for instance, symbolized the triumph of Egypt over the people’s country. Hong Kong is geographically connected to Mainland China and inhabited by the same people. The people of both sides were divided only by barbed wire, one side under the rule of the capitalist imperialists, the other under the communist nationalists. It was under this setting that the people on the two different sides lived drastically different lives. It is rather sad that the Hong Kong people seemed much happier, in all respects, than their relatives in the Mainland. Of course, the case is absolutely too simplistic. No serious researchers will compare the two places in such a simple way. Nevertheless, ordinary people, including those in Mainland China, do perceive it in exactly the same way, not to mention the propagandists who want to make Hong Kong a showcase for laissez-faire economy. In the twentieth century, radical politics has failed, and so did its critics, who failed to revert its fate. Could the failure be interpreted as the end of radical politics? How should the intellectuals respond to the defeat and disappointment?

26. *Critics*, p. 227.

27. M. WALZER, *Exodus and Revolution*, [New York, NY], Basic Books, 1985, p. 7.

a. *Herbert Marcuse and the critic-at-large*

One of the responses, Walzer says, is to become a “critic-at-large.” The critic, by now, is disappointed down to the ground with popular revolt, and loses his faith. He detaches himself from any further movement. Yet, he wants to remain a true intellectual. Firmly rooted in his mind, an intellectual is nothing if not critical. Once a critic or an intellectual (the two are interchangeable), he cannot be otherwise. To shift to other career is to debase himself. The critic has to continue criticizing, albeit without any specific objective. He criticizes, as it were, for the sake of criticism. Art for art’s sake, and criticism for criticism’s sake. This will hardly trouble the critic, for he values the purity of intention. There is, however, a problem in his criticism. Wrenched loose from a particular interest or purpose, the critic is free to criticize anything he dislikes, but only in general terms. He criticizes at ease; no major achievements can escape his scrutiny: modernity, culture, institutions, material well-being, science, technology and so on and so forth. But such a critic, Walzer comments, lacks “critical penetration,” and people can easily “shrug off” his criticism. Moreover, “the tone of such work suggests a collectivist version of misanthropy.” The members who belong to this group of misanthropists are: critical theorists, leftist admirers of Greece and Rome, latter-day Rousseauians, conservative communitarians, religious fundamentalists, and the exemplar of critic-at-large Herbert Marcuse.²⁸

Marcuse, in the opinion of Walzer, sets himself up as a negative example of critics—an example that novices should not imitate.²⁹ (It is unfortunate that many people have mistaken him for a positive example.) By overrating negativity, he turns himself into a “false” critic, and provides the would-be critics a second dimension of social criticism for study.³⁰ So far, I am describing Marcuse in his own terminology. To the unfamiliar readers, I have to give some explanation.

Marcuse’s *One-Dimensional Man* is a critique of the post-Marxist American society. In America, Marcuse observes that the class of proletarians has been eliminated, and that people are gratified by all kinds of enticing commodities. On the surface, this is a triumph of humanity. But further analysis reveals that human condition actually gets worse. Marcuse believes that material well-being should be the stepping-stone for the pursuit of spiritual well-being. Matter exists for the sake of the *Geist*. Material satisfaction can never be justified as an end in itself. The affluent society reduces everyone to the material dimension and effectively annihilates one’s consciousness of the second dimension. In the past, the proletariat was a form of negativity, shaped by material deprivation into a “living contradiction to the established society.” Now, this embodiment of the spiritual consciousness is submerged by the flood of commodities. As if the killing of the living embodiment of the Spirit were not enough, the affluent society continues to subvert the second form of negativity—“the oppositional, alien, and transcendent elements [of] the higher culture by virtue of which it constituted *another dimension* of society.”³¹ This negative force is undermined by the commercialization of high culture, and by the cultivation of tolerance. The evidence that Marcuse provides to support his argument is that Plato and Hegel are published by rival publishers in colourful paperbacks standing side by side in the same drugstore bookrack with gothic romances and murder mysteries.

The argument betrays Marcuse’s lack of common sense. One may say that he is a man having special knowledge in abundance but not sufficient common sense. He criticizes his fellow Americans with whom he is not well acquainted. He spends no time talking to them or doing empirical research

28. *Critics*, pp. 188,190,227.

29. The following account of Marcuse is based on Walzer’s interpretation in *Critics*, Chapter 10 Herbert Marcuse’s America.

30. Walzer does not classify social critics as “true” or “false.” I borrow the categories of true and false prophets from the Jewish tradition and apply them to modern social critics. Cf. *The Jewish Political Tradition*, pp. 220-235.

31. H. MARCUSE, quoted in *Critics*, p. 180.

before he jumps to his conclusion. The one-dimensional man appears to him as a salient fact. In the introduction to the *One-Dimensional Man*, he tells us how he does his research: “Perhaps the most telling evidence can be obtained by simply looking at television or listening to the AM radio for one consecutive hour for a couple of days, not shutting off the commercials, and now and then switching the station.”³² How could a scholar write social criticism on the basis of this kind of information? In fact, Marcuse has his sources. He depends largely on the American social critics of the 1950s: C. Wright Mills, William H. Whyte, Vance Packard, Fred Cook, David Riesman, and John Kenneth Galbraith. Their works describe a quintessential American phenomenon on which Marcuse exercises his theoretical formulation. Without the constraint of common sense, he is left at large to the creation of the one-dimensional man that has actually no match in reality.

The mistake made by Marcuse is the consequence of his detachment from the populace and his disgust with popular culture. Marcuse is an aristocrat. Even when he plays the role of a liberator (rather than a ruler), his attitude towards the ordinary people is still the one that is typical of the aristocracy. He holds the standard view that the poor is a nameless mass, whose only meaningful existence is to provide the necessities for human betterment. His view is no difference from that of the townsmen in Ignazio Silone’s Italy, who says, *cafoni* are flesh used to suffering.³³ The townsmen value the poor for their production and services; and Marcuse, because of his simplicity, for their suffering itself. The poor are born to suffer by virtue of which they embody the second dimension of human existence. Deprived them of their suffering, they become nothing. Could education transform the poor into human individuals? Perhaps. But Marcuse has no faith in the American education. General education that produces the semi-educated masses is but a sacrilege leading to profanation. The past cultural aristocracy, Marcuse writes, “provided a protected realm in which the tabooed truths [of art and literature] could survive in abstract integrity—remote from the society that repressed them.”³⁴ Now society has destroyed the abstract integrity of the tabooed truths by popularizing them. Once the classic is translated into the vulgar, its antagonistic force will be lost. In the process, the Spirit is slowly dying. The only way to save the Spirit, in Marcuse’s opinion, is to erect the “educational dictatorship” of the philosophical élite.

b. *Michel Foucault and the critic-in-the-small*

In contrast to the critic-at-large, Walzer reports another response to the critical failure, namely, the “critic-in-the-small.”³⁵ Unlike the critics-at-large, some critics, who are more serious and less optimistic, accept the failure of the radical project. People on the left, the critic admits, have been defeated by themselves. Could he continue to pretend to know a better future? Could he tell another grand story? No, he couldn’t. Yet, the critic is not prepared to lay down his critical weapon. He still wants to wage war against oppression. Our relentless critic, then, falls into delirium; he has difficulty in locating his object of criticism. Proletarians are a minority in developed countries. Even if they are found, the critic has lost the courage to repeat the old tactics. Instead, he turns his weapon towards the ruling class. There, he has the difficulty of identifying the oppressors too. The head of the king has already been cut off and the *ancien régime* abolished in a brave move. In liberal society, politicians are elected by the people, and they are assumed to be working for the people. Likewise, the capitalists are

32. H. MARCUSE, quoted in *Critics*, p. 171.

33. I. SILONE, *Fontamara*, in *The Abruzzo Trilogy. Fontamara. Bread and Wine. The Seed beneath the Snow*, trans. E. MOSBACHER, South Royalton, VT, 2000, p. 36.

34. H. MARCUSE, quoted in *Critics*, pp. 181-182.

35. *Critics*, p. 228.

indispensable if the people are to enjoy useful and beautiful goods. (This is, at least, the majority opinion.) Besides, the capitalist appears almost like a philanthropist in comparison with the communist apparatchik. Liberal society has erased the symbol of oppressors. The critic, nonetheless, knows that oppression still exists. The differences are that power has been dispersed to the local authorities, and that oppression is localized at home, at school, at work, and most visibly in prison. Therefore, the struggle has to shift to local sites, and the critic has to fight infinite small issues. In other words, the critic-in-the-small aims not to change the whole system, but to improve a little bit of everything here and there. Perhaps, when infinite infinitesimal improvements are added together, the sum would amount to a new system.

The strategy of local resistance sounds banal. In fact, we all, since infancy, resist, at home, at school, or at work. We resist if necessary and if we can. We know as well that individual strength is limited. We thus form alliance. But the defeated critic is hurt and afraid of political association. He has lost the discernment of legitimate and illegitimate coercion, and refuses to join any political league. He wants to be a lone fighter. In due course, his criticism becomes more and more personal, and few people can understand him. He slides from a critic-in-the-small-matters into a critic-in-the-small-world. Walzer has a description of the transition:³⁶

He is not so much a professional critic as a critic in the little world of his profession, and the likely profession these days is academic: hence the critical wars of the 1980s, which have no echo outside the academy since the critics have no material ties to people or parties or movements outside. Academic criticism under these circumstances tends steadily toward hermeticism and gnostic obscurity; even the critic's students barely understand him.

The quoted paragraph is written with Michel Foucault in mind. Foucault, in Walzer's portrait, is a person who vacillates between being a critic-in-the-small-matters and a critic-in-the-small-world.³⁷ As a critic-in-the-small-matters, Foucault seems to conceal the defeat of the leftists by his analysis of contemporary power relations. His argument starts with the proposition that the king is the only possible physical embodiment of sovereignty. When the king was executed, the *ancien régime* fell and sovereignty disappeared forever. Democrats believe that political power is distributed equally among the people, and then centralized in the government. But Foucault thinks that this is just a fable, for there is no general will of the people or any stable coalition of interest groups. Neither the people nor the government controls the political power. Rather, power resides in the mechanisms of professional expertise and local discipline. In the modern state, political power has no focal point but is dispersed to the extremities. Hence power has to be challenged at numerous points.

It is interesting to note that, in the first place, Foucault's theory has anti-Leninist implications, that is, if power is not at the centre, there is no more power to be seized and no more revolution is possible. Second, Foucault's analysis is "rhetorically inflated."³⁸ While it is true that power is exercised in local disciplines regulated by professional expertise, there exists obvious power centre or centres in liberal states. Moreover, politicians can influence, if only indirectly, the expertise mechanism through the allocation of resources, the appointment of experts, or the distribution of recognition. Foucault neglects all these well-known facts. Maybe Foucault is a one-sided thinker. Or he is driven to this conclusion by his disappointment with leadership—the leftists are no better politicians than the liberals, and it is better for them to stay away from power positions.

Foucault's disappointment eventually pulls him into his own small world. Though hopeless of the radical enterprise, he refuses to accept the liberal society as if it were corrupted beyond redemption.

36. *Critics*, p. 228.

37. Cf. *Critics*, Chapter 11 The Lonely Politics of Michel Foucault.

38. *Critics*, p. 193

He thinks that the liberal society is an oppressive system being primped up by its crafty beauticians as democratic, scientific, technological, and progressive. The absence of power centre does not lead to the extinction of oppression. Rather the oppressive force now operates from its “underside.” Disciplinary agencies work together, as though coordinated by a dark force, into an oppressive whole. Foucault calls this system in a variety of names: “capitalism,” “the disciplinary society,” “the carceral city,” “the panoptic régime,” or “the carceral archipelago.” His ultimate indictment is that the liberal society is a prison, where the discipline of prison extends itself in various forms across all spheres of ordinary life. No one would deny that surveillance and discipline exist in every society. They are even more intensively used in the modern world. Nevertheless, there is significant difference between the discipline of a school or a factory and that of a prison. “Foucault tends systematically to underestimate the difference,” Walzer writes.³⁹ His tendency makes him perceive idiosyncratically the liberal society as the carceral archipelago.

What alternative does one have if liberal society is beyond redemption and communism is unworkable? Has Foucault any idea? Yes, he has: “It is possible that the rough outline of a future society is supplied by the recent experiences with drugs, sex, communes, other forms of consciousness, and other forms of individuality.” A glimpse of hope provokes Foucault to disown the practical value of local resistance. Commenting on the prison reform he is engaging in, he says, “The ultimate goal of [our] interventions was not to extend the visiting rights of prisoners to 30 minutes or to procure flush toilets for the cells, but to question the social and moral distinction between the innocent and the guilty.” The loss of utopia leads Foucault to question the distinction between not only innocence and guilty but also sanity and insanity. He advocates experimenting some novel forms of existence that are even more extravagant than utopia. Except for some impractical social experiments, I can’t see how Foucault can find a better world for us, who can distinguish the sane from the insane. Here I have to add a word of caution. Foucault is not always living in his own small world. He returns to the common world in his better days, and is entirely capable of making sound judgement. Once he castigated his faithful followers of his prison reform for following his words too literally, he said: they stumbled for “a whole naive, archaic ideology which makes the criminal ... into an innocent victim and a pure rebel.... The result has been a deep split between this campaign with its monotonous, lyrical little chant, heard only among a few small groups, and the masses who have good reason not to accept it as valid political currency.”⁴⁰

Foucault is totally disillusioned with the leftist ideal, but he refuses to reconcile with the liberal society. He accepts the failure of Marxism, but at the same time he continues to resist. Unlike the postexilic prophets of Israel, he lacks a cosmic vision. Maybe he has some visions induced by drugs. He knows that such visions will not be realized by themselves or by an invisible hand. He cannot lead his followers to wait in the desert. To realize the visions, he has to work in the real world. But the question is: would people be convinced by his visions? It seems unlikely that he will have enough followers to change the world. In any event, the above argument is counterfactual. Foucault, according to Walzer, does not have any vision; he is a nihilist. It is more difficult for nihilism to attract audience than for hallucinative visions. Moreover, Foucault himself does not believe that local resistance can really change the world; his actions only serve the purpose of provocations. This is the dilemma Foucault creates for himself. So, he vacillates between the local social reform and his own inner world, which, like the Nirvana, only a privileged few can access.

The critic-in-the-small comes to a dead end just as the critic-at-large, albeit in different ways. They

39. *Critics*, p. 200.

40. M. FOUCAULT, quoted in *Critics*, pp. 202-203.

offer no practical direction or advice on social reform. They lead radical forces and the critical enterprise astray. Their criticism is only lamentation for the loss of utopia. They confess in negative ways that the ultimate victory belongs to the liberals. Indeed, they are later rejoined by the liberal prophet Francis Fukuyama singing “The End of History” at the historic moment of the fall of the Berlin Wall.⁴¹ Personally, I doubt the credibility of any end-time saying, be it the religious or the secular version. Fukuyama’s eulogy is at most the end of American History. No doubt, liberalism is at its height: the major rival has fallen, and the remaining commissars of China are converted into red bourgeois. That does not mean, however, it will prevail forever. Even if we suppose it will last forever, it still needs criticism, and we can criticize it by holding up, using the image of Walzer, a Hamlet’s glass. The critic can do what Hamlet does to his mother:⁴²

You go not till I set you up a glass,
Where you may see the inmost part of you.

Walzer also points out that the death is the death of a social theory, not social criticism itself. Social criticism is a specialized form of complaints. Can we imagine a society without complaint? That is impossible. As long as there is society, there will be complaints and the specialists of complaints. The failure of a social theory is its failure to shape the popular complaint into a practical way of life, or a realistic political programme. The common complaint is out there, waiting to be shaped into a practical way of life. In every situation, it is “almost always” possible to do something, Walzer affirms.⁴³ The choice is up to the critic. He can either commit himself to the people, like the rabbis of the Jews, or wrench himself loose and criticize for the sake of criticism itself, like Marcuse, or form a critical cult, like Foucault. Social criticism has not finished yet, and the critic will become wiser if he learns from past failures. The first lesson Walzer tries to teach is the causes of their failures.

B. THE CAUSES OF CRITICAL FAILURE

1. The imitation of heroism

The standard image of the critic is a solitary intellectual who, cutting loose from every connection and walking in the blaze of the sun, pays tribute to nothing but the Truth. Julien Benda writes a script for such a critic. The practising critic, however, finds it difficult to play Benda’s script. He is demanded to walk out of his solitude in order to show solidarity with the people he claims to serve. Martin Buber, Antonio Gramsci, Ignazio Silone, and Albert Camus, all struggle between solitude and solidarity without coming to any definite conclusion. After the defeat of the radical politics, the critic, represented by Herbert Marcuse, returns to his solitude and surveys the world from his absolute height.⁴⁴ This is the trend of the twentieth century social criticism. This is not, Walzer argues, necessarily the only or the proper way of doing social criticism.

The disease of the twentieth century critical profession, according to Walzer’s diagnosis, is disconnection. To take disconnection as the prime requisite of social criticism is to undermine the critical enterprise; it is entirely counter-productive. The idea of the critic as a solitary is a

41. F. FUKUYAMA, *The End of History?*, in *The National Interest* 16 (1989) 3–18.

42. W. SHAKESPEARE, *Hamlet*, III. iv. 19–20. Cf. *Critics*, p. 230.

43. *Critics*, pp. 230, 239.

44. *Critics*, p. 228.

misconception resulted from a greater disconnection—the disconnection from tradition. Modern men and women liberate themselves from tradition to such an extent that some become ignorant of it. They mistake social criticism as a totally new project, and give free rein to their imagination. They romanticize the critic as “self-conscious,” “oppositional,” and “alienated”—a nascent kind of intellectuals.⁴⁵ Their underlying motive, Walzer suspects, is the imitation of heroism.

Complaint without the passion of heroism is palaver. Intellectuals naturally want to see themselves as heroes instead of woman-like gossips. Few intellectuals, however, would admit that they are motivated to criticize by an urge to imitate heroes. In their self-descriptions, Walzer notices, they usually ascribe their motive to benevolence. The critic is a disinterested observer, who criticizes for the well-being of his fellow citizens, or more generally, for humanity’s sake. “Criticism may be ruthless and painful, but the critic talks to us like Hamlet to his mother: ‘I must be cruel only to be kind.’ Kindness forces his hand, but since what he says doesn’t sound kind, he would be happier to be silent.” This is the myth of the reluctant critic, Walzer says. Walzer does not believe in this myth; he suspects that this is not generally how one becomes a critic. Benevolence can be a mask of misanthropy. “In fact, there are many critics ... who, like the Roman Cato, positively enjoy the castigation of others.” Perhaps, misanthropy, rather than benevolence, is the more frequent motive for criticism. We dislike something, so we criticize it. Walzer, however, attributes this adversative feeling not to the pathological misanthropy but to the normal emotion of disappointment. He says, “Disappointment is one of the most common motives for criticism.”⁴⁶ We have certain expectations of our society and of our friends. When things happen contrary to our expectations, we are disappointed. We want to put them right, and we are driven to criticize them.

Benevolence, misanthropy, and disappointment are some of the motives for criticism. Legitimation is not a question here: neither of them can be used to legitimize or to discredit criticism, for a critique should be evaluated on the merit of its argument. Walzer’s point is not the proper motive of social criticism, it is “connection.” Benevolence, misanthropy, or disappointment is not the ultimate motive of criticism. The lover of humanity, if he is really disinterested, will not meddle in other people’s affairs. If he finds the truth or the way of life, he can write it down for himself, for the philanthropists of his own kind, or for later generations. There is no need to shape it into a critique. The critic, on the other hand, must have some concern for the people. Likewise, the misanthropist cannot be disinterested. It is highly improbable that a person would criticize for the pure pleasure of torturing the others, even “disappointment isn’t enough,” Walzer adds.⁴⁷ Criticism must originate from connection.

Connection is a very general term. Indeed, it is so general that one may find it somewhat difficult to apprehend. What does Walzer mean by “connection”? There are two types of explanations in the *Company of Critics*—one explicit, one implicit. Explicitly, Walzer mentions “moral tie” twice without caring to define it formally. A better explanation is the one in the introduction:⁴⁸

A moral tie to the agents or the victims of brutality and indifference is more likely to serve [as a sufficient motive of social criticism]. We feel responsible for, we identify with particular men and women. Injustice is done in my name, or it is done to my people, and I must speak out against it.

Here, moral tie refers to a feeling of responsibility or an identification. Yet the explanation is vague, and can have diverse interpretations.

Implicitly, Walzer elaborates connection in the portraits of the connected critics, such as Martin Buber, Ignazio Silone, George Orwell, Albert Camus, and Breyten Breytenbach. All these critics are

45. *Critics*, p. 4.

46. *Critics*, pp. 20, 22.

47. *Critics*, p. 23.

48. *Critics*, pp. 23, 229.

aware of the givenness of life and strive to commit themselves to the givenness. Take Buber for example. After the hope of a binational state for Palestine was shattered, some of his comrades left for other “more suitable” countries, but Buber insisted on staying in Israel:⁴⁹

I have accepted as mine the State of Israel, the form of the new Jewish community that has arisen from the war.

Buber’s announcement is, as usual, “portentous.”⁵⁰ He emphasizes too much the “I” and annoys some committed Jews. He speaks like a liberal having made up his mind in a process of rational calculation, as if he could refuse to accept the State of Israel as his. In fact, it is his givenness more than his reason that leads him to hold on to the connection.

If Buber’s case still leaves room for doubt, Silone’s tie with his fellow villagers is beyond dispute. His connection to them is undeniably founded on his givenness, and is quite mystical: it comes from his deepest being and binds him forever to his native Abruzzi. Frustrated by the ignorance, selfishness, and resignation of the Abruzzi’s peasants, Silone left his village for the city to join the radical movement. He seemed to have cut the tie with his villagers. But, when he thought that his end was near, he wanted to return to his village and rest with his ancestors. At that moment, he was fleeing from the fascists and hiding in Davos. He could not return. So, he wrote a book dedicated to his native land. In the note of that book *Fontamara*, he writes:⁵¹

Since I was there [in exile] alone, unknown, and living under a false name, writing became my only defense against loneliness and isolation, and since in the doctors’ view I had only a short time to live, I wrote hurriedly, in an indescribable state of anxiety and distress, to construct to the best of my ability that village in which I put the quintessence of myself and the district in which I was born, so that at least I might die among my own people.

The struggle with commitment to the givenness is more intense in Breytenbach, and hence the connection more conspicuous. Breytenbach was openly at war with the South African apartheid régime, which he found completely unredeemable. Neither liberalization nor humanization could save it from the crimes it had done. He insisted that political power should be turned over to the black Africans, though he did not believe that the black nationalists could make a better country. He fought with pen, then with arms, and then with pen again. He was in exile, then imprisoned in South Africa, and then in exile again. While residing in Paris, he could not forget his country. He occupied his mind in forging a new national identity for the South Africans—the people he both loved and hated. The situation was grim, and the hope dim, but he continued to “hang in there”:⁵²

I could argue—well, yes, I must blow them out of the bathtub, see, I’m trying to yeast Afrikaner sensibilities from within and therefore I start with the bread we break together, even if only via the basic complicity of the common mumbo-jumbo, I mean, language, I mean, *taal*. How else could I have a say-so? Ah, but how do I avoid the twisting and the bending, the kneeling and the back-stabbing, the compromises, the ethical corruption, in my attempts to “hang in there?”

The kind of connection elaborated and praised by Walzer is the intense commitment to one’s givenness. The bond with one’s people is natural for “premodern” men and women, but mystical for modern minds. The above-mentioned critics could choose another identity. Indeed, they had lived abroad and experienced another way of life. But they chose to follow the inward calling, and remained

49. M. BUBER, quoted in *Critics*, p. 77.

50. *Critics*, p. 64

51. I. SILONE, *Fontamara*, pp. 3–4.

52. B. BREYTENBACH, quoted in *Critics*, p. 220.

connected with their own peoples. The connected critics are modern men who can still hear the inward voice, and respond.

Connection, Walzer argues, is the basic motive of criticism, and that every social critic should acknowledge it. Modern critics do acknowledge it, but as a fetter that hampers one from reaching an objective or impartial judgement. Since criticism is harsh words, we expect it to be based on accurate analysis and expressed in modest terms. The pioneers of modern criticism recommend that sound argumentation can only be made on a condition free from social and emotional bonds. Though Walzer offers no definite idea of how a better critique is to be written, he disagrees with the prevailing opinion. He argues from history that disconnection does more harm than good to social criticism. On the theoretical level, he refutes it by pointing out that the conception of disconnection is based on the romanticization of the critic's role, and that detachment cannot guarantee a better criticism.

The act of criticizing, Walzer admits, requires a certain distance between the subject and the object of criticism. What he objects to is the standard view of total disconnection, which he thinks it impossible to attain. A long distant critique, in the best case, turns social criticism into "palaver."⁵³ Critical distance is very short; in Walzer's own words, it is measured in "inches."⁵⁴ The majority of critics have exaggerated the distance needed. Their exaggeration is motivated by the imitation of heroism, and bolstered by romanticization of the critical role. Their stories have a common form: social criticism is a highly risky enterprise; since nobody, especially the ruler, likes chastisement, a critic will be intimidated by all means into silence or defection; hence before the critic undertakes the critical venture, he must cut all his social ties and prepare to die at any moment.

This storyline is appealing because it matches our daily experience. We all remember the sorrowful break-up of relation after a fierce quarrel with friends or family members. We know that complaint may harm relationship, so in order to maintain good relationship, we may distort or suppress our complaint. Hence if we want to complain boldly and rightly, we had better cut off all relationships first. This experience is reinforced by the legends of critic-heroes. We all inherit a certain kind of tales in which the heroes speak out courageously and relentlessly against injustices and are put to death at the exhaustion of the authorities' patience. We read their critiques and admire their courage. Needless to say, not many of us dare to imitate them. But it only makes our heroes even more admirable and gives the courageous few more motivation to imitate.

Walzer mentions two Western exemplars of critic-heroes.⁵⁵ The first is a religious figure, Jesus. Besides being described as the Saviour of the world, Jesus is sometimes regarded as a social critic. He severely criticizes the Pharisees and stirs up the crowd to go against the Priests. As a result, he dies a cruel death on the cross. Jesus knows his destiny, but takes up his cross nonetheless. He tells his disciples: "If any man will come after me, let him deny himself, and take up his cross, and follow me (Mt 16,24)." The self-denial, the cross, and the discipleship are supported a well-known passage (Mt 10,34-39):

Think not that I am come to send peace on earth: I came not to send peace, but a sword.
For I am come to set a man at variance against his father, and the daughter against her mother, and the daughter in law against her mother in law. And a man's foes shall be they of his own household. He that loveth father or mother more than me is not worthy of me: and he that loveth son or daughter more than me is not worthy of me. And he that taketh not his cross, and followeth after me, is not worthy of me. He that findeth his life shall lose it: and he that loseth his life for my sake shall find it.

53. Walzer concedes that there is some substance in the criticism of the critic-at-large. But that criticism lacks "specificity and force," and hence becomes a palaver. Cf. Walzer's comment on the old and new Breytenbach, in *Critics*, p. 228.

54. *Critics*, p. 41.

55. *Critics*, pp. 12-16.

Jesus stands for the truth. To pursue the truth, one must be ready to forego one's relations, and be ready to die. This is the price of following the truth, but the reward is handsome—it is the authentic life.

Socrates is the Greek and philosophical version of Jesus. In the portrait of his disciples, Socrates is a critic-hero, who devotes his life first to the pursuit of truth and later to its proclamation; he cares nothing but the truth. Socrates has extraordinary endurance for hardship. He has served as a hoplite for several wars. But he has no interest in holding public office, for office will compromise the truth that he treasures the most. Socrates takes no formal occupation and lives in poverty. He walks in the streets of Athens and talks to anyone he meets. His teaching method, which stresses reflexivity, is well advanced of his time: he questions his audience about their beliefs and leads them to discover the truth. Youths are attracted to his instruction, but the elders find it too irritating and subversive. They think that if Socrates is not stopped, he will bring disorders to the city. They put Socrates on trial for the corruption of youth and the worship of new gods. Socrates is unrepentant, he insists on defending himself in his own way. His message is clear: kill me, or I will do what I used to do. There is no middle ground for Socrates. He will speak either nothing or the whole truth. Life or death is out of his consideration. He will tell anyone who advises him to save his life as follows:

You are mistaken, my friend, if you think that a man who is worth anything ought to spend his time weighing up the prospects of life and death. He has only one thing to consider in performing any action; that is, whether he is acting rightly or wrongly, like a good man or a bad one.

In Socrates' mind, the philosopher-critic must have the courage of a warrior, who fights a good fight. "Had Achilles any thought of death and danger?" he asks. Like a good warrior, the fate of a true intellectual is to die for his mission:⁵⁶

[Achilles], if you remember, made so light of danger in comparison with incurring dishonour that when his goddess mother warned him, eager as he was to kill Hector, in some such words as these, I fancy, "My son, if you avenge your comrade Patroclus' death and kill Hector, you will die yourself; Next after Hector is thy fate prepared,"—when he heard this warning, he made light of his death and danger, being much more afraid of an ignoble life and of failing to avenge his friends, "Let me die forthwith," said he, "when I have requited the villain, rather than remain here by the beaked ships to be mocked, a burden on the ground."

Socrates dies as he wishes. He drinks the cup of hemlock without regret. He is faithful to his fate, and sets an example for the would-be critics.

The above portraits are only snapshots of the silhouettes of the two heroes. They can be quite misleading if they are interpreted with a romantic spirit. "The stories of Socrates and Jesus," Walzer says, "have been oddly confused and conflated. The trial of the philosopher, the passion of the prophet/savior are made to yield a single message: death is the entailed risk of philosophy and prophecy alike whenever these two are critical in character."⁵⁷ Traditionally, Jesus' death is taken to be inevitable—the centre of history and an act of God. Walzer has doubt about its inevitability in political terms, but he does not contest it, apparently because its theological interpretation is definite and many people have accepted it. He states, however, that it is factually wrong to superpose the theological interpretation of Jesus' life on Socrates. Socrates' death is not inevitable. In Socrates' self-understanding, his work does not incur or require the penalty of death to complete his mission. He has no intention to die. He defends himself before the jury, and contends that it will be a loss to the Athenians to kill a benefactor like him, who forfeits his personal interests for the purpose of exhorting

56. PLATO, *The Last Days of Socrates*, trans. H. TREDENNICK, London, 1959, pp. 59–60 (*Apology* 28B–D).

57. *Critics*, p. 14.

others to care for truth and virtue, and for the affairs of the state. Indeed, they should reward him, he argues—he should be paid to carry on his work for the rest of his life. In the opinion of his fellows, Socrates is not an unpopular figure. He has friends and followers, who neither betray him to the accusers nor desert him at his trial. He may even have been acquitted. He is surprised that the votes on the two sides are so close. “It seems that,” he says, “if a mere thirty votes [out of five hundred] had gone the other way, I should have been acquitted.” In a retrospective mood, he continues, “Even as it is, I feel that so far as Meletus’ part is concerned I have been acquitted; and not only that, but anyone can see that if Anytus and Lycon had not come forward to accuse me, Meletus would actually have forfeited his £50 [one thousand drachmae] for not having obtained one-fifth of the votes.”⁵⁸ It is true that Socrates is faithful to his principle and suffers accordingly, but this faithfulness does not lead inevitably to death.

Social criticism does not entail persecution and death. Social critics, of course, face risks, and hence need courage. Risks, however, vary from society to society. A totalitarian régime may impose imprisonment or death on some of its critics. But many governments cannot or prefer not to practise this kind of naked brutality. On the contrary, many societies have an office for their social critics. The officials recognize the critics’ contribution and protect them, as Socrates argues that they should. In ancient China, the ruler actually set up an Office of Criticism responsible for criticizing the monarch and high officials. The liberal society too, in a less formal way, has its professor-critics in the university.

The twentieth century theorists of social criticism somehow confuse danger with disconnection. In fact, neither Jesus nor Socrates is disconnected. The theorists wrongly identify disconnection as the first risk and the touchstone of social criticism. A real critic, they believe, must pluck up courage to break loose from all relations. This article of faith is understandable. Persecution or death is a remote and uncertain event. The critical endeavour does not guarantee the trophy of heroism. But the title of Hero is badly needed in advance. If the heroic drama does not present itself, the critic has to make it up for himself. There is nothing better than disconnection that transforms the critic into a living dead.

Once disconnection is affirmed, theories have to be constructed to legitimize it. The standard philosophical theory is “detachment.” It assumes that a connected critic tends to tilt toward the side of his connection. His bias will corrupt social criticism and turn it into a struggle for self-interest. Can we avoid this pitfall? Yes, we can, some philosophers assure us. We can have an objective standpoint if we take an impartial position. To attain impartiality, detachment is indispensable. The critic must step back mentally and detach from the injured and angry self in order to create the impartial self. Self two looks at self one and the world with a created indifference, and he is deemed to be in a better position to speak the moral truth.

Walzer does not deny the possibility of stepping back, but he doubts if the indifferent self would actually take the trouble to criticize the world. Why does it become “a radical sceptic or a mere spectator or a playful interventionist, like the Greek gods?” he asks.⁵⁹ Floating free, one is not obliged to criticize. One could choose any activity that pleases oneself. Given the unpleasant character of social criticism, it is unlikely that the critic would like it for long. Socrates, the acclaimed philosopher-critic, does acknowledge his connection, which the theorists selectively ignore. He tells the jury that he questions, examines, tests and reproves every willing person he meets, “young or old, foreigner or fellow-citizen; but especially to you my fellow-citizens, inasmuch as you are closer to me in kinship.”⁶⁰ We have every reason to believe every word he says, for Socrates is indifferent to the safety of his life

58. PLATO, *The Last Days*, p. 69 (*Apology* 36A–B).

59. *Interpretation*, p. 50.

60. PLATO, *The Last Days*, p. 61 (*Apology* 29E–30A).

and will not use rhetoric to solicit the sympathy of the jury. Socrates concerns about other people, especially his fellow Athenians. He criticizes because he is connected.

Thomas Nagel entertains the difficulty of detachment and admits the limits of objectivity. Yet, he does not give up the ideas of detachment and objectiveness. He tries to give them a more nuanced account. To start with, Nagel assumes that stepping back is possible. For him, it is unnecessary that self two should detach totally from the connected self and the world. Self one has some partial knowledge of the world. Self two detaches from self one and judges the opinion held by self one. Self two regards the knowledge of self one as subjective appearance of the world. By comparing it with the real world, self two corrects the appearance, and consequently achieves a more objective view of the world. In matters of morality, self two needs not give up the concerns or values of self one. What he needs is to open himself to the innumerable values in the world. "To find out," Nagel says, "what the world is like from outside we have to approach it from within: it is no wonder that the same is true for ethics. And indeed, when we take up the objective standpoint, the problem is not that values seem to disappear but that there seem to be too many of them, coming from every life and drowning out those that arise from our own."⁶¹ Nagel's method boils down to two steps. First, immerse self one in a flood of values. Second, let self two examine the sea of values and select the ones that he deems to be the best.

An account of detachment as such is more credible. Yet, one question remains: how could self two know what is the best? Walzer skips this question, and assumes that self two can experience the values, "though not quite in the common mode," and choose the best ones among them. But then, this is not the undertaking of social criticism in Walzer's understanding. Social reform is based on the criticism of what is to be reformed. The drowning out of one's values and their replacement by others are, in Walzer's own words, "an enterprise far more radical than social criticism ... an enterprise more like conversion and conquest: the total replacement of the society from which the critic has detached himself with some (imagined or actual) other." Walzer's criticism of Nagel stops here. He does not want to go on to define social criticism so as to exclude Nagel's venture. He just remarks that replacement is "most often ... a morally unattractive form of social criticism and not one whose 'objectivity' we should admire."⁶²

Besides self one and self two, Walzer suggests a self three (the equivalence of the superego?), who should be a better critic than both self one and self two. We all have experience of remorse on the occasions when we behaved badly in public. We have a painful picture of ourselves, and the painfulness is a proof that that picture is seen from without. We form an opinion of ourselves not from our own ideals but from the standards of the significant others: our parents, our teachers, our lovers, or our friends. These standards are not arbitrary or idiosyncratic; they are values shared in the part of the world where we live. In other words, they are local values. When we use these local values to criticize ourselves, it is self-criticism. When we use them to criticize others, it is social criticism. Thus an objective social criticism does not require a detachment to the point of nowhere. Moreover, Walzer comments that self three "is bound to be more critical" than self two. Self two is looking at himself looking at society. This activity itself betrays the special interest the critic bestows on himself. It might not be narcissism, but apparently he values himself more than the others. Would it be more accurate to say that he is not completely detached or impartial? There is a more detached one, self three, who looks at society from the view of the society.⁶³

The other justification of disconnection is "alienation," which Walzer has also tackled. This explanation approaches disconnection from a sociological point of view. The sociologist proposes that

61. T. NAGEL, *The Limits*, p. 115.

62. *Interpretation*, pp. 51-52.

63. *Interpretation*, pp. 49-52.

disconnection is a consequence of alienation. It is imposed not from within but from without. Whenever a member of a society is neglected and abandoned, he becomes angry and hostile. This hostility then motivates him to criticize. This is how one becomes a critic. Walzer cites Christopher Lasch's argument as an example:

It is time we began to understand radicals ... not as men driven by a vague humanitarian idealism but as men *predisposed* to rebellion as the result of an early estrangement from the culture of their own class; as a result, in particular, of the impossibility of pursuing within the framework of established convention the kind of careers they were bent on pursuing. The intellectuals of the early twentieth century were predisposed to rebellion by the very fact of being intellectuals in a society that had not yet learned to define the intellectual's place.... [They] were outsiders by necessity: a new class not yet absorbed into the cultural consensus.

Lasch opines that the critic is an intellectual predisposed by his circumstances to rebellion. His explanation has the form of the standard sociological answer to every question, namely, that society is infinitely larger than individuals and the main cause of individual actions. As if to confirm my suspicion, Lasch uses the same alienation to explain why a critic ceases to criticize.⁶⁴

Detachment carried with it a certain defensiveness about the position of intellect (and intellectuals) in American life; and it was this defensiveness ... which sometimes prompted intellectuals to forsake the role of criticism and to identify themselves with what they imagined to be the laws of historical necessity and the working out of the popular will.

"It is as useful in explaining the end as the beginning of radical criticism," Walzer comments, "which makes it too useful by half." Why do some estranged intellectuals become critics, and some don't? Why do some critics cease to criticize, and some don't? Lasch's theory of estrangement falls short of giving an adequate explanation. In view of these general difficulties, Walzer suggests that estrangement should be replaced by marginalization. The critic is not alienated. He is a member of the higher class. For some sociological reasons, he is pushed out of the power centre to the margin. Or he identifies himself with the oppressed, and wilfully marginalizes himself. The critic is both connected and oppositional. His is a kind of "antagonistic connection."⁶⁵

2. Julien Benda's homage to the ascetic monk

The imitation of heroism, a product of confusion and conflation between Socrates and Jesus, is probably an allusion to Julien Benda. In his *Trahison des clercs*, which can be taken as the manifesto of the twentieth century social critics, Benda repeatedly refers to Socrates and Jesus as the exemplars of social critics. At the end of his book, Benda actually places Socrates side by side with Jesus.⁶⁶ Underlying Benda's romantic ideas of heroism is the conceptual framework of the ascetic monk. Walzer opines that the ascetic monk as a paradigm of social criticism is seriously misleading, and that this paradigm is one of the major factors that lead to the failure of the twentieth century social criticism. Walzer wants to correct this misconception, and hence directs his criticism squarely at Benda.

64. C. LASCH, quoted in *Critics*, p. 21.

65. *Critics*. pp. 21-22.

66. J. BENDA, *La trahison des clercs*, Paris, 1990 (repr., 1995), p. 228.

In the narration of Walzer, Benda is a universalist clerk after the Augustinian tradition. Unfortunately, he is born in the wrong place at the wrong time, when monasticism is on the decline and the masses are rising up. He naturally finds socialist reform and nationalism irritating. Most disgusting of all, even the clerks join these popular movements. Not only that, they actually volunteer to be the cheerleaders, inflaming the passion of the activists and stirring up more people to join the tumult. These clerks use their expertise to translate antagonism among people into coherent doctrines of hatred, and moralize them. As a result, nations, classes, and races are all depicted as perpetual enemies that will attack one another whenever opportunity presents itself. War is bound to come as the culminating point of this kind of passion politics. Benda's indictment to these false intellectuals is "betrayal." They betray their vocation of "single-hearted adoration of the Beautiful and the Divine," and go into politics. They betray their (divine) duty of telling people the eternal truth; instead, they tell lies.⁶⁷

The cause of the betrayal, according to Benda's analysis, is passion, primarily the passion of nationalism, then the passion of race, and then the passion of class. The passions for identification and belonging drive the intellectuals into a chauvinist mania. Amid this frenzy, Benda remains calm and disinterested. He reminds his fellow intellectuals, by quoting Jesus' words, saying: "*Mon royaume n'est pas de ce monde.*" The intellectuals are in the world but not of the world. Although they are physically present in the world, their mind and spirit are fixed upon the Beautiful and the Divine, which are not of the world. In Benda's thinking, the model for modern intellectuals, as Walzer correctly points out, is the Catholic clerk of the Middle Ages. At the beginning of the chapter *Les clerics. La trahison des clerics*, Benda divides the walks of life into two classes. The masses—bourgeois, ordinary people, kings, administrators, and politicians—belong to the class of "laity," whose function "*par essence, consiste en la poursuite d'intérêts temporels.*" Except the attention to the Divine, Benda stresses. The other class reserved for this function, he calls the "clerk," who "*par essence, ne poursuit pas de fins pratiques, mais qui, demandant leur joie à l'exercice de l'art ou de la science ou de la spéculation métaphysique, bref à la possession d'un bien non temporel.*"⁶⁸ For Benda, the one and the only employment worthy of the clerk is to contemplate, if not the Eternity itself, then the signs of eternity.

To fulfil his vocation, the clerk must undertake a strenuous course of strict discipline, something like the practice of ascetic monks. Benda is not so much concerned with sensual enjoyment as with the intoxication of passions. The greatest temptation of the time, Benda discerns, is the indulgence of affection. Passion, unlike the joy of contemplation, hangs on the attachment to relations, which are temporal and particular.⁶⁹ The true clerk must abstain from passions and adhere to the exercise of detachment. Benda repeatedly exhorts the clerks to be "*désintéressé,*" and teaches that "*le vrai intellectuel est un solitaire.*"⁷⁰ It does not mean that the clerk has to put himself in seclusion, but it does say that he must withhold his passion in everything he is involved in. "He plays human passions instead of living them."⁷¹ This virtue is, without doubt, very difficult to attain. In fact, few clerks can achieve this. Benda, in a reflection recorded in the *Exercice d'un enterré vif*, suddenly discovers that his own *solitaire* is facilitated by his Jewish statelessness: "*elle [la spécialité de l'esprit critique] pourrait bien tenir en partie à ce qu'étant pour la plupart liés aux nations qu'ils adoptent par des liens*

67. *Critics*, pp. 33-34. Cf. J. BENDA, *La trahison*, pp. 107-123.

68. J. BENDA, *La trahison*, pp. 131-132.

69. J. BENDA, *La trahison*, p. 125. Cf. *Critics*, p. 31.

70. J. BENDA, quoted in R. NICHOLS, *Treason, Tradition, and the Intellectual. Julien Benda and Political Discourse*, Lawrence, KS, 1978, p. 164. Cf. *Critics*, p. 37.

71. J. BENDA, quoted in *Critics*, p. 31.

intellectuels et non charnels, ils échappent aux préjugés nationaux et traitent certains problèmes avec une liberté que ne connaissent pas toujours les non-Juifs les plus affranchis ou à quoi ils n'accèdent qu'avec effort et résignation."⁷² Thus, Benda's detachment is, at least partly, a historical consequence; he is socially predisposed to be *un solitaire*, and a perfect example of sociological alienation. Walzer sarcastically remarks that Benda's *solitaire* is double: he is not only "a Jew cut off from other nations," but also "an assimilated Jew cut off from other Jews."⁷³

What is Benda going to do with his double portion of detachment? One would naturally expect him to invest his fortune in the contemplation of the signs of eternity. I have no idea about his activity in art, science, or metaphysical speculation, but I know that he did sometimes engage himself in social criticism as well as in political actions. These activities are both temporal and particular. Why did Benda enter the realm that he warned other clerks to avoid? One possible answer is that he wants to defend the eternal. In Walzer's understanding, Benda's explanation is a functional one: the clerk is not of the world, but while he is in the world, he serves the world. "Benda is a dualist and a functionalist," says Walzer. His world view is Augustinian and Lutheran rather than Catholic. He divides human activities into two realms. The realm of reality belongs to the laymen, among them politicians and soldiers are the dominant players. Politicians conceive the world in a utilitarian way and act unscrupulously what is necessary to cater for the well-being of the society. On the other side lies the ideal realm, where the intellectuals alone dwell. The clerks are entirely disinterested in practical ends. They pursue whatever is beautiful and eternal. The only obligation that the intellectuals owe the people is to use their speciality in critical discernment to criticize the politicians, and to make sure that they understand what they do is immoral.⁷⁴ The intellectuals "*jetèrent dans le monde, au prix de leur repos, l'idée de moralité.*"⁷⁵ Mysteriously, both the aimless contemplation of the signs of eternity and social criticism serve an indispensable and irreplaceable practical end, that is, the furtherance of civilization. Benda, revamping the argument of the monastic monks, writes: "*La civilisation ... ne nous semble possible que si l'humanité observe une division des fonctions; que si, à côté de ceux qui exercent les passions laïques et exaltent les vertus propres à les servir, il existe une classe d'hommes qui rabaisse ces passions et glorifie des biens qui passent le temporel.*"⁷⁶

Benda, who endeavours to paint and live the ideal image of the intellectual, is a sincere and honourable man. Despite acknowledging this, Walzer severely criticizes the picture of Benda's intellectual, for the reason that the ideal is unrealistic and misleading. Benda's clerk, in Walzer's criticism, is psychologically deprived and politically naïve. He is psychologically deprived of love, or more accurately in Benda's terms, deprived of passion. Love *sans passion*, Benda seems to say, is the purest love. The clerk must cut his fleshy ties and reconnect through his intellect. If he expresses any emotion, he plays it for the sake of courtesy. His being inside is still and undisturbed. This is the ideal human being in certain philosophical or religious tradition. But I have doubts about it. Benda divides human beings into two classes: the common class of laity who possesses love and passion and the superior class of clerks who cultivates the pure love. I suspect that those who can make connection both intellectually and emotionally are superior. (One has only to image the difficulty to engineer emotion in a robot.) I also suspect that human beings (under normal circumstances) possess both intellectual and affective faculties, which cannot be annihilated once and for all or suppressed always and entirely.

72. J. BENDA, *Exercice d'un enterré vif*, in *La jeunesse d'un clerc suivi de Un régulier dans le siècle et de Exercice d'un enterré vif*, Paris, 1968, p. 374.

73. *Critics*, p. 37.

74. *Critics*, pp. 30-31.

75. J. BENDA, *Exercice*, p. 372.

76. J. BENDA, *La trahison*, p. 190.

The clerk is naïve in the matters of politics. In order to become a true intellectual, he has to suspend his intellect in political affairs. The clerk, of course, knows the eternal truth about human conduct, but that truth is not workable in the present world order. The world has its own rule, which the clerk does not care; (he probably does not understand either). Benda insists, Walzer says, that “Caesar’s morality is the right morality for the prosperity of worldly kingdoms.” He puts Benda’s political maxim side by side with Luther’s dictum: “You have the kingdom of heaven, therefore you should leave the kingdom of earth to anyone who wants to take it.”⁷⁷

This two-kingdom rationality is very problematic. The clerk claims to uphold the ideals, but at the same time he forsakes the practical interests of the people. What kind of values is he defending? The dialogue between Benda and his contemporary Paul Nizan best illustrates the point. In 1932, Nizan launched a savage attack on the French intellectuals, among whom Benda was taken to be “the shrewdest.” Nizan criticized Benda’s detachment as a cover for indifference; it actually upheld the established order. Reasoning in Nizan’s mode, Walzer writes: “When one leaves the world to Caesar, one doesn’t serve the ideal; one serves Caesar. Everything else—universal values, critical detachment, the pursuit of truth—is mere hypocrisy. The only alternative is to join the class struggle, to attach oneself to the working class.” Benda’s response to Nizan, as reported by Walzer, was that “if he had to choose between the maintenance of oppression and the loss of intellectual independence, he would ‘resign [himself] to maintaining oppression’.”⁷⁸

Benda’s response, one has to concede, is consistent with his beliefs. On the other hand, it confirms Nizan’s or Walzer’s charge that “when one leaves the world to Caesar, one doesn’t serve the ideal; one serves Caesar.” If one proposes that Caesar’s morality is the morality of the real world, isn’t he ceding legitimacy to Caesar? What kind of intellectuals would Caesar prefer? Machiavelli will surely be the most welcome, the second will be the apologist, the third will be Benda’s oppositional consentor. The first two classes are useful to Caesar. But the clerk criticizes Caesar with the eternal truth, how come Caesar applauds him? A clever Caesar would certainly do that as long as the eternal truth does not touch any real issue. The clerk’s cacophony is tolerable if he admits that his ideal is not of this world. Caesar rules the world by his law, and the clerk criticizes the world by his ideal. Together they work to sustain the civilization. There is opposition but no inherent contradiction: the critic condemns Caesar as immoral, but he consents to his work. Moreover, a clever Caesar can claim himself to be a hero, someone like the Greek tragic hero. He can speak in the same way as the communist leader Hoerderer in Sartre’s *Dirty Hands*: “Well, I have dirty hands. Right up to the elbows. I’ve plunged them in filth and blood. But what do you hope? Do you think you can govern innocently?”⁷⁹ If the answer is no, then someone must get his hands dirty. Caesar goes into the world, plunges his hands in filth and blood, and risks descending into hell. The clerk retreats from the world, keeps himself aloof, and criticizes. To whom should we be grateful?

The script of the intellectual written by Benda is almost impossible to play, not even for Benda himself. Benda was not psychologically deprived. He had passion as well as commitment, not to the Jews but to the French. “The *Betrayal*,” Walzer writes, “is full of naive expressions of his love for France, a love that went far beyond the ‘affection ... based on reason’ that is all he permitted to true intellectuals.” Benda is “wholly absorbed” in the life of France. To prove his case, Walzer cites an example of his language preference. In the 1930s, Benda was preaching a unified Europe. He suggested that French, because of its “rationality,” would be the best substitute for Latin, which was no

77. *Critics*, p. 31.

78. *Critics*, pp. 39-40.

79. J.-P. SARTRE, *Dirty Hands*, in *No Exit and Three Other Plays*, trans. L. ABEL, New York, NY, 1955, p. 224. Cf. M. WALZER, *Political Action. The Problem of Dirty Hands*, in *Philosophy and Public Affairs* 2 (1973) 160-180, p. 161.

longer in use. Walzer regards Benda's "rationality" as a sign of his passion for France.⁸⁰ Another incident that betrays Benda's passion is the Franco-German war of 1914. That year, Germany invaded the neutral Belgium. Benda openly supported the French campaign to drive out the Germans. He insisted that his motive was not based on national interests but on the abstract, Scholastic principle of *jus ad bellum*. According to that principle, France rightly waged war against Germany. Walzer, however, queries why Benda does not go on to criticize the Germans for using poisonous gas, which is a clear violation of *jus in bello*. The reason, Walzer suspects, is that the French has also used gas. "If the Germans had been alone in their use of gas, Benda would have been more open to arguments about just and unjust means of warfare." "When it came to the French and the Germans," Walzer pronounces his verdict, "he was never a disinterested clerk."⁸¹

Benda was not an entirely unreconstructed naïve critic. He was not ready to leave the world to Caesar, neither in his act nor in his writing. He joined the Dreyfusards in the 1890s, and again the antifascists and the anti-Nazis in the 1930s and 1940s.⁸² Benda was pressed by real circumstances to stray from his ideal and compromised: "*J'admets le clerc séculier, le clerc militant, le clerc qui, pour obtenir quelque chose de la nature humaine, se résigne au relatif. Mais je tiens qu'à côté de ce séculier il faut des réguliers, de purs spéculatifs, qui maintiennent l'idéal dans son absolu.*"⁸³ Benda allowed some clerks to concern themselves with temporal and particular things (secular) and even to become militant. There are still some temporal human values for Benda to strive for at the expense of his life, or more importantly, of his peaceful contemplation of the Absolute. Contrary to his two-kingdom thinking, Benda was always unwilling to let Caesar rule the world by his law. "There is ample evidence," Walzer says, "that he preferred victory to defeat and the triumph of justice to the martyrdom of its advocates."⁸⁴ An ironical example can be found in *La trahison*, the same book in which he preaches the separation of the two kingdoms. Benda rebukes those intellectuals; he calls them "mystical pacifists" who criticize the joy of the French victory over Germany and the French demand for indemnification. "*Le mobile qui animait ici ces moralistes,*" Benda says, "*est la pensée que le juste doit nécessairement être faible et pâtre; que l'état de victime fait en quelque sorte partie de sa définition. Si le juste se met à devenir le fort et à avoir les moyens de se faire rendre justice, il cesse pour ces penseurs d'être le juste.*" Benda's condemnation of these moralists, which is equally applicable to himself, is that they establish "*la religion du malheur*" by way of equating justice with defeat.⁸⁵

There is contradiction between theory and practice. Benda upholds the ideal of the intellectual but at the same time strays from the ideal. His difficulties, according to Walzer, arise from his inaccurate analysis of the state of affairs at his time, and from his incorrect prescription. Benda rightly catches the spirit of his time. He correctly predicts that the frenzy of nationalism would ultimately lead to mutual destruction. He attributes the frenzy to the human passions for identification and belonging. Intellectual traitors dive into the passions; mystical pacifists oppose these passions with the sole result of falling into another passion of impartiality. Benda thinks that the right response is detachment, and hence proposes the paradigm of ascetic monk and the two-kingdom framework.

While agreeing that passion breeds intellectual betrayal, Walzer suggests another possibility. He observes that the surrender of critical judgement "is a yielding more often to power than to passion."⁸⁶

80. *Critics*, pp. 38-39.

81. *Critics*, p. 35.

82. *Critics*, pp. 31,40.

83. J. BENDA, *Un régulier dans le siècle*, in *La jeunesse*, p. 259. Cf. *Critics*, p. 40.

84. *Critics*, p. 36.

85. J. BENDA, *La trahison*, p. 219. Cf. *Critics*, p. 36.

86. *Critics*, p. 43.

Benda has not failed to perceive the influence of power on intellectuals. But he thinks that power only comes indirectly, and that the main cause is passion. Walzer sees it the other way around. Intellectuals love power, but that is something they usually cannot acquire. A substitute for this desire is the direct access to power—whispering to the ear of the prince. Which is the more likely cause of intellectual betrayal: passion for fellowship or passion for power? It is really difficult to say. But I tend to agree with Walzer that “justice is a judgment on power, not on love.”⁸⁷ While love is indispensable to the formation of personality, power, which is indispensable to society, is a hindrance—wise men advise the lovers of justice or wisdom to eschew it. Socrates, for instance, did not teach a life of detachment from love. On the contrary, he walked down to the market and greeted the people he met, especially his Athenians, in a brotherly way. For him, if one wants to conduct a philosophic life, the thing that he needs to shun is politics. In an explanation of his position to the jury, Socrates said:⁸⁸

No man on earth who conscientiously opposes either you or any other organized democracy, and flatly prevents a great many wrongs and illegalities from taking place in the state to which he belongs, can possibly escape with his life. The true champion of justice, if he intends to survive even for a short time, must necessarily confine himself to private life and leave politics alone.

The conceptual frameworks used by Benda are wrong insofar as justice is concerned. There is no such sociological division of the two kingdoms, nor is there a kind of pure clerk or pure layman. “Pure science, art for art’s sake, the contemplation of God,” Walzer says, “these may well carry their votaries, not into another realm, but out of the reach of the rest of us.... But the love of justice is very different. It brings the intellectual back into reach, forces him to stand among his fellows. Here the proper model is not the medieval monk but the biblical prophet.”⁸⁹

Has Benda weighed the two models? Apparently, the social critic comes closer to the prophet. Why did Benda choose the monk? The answer as given by Walzer is that Benda, despite being a Jew, never read the prophetic books until the early 1940s, when he was already in his middle seventies.⁹⁰ Had he read them before the publication of *La trahison* and had he reconciled with his Jewish origin, his clerk would have been cast in a more correct mode. What a pity that such a sincere man as Benda could lead himself astray by being disconnected.

C. THE ANCIENT AND HONOURABLE COMPANY OF SOCIAL CRITICS

The twentieth century social criticism is a grim story. It begins with Benda’s high posture, but ends with Marcuse’s airy criticism and Foucault’s entanglement. Social criticism seems to have come to a dead-end. But this is not what Walzer believes. “I complain, therefore I am,” he says.⁹¹ As long as individuals interact with each other, there will be complaints. How can it be otherwise? Since social criticism is only a specialized form of complaint, we can expect its continuation. Society needs criticism, and someone will play the specialized role as a critic. The concerns of the critical enterprise

87. *Critics*, p. 43.

88. PLATO, *The Last Days*, p. 64 (*Apology* 31E–32A).

89. *Critics*, pp. 41–42.

90. *Critics*, p. 42.

91. *Critics*, p. 3.

are the right kind of social criticism and the right kind of social critics. Social criticism, Walzer argues, is not a new phenomenon. It is an ancient venture, as old as society itself. Benda traces its origin to Socrates and Jesus, and models its practice after the ascetic monks. This is a big mistake owing to the ignorance of tradition. Walzer points out that the first appearance of the specialists in complaint, at least in the Western history, is in the land of ancient Israel. The Israelite prophets are the inventors of social criticism who have started “the Ancient and Honourable Company of Social Critics.”⁹²

1. Critical success

Something more has to be said about why the prophet merits imitation whereas the hero or the monk does not. At the beginning of the chapter, I have described the failure not only of the twentieth century social criticism but also of prophecy, which Walzer does not mention. Arguably, the twentieth century intellectuals and the prophets have made mistakes of different kinds. The intellectuals injudiciously choose detachment as their basic discipline; whereas the prophets, while not adopting any practice that is intrinsically contradictory to social criticism, single-mindedly identify foreign conquest as the punishment of God. Israelites have sinned and God punishes them by foreign hands. If they repent, God will re-establish their country. History somehow does not seem to follow this theology, and the prophets lose their credential.⁹³ Their message has failed, but their practice is still worthy of imitation.

The practice of the prophets is, in the words of Walzer, a “critical success.” If a critic can attract a large crowd of audience, inspire faithful followers, and bring about the kind of social reform he preaches, he is certainly a successful critic. Every critic wants that kind of success, but very often he finds himself ending up in the opposite—like a lone voice crying in the wilderness. In this respect, the prophets are no more successful than the modern intellectuals. “Success as the world measures it is not the measure of social criticism,” Walzer says.⁹⁴ Critical success is of a different nature. The prophetic message is caustic and difficult to follow. Indeed most Israelites did not follow. Yet why did they copy, preserve, and repeat the prophetic message? asks Walzer.⁹⁵ Why did they value something they did not practise themselves? The reason, Walzer suggests, is that the prophet has articulated the core beliefs and aspirations of the people in such a powerful way that he hurts his listeners and haunts them for generations.⁹⁶ They may not follow his words, but the words sting, and they have to deal with the sting. The prophet forces the people to confront themselves. This is the critical success which impresses all other critics.⁹⁷

An eloquent example of the critical success can be found in Walzer’s *Interpretation*. The incident is recorded in the prophetic book Amos. Amos, who lived in Judah, went to Beth-El of Israel, where the temple was built, and prophesied against the cultic practices. His attack was not so much against the priests as against the avaricious merchants. Amos was born in a period of transition, when the loose and dispersed political power became centralized in the king. Under the newly established monarchy, a new upper class of merchants emerged and took hold of the country’s economy. These merchants were unrestrained in the accumulation of wealth. They unduly extracted profit by extortion and by fraud. In

92. *Critics*, p. 8.

93. I am aware that the above explanation involves a lot of theological controversies, but I deem it quite unnecessary to pursue them further here as what I propose is just a possibility.

94. *Critics*, p. 79.

95. *Interpretation*, p. 70.

96. *Interpretation*, p. 89; *Critics*, p. 79.

97. *Critics*, p. 235.

spite of their exploitation and oppression, they were patriots, and they expressed their patriotism in religious observance. They kept the Sabbath, participated in festivals, offered sacrifice, and probably donated money for the maintenance of the temple. Amos has an ironical description of the merchants' piety:

Hear this, O ye that swallow up the needy,
 Even to make the poor of the land to fail,
 Saying, When will the new moon be gone, that we may sell corn?
 And the sabbath, that we may set forth wheat,
 Making the ephah small, and the shekel great,
 And falsifying the balances by deceit?
 That we may buy the poor for silver,
 And the needy for a pair of shoes,
 Yea, and sell the refuse of the wheat? (8,4-6)

Amos questions their beliefs: what kind of patriotism and what kind of piety are these if the pious patriots exploit the people and offer part of the acquisition to bribe God, and pretend patriotic in order to cover their damage done to the nation? This is his warning to them: justice is more important than sacrifice.

Amos's theology is a well-established doctrine nowadays; it has been elaborated in the Sinai tradition. But it was not so in the days of the prophet. At that time, justice and ritual, Walzer suggests, were competing for superiority. Why justice, rather than ritual, was the true expression of piety was not self-evident. The royalists, the merchants, and the priests affirmed that cultic observance was the true and sufficient service to God. Amos denounced it as religious hypocrisy. How would a just god possibly be pleased with an extorted offering? Worship without praxis is a self-deceit. Amos stood out, and, drawing upon a previous tradition which was later systematically formulated in Deuteronomy, he attacked the cultists. Amaziah the priest of Beth-El responded by sending a message to Jeroboam, king of Israel, saying: "Amos hath conspired against thee in the midst of the house of Israel: the land is not able to bear all his words (7,10)." Then, Amaziah told Amos: "O thou seer, go, flee thee away into the land of Judah, and there eat bread, and prophesy there: But prophesy not again any more at Bethel: for it is the king's chapel, and it is the king's court (7,12-13)." Amaziah does not defend the cultic religiosity, Walzer emphasizes, but appeals for political power to force Amos out. The priest of Beth-El should not be in want of words. So why does he choose the path of politics? It is because, Walzer opines, Amos's argument articulates the core values of the people so that Amaziah is forced to silence.⁹⁸ When argument runs out, physical coercion becomes the next option. Amos defied Amaziah's intimidation. But we are not told that Amos remained in Beth-El and fearlessly confronted the guards of the king. Probably he went back to Judah, ate bread, and wrote down his prophecies there, as Amaziah had told him to. The priest continued his routines in Beth-El, and the merchants gladly rejoined the celebrations. Amaziah won the contest. So did Amos, though of a different kind—a victory that is most appropriate to a social critic. Critical success as such is not valued by the worldly standard, but it is one of the highest honours that one can achieve in the world.

2. The prophet as social critic

At the end of the *Company of Critics*, Walzer extracts the essence of social criticism and states it in terms of three tasks:⁹⁹

98. *Interpretation*, pp. 73,84-89.

99. *Critics*, p. 232.

1. the critic exposes the false appearances of his own society;
2. he gives expression to his people's deepest sense of how they ought to live;
3. and he insists that there are other forms of falseness and other, equally legitimate, hopes and aspirations.

Walzer accredits the first two to Breytenbach, and the last one to himself. They appear to be the conclusions drawn at the end of the study of a series of social critics. These tasks have, however, already been explicated in the last chapter of the *Interpretation*, which constitutes a "theoretical preamble" to the *Company of Critics*.¹⁰⁰ Since they bear close resemblance to the practice of the prophets, I will take them as though they were laid down by the prophets, and show briefly how Walzer extracts them from the prophets.

First, the prophet exposes the false appearances of his own society. This task can easily be seen in the messages of the prophets. Most prophets are patriots and nationalists. Their main concern is their own country Israel, and their writings display the fiercest love for it. Speaking in the name of God, Amos told his countrymen:

You only have I known of all the families of the earth:
Therefore I will punish you for all your iniquities. (3,2)

Although there exist many nations and many countries, "you only have I known." These are the words not only of God but also of Amos. "The paradigmatic task of the prophets," Walzer writes, "is to judge the people's relations with one another (and with 'their' God), to judge the internal character of their society."¹⁰¹

"For the same reason," Walzer states, "the message of the prophets is resolutely this-worldly." This statement appears to be too resolute and too reactionary to the supernatural claim of the prophets. It needs qualification. Walzer does give us some qualifications though. "First, there is no prophetic utopia, no account (in the style of Plato, say) of the 'best' political or religious regime, a regime free from history, located anywhere or nowhere." "Second, the prophets take no interest in individual salvation or in the perfection of their own souls." Furthermore, Walzer shows us that the prophets base their message on a particular religious and moral tradition. They do not actually preach something novel. Some of the messages "are mysterious to us," but Walzer immediately adds, "they were presumably not mysterious to the men and women who gathered at Beth-El or Jerusalem to listen." He quotes Amos 2,8 (ASV) as an example:

And they lay themselves down beside every altar
Upon clothes taken in pledge.

The prophet's indictment may seem incomprehensible to us, but it is not so to the Israelites who knew the law concerning pledge:

If thou at all take thy neighbour's raiment to pledge, thou shalt deliver it unto him by
that the sun goeth down: For that is his covering only, it is his raiment for his skin:
wherein shall he sleep? (Ex 22,26-27)

This law of pledge is not universal. We may have our own idea of how pledge should be kept. The prophets do not care; they care only about their own tradition.¹⁰²

A more serious task of the prophet is to shape the cultural identity of his nation. When a prophet ventures into the enterprise of social criticism, he inevitably encounters conflicting moral claims and equivocal interpretations. In the absence of a complete set of defined moral conduct, the prophet has to, in Walzer's own words, "emphasize" certain aspects and "de-emphasize" other aspects of the

100. *Interpretation*, p. vii.

101. *Interpretation*, pp. 79-80.

102. *Interpretation*, pp. 80-82.

tradition. The prophet relies on the tradition, but he also “interprets” and “revises” it.¹⁰³ This is a far more interesting aspect of social criticism, and a necessary one, especially during the period of transition. Amos’s case fits this social milieu well. The eighth century B.C. Israel and Judah, Walzer points out, were transforming from a more or less “association of freemen” to a hierarchy in which power and wealth were concentrated in the hands of the royalists and the merchants. The new upper classes exploited the people economically, while at the same time they behaved scrupulously religious. Amos perceived the contradiction. He associated the political oppression in Egypt with the present economic oppression, and denounced the cultic piety as insufficient and hypocritical.¹⁰⁴

As for the third task, the prophet is manifestly a particularist: his main concern is his own people. Although his message may involve other nations, he makes no claim that other societies must conform to the Jewish society. Is this particularist practice in contradiction to the belief in the universal God? Wouldn’t it be more plausible that the only God makes a universal standard for all nations? This is not what Amos contemplates, Walzer opines. Amos assumes that God, like him, has a special relationship with Israel. He also recognizes that God, unlike him, can have other intimate relationships with other nations. As a proof of such belief, Walzer cites Amos 9,7: “Are ye not as children of the Ethiopians unto me, O children of Israel? saith the Lord. Have not I brought up Israel out of the land of Egypt? and the Philistines from Caphtor, and the Syrians from Kir?” Walzer interprets this verse as Amos’s recognition of the particularity of each nation—Israel is one among many other God’s liberations and one among many other God’s children, and each nation can have its own prophecy and its own prophets.¹⁰⁵

As if Amos stated his (not God’s) opinion about the particularist nature of prophecy, Walzer continues to explore the possibilities of universal prophecy. What would a prophet say when he is sent by God to speak to another nation? This is not merely a speculative question. The Bible has records of prophets, like Balaam and Elijah, who speak to foreign nations. The prophetic books likewise have a number of prophecies that address other nations (though the audience were the Israelites). The book of Jonah actually tells the story of how God forces the Israelite prophet to prophesy to the inhabitants of Nineveh. Walzer takes Jonah as an example of the universal prophet, and compares his message with that of the local prophet Amos. Jonah appears to have no knowledge about the religion and the moral law of the Ninevites. In fact, he is a totally detached prophet; he cares nothing at all about the Ninevites. His prophecy consists of a single sentence: “Yet forty days, and Nineveh shall be overthrown (3,4).” No elaboration, no cause, no poetry, no admonition. Jonah is a reluctant prophet. Perhaps something more could have been said by a zealous prophet who is eager to help the local people. Even then, the conversation would be thin, Walzer argues, since communication depends on a communal life, which is what the prophet does not share with the people. The prophet and the people could only base their dialogue on the existing minimal code, such as the “sin” of Sodom and Gomorrah (Gn 18,20) or the “violence” of the flood (Gn 6,11).¹⁰⁶ No allusion to cultural particularity, no nuance, no subtlety—these are the general features and the limitations of universal prophecy. If a prophet goes into details, he should acknowledge his connection.

I agree with what Walzer says so far, but I find Walzer’s interpretation somewhat selective. There exists another dimension in the prophetic message, that is, the plane of transcendence, which is repressed and left out in Walzer’s discussion. All prophets in the Bible claim to have been sent by God, and they substantiate their claim by recounting some transcendent experience. They hear God’s voice

103. *Interpretation*, pp. 82, 84.

104. *Interpretation*, pp. 84–88.

105. *Interpretation*, pp. 93–94.

106. *Interpretation*, pp. 76–79.

or they see a vision in the heavenly court, and then they are commissioned to announce the revelation to the people. This is the standard form of prophetic vocation. Every prophet needs it to prove his authenticity. Very often, this formula is written into the prophetic books in the form of vision and the translation of the vision. The prophet sees a vision concerning the future of Israel. With divine aid, he understands what the vision means. He is urged to proclaim and to explain the vision to the people. Apparently, the prophet takes the liberty to translate the vision in his own style. His message concerns *this* place and *this* people, but it is founded on a transcendent source. The prophet is motivated to attack injustices not merely by his indignation but first and foremost by divine vocation. This is true at least in the self-understanding of the prophet.

Consider the example of Amos, the exemplar of social critic. His book is the best that resembles a modern social critique. The three tasks of social criticism listed by Walzer can be found there. Amos is also a neat example of prophetic revelation. The book begins with the standard form:

The words of Amos, who was among the herdsmen of Tekoa, which he saw concerning Israel in the days of Uzziah king of Judah.... (1,1)

The basic meaning of the verb saw (הִרְאָה) is to see with the eyes or to perceive with the inner vision. If we take the verse literally, the words of Amos record what he saw or perceived in some transcendent experiences. Noticeably, the last chapter is presented in the form of vision (9,1-4) and the translation of the vision (9,5-15). It is true that most of the prophecies in Amos are not in vision form. And the few visions that it has are only inserted at the end of the book. Yet we should not ignore the possibility that the social critiques are based on some cosmic visions. The prophet may have omitted the original visions and presents only his interpretations in order to suit the occasion of proclamation. Consequently, we cannot be sure of the conditions under which Amos received his visions and how he dealt with them. However that may be, the prophet stamped every prophecy with the seal: "This is the words of God." It seems unlikely that Walzer would dismiss Amos's words as a mere blasphemy.

In addition to the transcendent source of prophetic proclamation, the message itself contains some otherworldly elements. Calamities, whether inflicted by nature or by enemies, are perceived by the prophets as acts of God. Likewise, prosperity is a deed of God's blessing. God punishes and God saves are the two indispensable elements found in almost every prophetic book, whereas the condemnation of injustice is not always present, especially in some late prophetic works when the prophets are unable to translate cosmic visions into social and political terms. It seems that the prophets are motivated to speak more by the vision of (divine) punishment or (divine) restoration than by indignation.

Obadiah is such a book. It concerns wholly punishment and restoration. The condemnations are the universal "violence" done by Edom to Israel. Because of the violence, the prophet says, God will punish Edom. "But upon mount Zion shall be deliverance, and there shall be holiness; and the house of Jacob shall possess their possessions (17)."

At the beginning of his discussion on the prophetic paradigm, Walzer writes:¹⁰⁷

Of course, there were prophets before the [classical and literary] ones we know, seers and soothsayers, oracles, diviners, and clairvoyants; and there is nothing very puzzling about their messages or about their audiences. Foretellings of doom and glory will always find listeners, especially when the doom is for enemies, the glory for ourselves.

Walzer despises this kind of prophets; he just stops short of calling them "false prophets." Now, Obadiah obviously fits into this category. His message constitutes of nothing but doom for enemies and glory for ourselves; on the contrary, he is a soothsayer. Yet, Obadiah is not a prophet before the classical ones; he is one of the classical prophets. So, Walzer's prophetic paradigm cannot accommodate Obadiah.

¹⁰⁷. *Interpretation*, p. 70.

There are still other prophetic activities or messages that cannot be circumscribed by Walzer's paradigm. I trust the above two points suffice to demonstrate that Walzer constructs his paradigm on a selected type of prophetic texts while "de-emphasizing" the transcendent dimension of prophecy. He follows the same line as the rabbis, who downplay revelation and elevate interpretation. But unlike the rabbis who maintain a distinction between the prophet and the sage, Walzer attempts to identify the modern social critic with the ancient prophet. Walzer's paradigm, to borrow his own words, is a modern reinterpretation of prophecy. Given that true vision is rare nowadays, his interpretation is not an unattractive one.

3. Randolph Bourne the modern prophet

The connection between modern social critics and ancient prophets is not purely a theoretical construction. Not a few Western critics throughout the ages have derived inspiration from the prophets. Traces of prophetic elements can be found in their critiques. To substantiate his argument, Walzer selects a contemporary American critic, Randolph Bourne, and casts him in the model of the prophet. Bourne was "a clerk *avant la lettre*," Walzer writes, who was born in 1886, nearly twenty years after Benda. But Bourne's criticism was ahead of Benda's: he trumpeted the betrayal of the intellectuals during the First World War, a decade before Benda published his *Trahison*. Bourne, though young, inexperienced, and lacking Benda's handbook, showed remarkable consistency in his social criticism. He played his part, Walzer writes, "with splendid vehemence and political recklessness."¹⁰⁸ How could he play a critic so marvellously without a script? Bourne actually had a script, Walzer argues, not the script of Benda, but the script of the prophet.

Looking at Bourne from the perspective of the prophet is uncommon in the critical literature. Bourne, in the view of his critics, is both physically and socially assigned to be a social critic. Born with a twisted face and a hunched back, he is stigmatized for mockery and exclusion. Alienated in his small hometown Bloomfield, he moves to New York only to find himself ending up in a magnified alienation. Estranged early on and denied of the possibility to pursue his career within the framework of established convention, Bourne becomes an outsider by necessity. In standard sociological understanding, he is predisposed to criticism and rebellion.¹⁰⁹ Indeed, the idea of predestination sometimes hovered in Bourne's mind: I am "a lonely spectator," he once told his friend in a letter, "reserved from action for contemplation.... I have unsuspected powers of incompatibility with the real world."¹¹⁰

Nevertheless, both Bourne's self-understanding and the account of his critics are partial. Bourne describes his critical power by means of his innate ability, which is the biological version of predestination, while his critics use more sophisticated sociological terms. Both explanations neglect the dimensions of education and personal beliefs, which play equally important roles in shaping a person's character and perception. As a matter of fact, Bourne was brought up in the Presbyterian tradition. Worship, Bible study, daily prayer and Scripture reading were his routine. These spiritual exercises would deposit a layer of Protestantism in him and dispose him to criticize things incongruous with his beliefs. Walzer provides evidence to show that some biblical images are at work in Bourne:¹¹¹

108. *Critics*, p. 45.

109. *Critics*, p. 46.

110. R. BOURNE, quoted in *Critics*, p. 46.

111. R. BOURNE, quoted in *Critics*, p. 46.

I want to be a prophet, if only a minor one. I can almost see now that my path in life will be on the outside of things, poking holes in the holy, criticizing the established, satirizing the self-respecting and contented. Never being competent to direct and manage any of the affairs of the world myself, I will be forced to sit ... in the wilderness howling like a coyote that everything is being run wrong.... Between an Ezekiel and an Ishmael, it is a little hard to draw the line; I mean, one can start out to be the first and end only by becoming the latter.

The passage shows that Bourne was conscious of the internal and external constraints acting upon him. He believed, perhaps from past experience or from the testimonies of the prophets, that the world would not accept his criticism. (A later event—the First World War verified his prediction is completely correct: in wartime America, there is no room for dissent.) He also felt incapable of reverting the fate of being treated as a traitor and an outcast: he had to continue to criticize because he lacked the means to engage himself in another career. If this is the fate of Bourne, it is not merely an act of God but also a consequence of his will. “I want to be a prophet,” he confessed. Bourne chose to become a critic. His source of inspiration and his conception of the critical role came from the prophets. The reference to Ezekiel and Ishmael reveals that Bourne was well versed with the Bible. Ezekiel was one of the most eccentric prophets, who had his peculiar way to provoke the Israelites, whereas Ishmael was the banished but literally innocent son of Abraham. Although it would be a little exaggerated to say that a prophet will ultimately become an outcast, the prophet surely experiences a certain degree of exclusion and loneliness. This common experience of rejection was probably reinforced in Bourne’s mind by the numerous accounts of the persecution of the prophets. Bourne conceived his career in Old Testament imagery, and anticipated his end also in Old Testament imagery.

We should not, however, overlook the fact that Bourne was a Presbyterian, not a Jew. We would expect to see in him the seal of the New Testament as well. If he apprehended his career and his life in Old Testament terms, would he not associate reality with New Testament imagery? In the exploration of the deeper side of Bourne, Walzer unavoidably touches upon Bourne’s apostolic spirit: “I have a picture of a host of eager youth missionaries swarming over the land.” “Eager youth missionaries,” Walzer remarks, “if Bourne had ever written about the revolutionary vanguard, that is probably the way he would have described it.” Walzer continues to describe Bourne’s conception of generations and classes in terms of a “secular evangelism.” Bourne frequently used the words “*lift* and *stir*,” which have strong evangelical connotation, to denote “forward movement, radical agitation, for the sake of a richer culture and a more ‘experimental’ life.” Still further, Walzer notes that Bourne directly compared the ideal critic with the missionary: “The ironist is a person who counts in the world.... His is an insistent personality; he is as troublesome as a missionary.”¹¹²

Walzer is doing justice to Bourne in describing the influence of his Protestant heritage on his political thinking. But I can’t help having the impression that Walzer has toned down the evangelical element in Bourne. While commenting the last quoted sentences, he says: “‘missionary’ isn’t quite the right word, for a missionary carries his gospel to foreign lands, while irony, as a critical style, works only at home. Bourne did think of himself as a man with a mission—to interpret and defend the newness of America. But he had no gospel to proclaim, at least not in the usual sense of that word.”¹¹³ In short, Bourne is not a missionary; he is at most a man with a mission of indefinite nature. This is not quite correct. As noted by Walzer, Bourne did preach a kind of service to the public: “food inspection, factory inspection, organized relief, the care of dependents, playground service, nursing in hospitals.”¹¹⁴ Despite the fact that some of these services are new projects, all of them can be

112. *Critics*, pp. 48–50.

113. *Critics*, p. 50.

114. R. BOURNE, quoted in *Critics*, pp. 48–49.

understood within the framework of traditional Christian charity work. Bourne was not converting people to Christianity, but nonetheless he advocated public service derived, at least partly, from his Christian ideals. Walzer has interpreted “mission” in a very narrow sense as overseas Christianization. In the Protestant churches, it is not uncommon to give the word different usages. The central meaning of “mission” is “to send off.” Anyone sent off is a missionary. Although missionaries are usually sent off to foreign lands, they may have to be sent off to their homeland if their people happen to forget and deviate from their common ideals. In such case, irony is a powerful means of missionizing.

Judging from the portrait painted by Walzer, I cannot say for sure whether Bourne is a prophet or an evangelist or something in between. I suspect that the Gospel would have a wider ramification and deeper penetration in a Christian. But I don’t want to pursue the argument further lest I shall stray too far from my subject. Right now, suffice it to say that besides the prophet, the evangelist might be a source of inspiration to social criticism.

§2. CRITICAL DISTANCE

The prophetic paradigm, which may be sufficient in itself as a guide to social criticism in premodern society, is no longer sufficient to address a situation peculiar to the modern state arising from the transferral of sovereignty from the monarch to the people. In the *ancien régime*, the king or the ruler was the head of the state, and the people were his subjects. There was only a relatively small number of élite that could participate in the decision-making of the state. The masses were disregarded as ignorant and passive subordinates. In this circumstance, the critic would naturally choose the élite or the king as his object of criticism. He himself was most often one of the élite. He stood on their side, shared their values, and looked at things from their perspective. He criticized them because they did not live up to the ideals that they themselves professed. The critic had an unambiguous standing vis-à-vis his audience. This is, however, no longer the case in modern state. Since the head of the king was cut off, sovereignty has been resided, at least nominally, in the people. Ever since “the revolt of the masses,” it has become difficult for the critic to justify his defence of the interests of the élite.¹¹⁵ If he sides with the ruling class, he will be charged with intellectual betrayal. But going over to the side of the oppressed is a problem too. How far should the intellectual identify himself with the popular movement? If one goes too far, as the Marxists often do, join hands with the other side and declare war on one’s side, Walzer warns, one may commit “treasonous engagement.”¹¹⁶

115. *Critics*, p. 25.

116. *Interpretation*, pp. 59–60.

A. ABSOLUTE OPPOSITION

1. Jean-Paul Sartre's smokescreen politics

The first critical stand we will examine is what Walzer calls “absolute opposition.”¹¹⁷ This position is theoretically formulated by Jean-Paul Sartre and acted out by his followers. Sartre is basically a Benda's intellectual. He believes that the intellectual must criticize the world, and that to be qualified as a critic, the intellectual must attain a superior standing, like God, surveying the world from a point beyond the world. Benda teaches his intellectuals detachment as a method of discipline. To Sartre, asceticism is old-fashioned. At any rate, it does not and cannot elevate the intellectual to the ultimate objective standpoint. To achieve this aim, a sociologically adequate methodology is needed. Intellectuals are, *de facto*, bourgeois. Even when one begins as a proletarian, one will be co-opted into the bourgeoisie through successful education. To undo the bourgeois socialization, Sartre recommends the exercise of perpetual self-criticism. The intellectual must criticize the bourgeois inside before he can criticize the bourgeois society outside. He must declare war on himself before he can declare it on the world. If he is always at odds with himself, he will not be in favour of anyone else. The process is painful, but it is heroic and worth the effort. After the thorough self-emptying, the intellectual will then be able to lift himself to an objective and impartial stand. From there, he searches for the truth, and he realizes that the universals and the future humanity are embodied only in the oppressed. Thus, Sartre demands an “unconditional” commitment to the movement of the oppressed. Nevertheless, the Sartrean intellectual, Walzer points out, is “unassimilable.”¹¹⁸ Marx instructs the intellectuals to go over to the other side and connect themselves to the proletariat. Or in metaphorical language, the intellectuals are the head and the proletariat are the body of an organic society. Sartrean intellectuals also go over and commit themselves unconditionally, but they are not required to connect themselves to the oppressed. For the sake of the universals, Sartre says, the critic “can never renounce his critical faculties if he is to preserve the fundamental meaning of the ends pursued by the movement.”¹¹⁹ The critic must keep his transcendent standpoint, and remain disconnected.

What does it mean by holding unconditional commitment and disconnection at the same time? How can the critic commit himself unconditionally and remain disconnected? These are the questions raised by Walzer. It does not seem to be a plausible political position. Walzer suspects that Sartre's critical theory is “a kind of theoretical smokescreen” covering “a familiar politics of internal opposition.”¹²⁰ He argues that Sartre and his friends are on the side of the bourgeois despite their declaration of war. They have never attained the transcendent standpoint. Their universals are values internal to the bourgeoisie. They simply use the bourgeois standard to measure the bourgeois. Likewise, the Sartrean critic never seriously engages with the oppressed. He changes his position, but the move is not physical, nor social, but only political. He chooses to remain in France as a member of the privileged class standing on the side of the enemy. “Henceforth he aimed his ideas,” Walzer says, “as a soldier ... might aim his gun, *in only one direction*.”¹²¹

117. *Critics*, p. 237.

118. *Interpretation*, p. 58.

119. J.-P. SARTRE, quoted in *Interpretation*, p. 58.

120. *Interpretation*, p. 59.

121. *Interpretation*, p. 58. Italics added.

2. Simone de Beauvoir the assimilated woman

To justify his suspicion, Walzer uses Simone de Beauvoir, instead of Sartre, as an example. The choice has certain advantages. De Beauvoir was the faithful and intimate follower of Sartre. She probably knew him better than anybody did, and she was eager to follow in his footsteps. Indeed, contemporary feminists regret that she follows him so closely that her reputation as a socialist and *une femme émancipée* is compromised. When she wrote of Sartre on leave from the French army in 1940, de Beauvoir unreservedly expressed her attachment to Sartre: “A radical change had taken place in him and in me too since I rallied to his point of view immediately.”¹²² On the other hand, de Beauvoir was a better and more influential social critic in comparison with Sartre. She was a Sartrean critic and a successful one. Now, we have here an excellent case that may disprove Walzer’s claim that disconnection leads to bad social criticism.

The first counter-evidence that Walzer gives is the Algerian War. Prior to its independence in 1962, Algeria was a colony under French rule. In 1954, the Algerian National Liberation Front (FLN) demanded independence and full sovereignty. The *pied noirs* perceived that the FLN intended to destroy their community and to wipe them out. Their action towards the FLN was classical: they suppressed the liberationists. The FLN’s reaction was also standard: they conducted terrorist campaigns to expel the Frenchmen. Who first began the violence is not our concern here. What we need to know is that the violence escalated and spun out of control. The struggle presents a typical ethical dilemma of national liberation in the twentieth century. At that time, there were over one million Europeans settled in Algeria. It was their home, and they wanted to stay. But it was also the home of nine million Arabs. Their demand could not be ignored either. A reasonable solution would be to establish some kind of autonomy and coexistence. But moderation was overpowered by extremity, and the situation evolved into an either-you-or-me scenario. Which side should a French critic take?

The decision can easily be made in accordance with Sartre’s critical theory. The *pied noirs* are the oppressors, and the Algerian Arabs are the oppressed. The critic should thus stand on the side of the Arabs unconditionally. De Beauvoir strictly followed this line of thinking. “All those people in the streets,” she wrote, “they were all murderers. Myself as well. ‘I’m French.’ The words scalded my throat like an admission of hideous deformity.”¹²³ De Beauvoir distanced herself from the French people and ferociously criticized the government. Walzer concedes that de Beauvoir was “courageous” and that her criticism was often correct, but he also points out that the criticism was one-directional—she had never said a word about the terrorist acts of the Arabs. With no intention to go to Algeria or to become an Algerian, de Beauvoir remained in France and fought a war of letter against “her own” people from within. “The lives of Moslems were of no less importance in my eyes than those of my fellow countrymen,” she explained. By attacking her own people, she indeed proved her impartiality. She won the honour of Benda’s True Intellectual. Walzer, however, is very severe towards this kind of impartiality. He accuses her of “cold indifference.” Since the words are very harsh, I had better let Walzer speak for himself:¹²⁴

In fact, there is little evidence that she attached much importance to any particular lives. Terrorist attacks on French civilians left her unconcerned; and she was outraged by Algerian deaths only when they were caused by the French.... She knew about the brutality of the FLN’s internal wars but chose not to write about it; she seems never to

122. S. DE BEAUVOIR, quoted in *Critics*, p. 154.

123. S. DE BEAUVOIR, quoted in *Critics*, p. 140.

124. *Critics*, p. 142. Italics added.

have given a thought to the likely fate of the *piéd noir* community after an FLN victory. So her hard-won impartiality slides into a cold indifference.

Insofar as the Algerian War is an ease case, we have to look further into de Beauvoir's major achievement. *The Second Sex*, de Beauvoir's first critical book and an instant success, is heart-touching and provocative. It has a high critical quality, and thus earns a permanent place in the feminist literature. Does it not demonstrate the practicability of Sartre's critical theory? Why does the same theory, applied by the same author, produce critical works of vastly different quality? Walzer insists that Sartre's theory is a bad one. It is de Beauvoir's intrinsic otherness as a woman and her creativity that redeem her from being totally overshadowed by Sartre. We should not forget that de Beauvoir was a sophisticated French woman. She was a feminist before there was a feminist movement. She was an adventurer who treasured independence and originality. Being a faithful partner and follower of Sartre, she was nevertheless uneasy about Sartre's existentialist conception of freedom which says that all men are free by nature. This contradicted her own experience of freedom: she experienced that while man was born with freedom, woman had to earn it. She wanted to express her discontent and to give voice to this different experience. Since gender was not a category in Marxist theory, de Beauvoir was free from doctrinal bondage. She had to find her own way to criticize the unfreedom of woman. Her originality made a difference to the *Second Sex*.

The position de Beauvoir took in the war against the oppression of women is amazing—it is entirely anti-Sartrean. If de Beauvoir had followed the oppressed-oppressor analysis, she would have chosen the side of women and aimed her arms of criticism at the direction of men. De Beauvoir did not take this stand. On the contrary, she criticized women for their passivity and slave mentality. De Beauvoir believed that women are born free, as free as men. A woman, like a man, can plan her life and strive to actualize it. If she fails to do that, it is her own fault; she cannot put the blame on men. In reality, women were unfree. How can we explain this collective failure of women? De Beauvoir attributed the causes to the female body and the social construction of gender. Men construct the gender roles. Women accept and play the feminine role. But men do not, de Beauvoir thought, assign the role to women arbitrarily: men construct it according to the physical characteristics of women. Therefore, the root of the enslavement of women is not men but the female body.

Man in his physical being, conceived by de Beauvoir in existentialist terms, is *pour-soi*, being-for-itself, whereas woman is *en-soi*, being-in-itself. Male body is designed for action. "He is ... larger than the female, stronger, swifter, more adventurous." His body enables him "to take control of the instant and mold the future. It is male activity that in creating values has made of existence itself a value." He is "a being of transcendence and ambition." De Beauvoir is a worshipper of the male body. In contrast, she despises the female body. Woman is a being of immanence. Her body is made for reproduction, rearing, and repetitive work. It deprives her of the chance of adventure. "From puberty to menopause," de Beauvoir says, "woman is the theater of a play that unfolds within her and in which she is not personally concerned." She especially loathes sexuality and mothering: "First violated, the female is then alienated ... tenanted by another, who battens upon her substance." Again: "Giving birth and suckling are not *activities*, they are natural functions; no project is involved, [*sic*] and that is why woman found in them no reason for a lofty affirmation of her existence—she submitted passively to her biologic fate ... imprisoned in [*sic*] repetition and immanence."¹²⁵ It seems that woman is destined to enslavement. But de Beauvoir does not think that this is inevitable. She has herself escaped the

125. S. DE BEAUVOIR, quoted in *Critics*, p. 157; cf. *The Second Sex*. Translated and edited by H. M. PARSHLEY (Everyman's Library, 137), London, 1993, pp. 25, 69, 60, 29, 23, 66-67.

enslavement and planned her life like man. Other women can do the same only if they renounce marriage and mothering.

De Beauvoir's conception of freedom is no different from the liberal idea of life as a project. It is a social construction—by man. De Beauvoir never questions this construction, only the exclusion of woman. She demands for the admission of woman, at least for the qualified one, who hunts, who fights, who risks her life. This is an assimilationist politics, Walzer comments, and de Beauvoir is “an assimilated woman.”¹²⁶ She looks at the suffering of woman from the male perspective. She criticizes the man's world from this perspective. She also criticizes woman from this perspective. Consequently, her criticism is harsher toward woman. De Beauvoir would never have agreed that hers is merely the perspective of man. She claimed that her view was objective. Of course, only an angel could be completely objective, she said, but then it would be “ignorant of all the basic facts involved in the problem.” The ideal person is a woman who knows “what it means to a human being to be feminine,” but who is at the same time “fortunate in the restoration of all the privileges pertaining to the estate of human being.” De Beauvoir admitted that she and some of her contemporaries had “won the game,” and they could “afford the luxury of impartiality.” What she saw from this luxurious estate is that the existing world is the best possible world, and that men have constructed the world as it should be because male is the embodiment of the universals. She had a *de facto* argument to support her view: “The fact is that culture, civilization, and universal values have all been created by men, because men represent universality.”¹²⁷

In the *Second Sex*, de Beauvoir does not adhere superficially to Sartre's doctrine of unconditional commitment to the oppressed. She follows it at a deeper level—going over to the side of the enemy. She goes over to the side of men and conforms to the rules of game made by men. She criticizes women from the other side. Her criticism of the female body is especially savage. It is an ultimate denial, an assault, an anathema to the woman body—a typical Neo-Platonic judgement pronounced by the soul on the body. Nevertheless, de Beauvoir's disconnection with women is not complete. How can she—with her memory and her untransfigured body? “When she is not belaboring the bad faith,” Walzer writes, “she has a keen sense for the pain of women whose hopes and ambitions are first deferred, then repressed, then turned into sentimental fantasy. She writes about these women with a mixture of sympathy and repugnance that very few male students of women's lives could possibly match.”¹²⁸ Intellectually going over to the side of men while physically connected to women—these are the strength and weakness of de Beauvoir's social criticism.

B. CONNECTED OPPOSITION

The ideal critic, according to Walzer, is one who accepts one's body, and not only one's body but also one's class, one's place, one's country, one's culture, and one's race. To deny any of these may in a certain way corrupt social criticism. It is crucial for the social critic to know who he is and to stand fast where he is. He looks at the world from that particular standing, and then extends his solidarity to those badly in need. Attachment is commonly suspected as the first and foremost impediment to self-criticism. Walzer, however, argues against this maxim of modernity. And not merely against it, he

126. *Critics*, p. 161.

127. S. DE BEAUVOIR, quoted in *Critics*, pp. 161–162.

128. *Critics*, p. 162.

actually argues the other way round that attachment is the prerequisite of social criticism, at least for the kind of criticism that merits imitation. The American politician Carl Schurz once asked in the United States Senate: “Our country, right or wrong! When right to be kept right; when wrong to be put right!”¹²⁹ Walzer cites Schurz’s words to show that even practical man would ask critical question. When one loves one’s country, will he not be likely to ask the same question as Schurz did? Will he not be likely to deliver the proper criticism and to propose the right solution? Is it not likely that he will be listened to attentively by the people? The critic loves his country even though it behaves wrongly. And his love and guilt provoke him to stand on the side of those being wronged and to criticize the oppressors. George Orwell, in Walzer’s opinion, is such an ideal connected critic. “He moved left and remained whole,” says Walzer.¹³⁰ The wholeness of Orwell marks him out as one of the most distinguished critics of the English society and the totalitarian politics in the twentieth century. But before moving on to Orwell, we need to consider two contemporary critics of Orwell, Antonio Gramsci and Ignazio Silone. Their lives and their works can serve as a contrast to Orwell’s. Together, they display the depth of connected opposition.

1. Antonio Gramsci’s common sense

Antonio Gramsci was a founder of the Italian communist party. He became its head in 1924. Two years later, he was arrested and imprisoned by the fascists. He died in 1937 in a hospital at the age of forty-six after eleven years of confinement. Most of Gramsci’s communist life was spent in prison. His absence in social reform did not deprive him of a prominent place in the Marxist pantheon, for he had produced thousands of pages of concentratedly intellectual work, which were collected in the *Prison Notebooks*. His confinement and his theoretical works made him a “rare bird” among the Marxists. He was an “innocent communist,” and he acquired his innocence without denouncing the communist party or criticizing the party’s doctrine.¹³¹ Hence he is the best subject for the latter-day Marxists to work out a democratic politics within Marxism. Does Gramsci’s Marxist theory contain some democratic elements? This question, Walzer thinks, inevitably leads to the counterfactual question about Gramsci himself: was he a democratic communist?

One has to admit that Gramsci has breathed some freshness into the otherwise monolithic Marxist thinking. Though Gramsci holds the same teleological vision as other Marxists, he comes up with a different strategy of pushing history to its end during his solitary confinement in prison. The Marxist orthodox view of revolution defines intellectuals as agents of history. First, they have to organize the proletariat to seize state power. Then, they are to construct a proletarian state, under the dictatorship of the proletariat and led by the communist party. After indefinite cycles of class struggle, they believe, a pure communist society will ultimately appear. The strategy of *coup d'état*, Gramsci contends, is not applicable to the advanced capitalist country, like Italy, or France, or Britain. Unlike the rustic state, the bourgeois civil society has developed complex networks of relations. The state is only one of the instruments controlled by the hegemonic class and its immediate allies. Under such circumstances, it is difficult to mobilize and organize the proletarians to seize the state. Even if the party does seize the state, it will not be able to subdue the tremendous resistance from the civil society. Gramsci deems it more appropriate to wage a “war of position” in developed countries than a “war of manoeuvre” such as the one that had been used by the Soviet Communist Party to seize power. Instead of seizing state

129. C. SCHURZ, quoted in *Interpretation*, p. 36.

130. *Critics*, p. 121.

131. *Critics*, p. 81.

power, the war of position is to seize the civil society. It works more like infiltration than takeover. The process is painfully long and arduous. Walzer sums it up in three stages: “(1) the party creates the terrain for (2) the development of a national-popular (not merely proletarian) will, which is not yet the achievement of but is only directed toward (3) the realization of a new way of life.”¹³²

The *Prison Notebooks* deals mainly with stage (1). The initial task of the party, Gramsci states, is “intellectual and moral reform.” Like every Marxist, Gramsci affirms that the working class is the embryo of the future society, which means, the workers carry the future civilization in their activity, but not yet in their understanding of the world. The aim of the party then is to raise the workers’ consciousness to the level of their activity, or what Gramsci calls, “fitting culture to the sphere of practice.”¹³³

Most Marxists hold an oversimplified view of the workers’ consciousness. They treat the peasant-converted industrial workers as children, or as Frank Parkin puts it, patients “suffering from a kind of collective brain damage.”¹³⁴ They think that workers accept unreflectively the ruling ideas, which represent a false conception of social reality. They thus have a “false consciousness,” where faith is contradicted by fact. Gramsci refutes this explanation: “[Bad faith] (*malafede*) can be an adequate explanation for a few individuals taken separately, or even for groups of a certain size, but it is not adequate when the contrast occurs in the life of great masses.” He thinks that it would better to seek explanation in the social historical order:¹³⁵

[The disjunction] signifies that the social group in question may indeed have its own conception of the world, even if only embryonic; a conception which manifests itself in action, but occasionally and in flashes—when, that is, the group is acting as an organic totality. But this same group has, for reasons of submission and intellectual subordination, adopted a conception which is not its own but is borrowed from another group; and it affirms this conception verbally and believes itself to be following it...

The worker should not be taken as a child, least of all a brainless hand. “*Homo faber*,” Gramsci said, “cannot be separated from *homo sapiens*.” “All men are intellectuals ... but not all men have in society the function of intellectuals.”¹³⁶ The professional intellectual invents his own philosophy and thinks in a systematic way, but the ordinary man must rely on “common sense,” which is a mixture of borrowed ideas and intuition. The problem with the subordinate classes is not that their members suffer a collective brain damage, but that “common sense” does not enable them to think and to act in a coherent way. When the workers think in “normal times,” they follow submissively the consciousness that is “a product of the historical process to date which has deposited in [them] an infinity of traces, without leaving an inventory.”¹³⁷ Besides the deposit, the workers have a vague consciousness of their activities and their life. Unfortunately, neither have they the ability themselves nor can they nurture their own professional “organic intellectuals” to translate their consciousness into ideas and to harmonize these ideas with the previous ones. Consequently, they can never conceive reality in a systematic and coherent mode.

Common sense, Walzer agrees, does open up a path to democratic politics in communism. At the time of Gramsci’s writing, the bourgeoisie had already created the terrain for the development of a national-popular will, which legitimates the capitalist world system. Gramsci knew that “ruling intellectuals are armed with pens, not swords; they have to make a case for the ideas they are defending

132. *Critics*, p. 83.

133. A. GRAMSCI, quoted in *Critics*, p. 84.

134. F. PARKIN, quoted in *Critics*, p. 84.

135. A. GRAMSCI, *Selections from the Prison Notebooks of Antonio Gramsci*, ed. Q. HOARE & G. N. SMITH, London, 1971, p. 327. Cf. *Critics*, p. 85.

136. A. GRAMSCI, *Prison Notebooks*, p. 9.

137. A. GRAMSCI, *Prison Notebooks*, p. 324.

among men and women who have ideas of their own, who are intellectuals-of-everyday-life.” In order to make their ideas the ruling ideas, bourgeois intellectuals must work on common sense in such a way that a new trace is deposited in the subordinate classes, and that the new layer gives rise to the best available world view, which enables the subordinate classes to understand the meaning of their life, and at the same time legitimates the hegemony of the bourgeoisie. The resulting common sense must accommodate the “interests and tendencies” of the subordinate classes; otherwise, it has no appeal to the philosophers-of-everyday-life. Thus Walzer infers: “Marxist intellectuals don’t have to stand outside the world of culture and common sense in order to see the ‘real’ interests of the working class.”¹³⁸ Opposition can begin with the existing culture, and this culture war is fought with pens, not swords. In the same way as the bourgeoisie, the party has to create “the terrain for a subsequent development of the national-popular collective will.”¹³⁹ That creation entails democratic politics.

There is another inference that can be derived from the general idea of consciousness, and unfortunately, it points in the opposite direction. Ruling ideas form the “high culture,” which incorporates not only the interests and tendencies of the subordinate classes but also the best cultures of the past. They are the continuation and the consummation of past ideas; they are simply the best of the best. Marxism, Gramsci opines, is the finality of all ruling ideas. It presupposes Renaissance, Reformation, German philosophy, the French Revolution, Calvinism, English economics, and liberalism. And it is “the crowning point of this entire movement of intellectual and moral reformation.”¹⁴⁰ The common sense of the masses, however, is founded on popular culture. Since popular culture (Stage 2) can never fully carry the sublime high culture (Stage 3), the proletariat can never understand Marxism or become true communists unless they are uplifted to the Marxist consciousness. The process of the Marxist enlightenment is painfully long and arduous. It is almost hopeless that the proletariat can achieve it by themselves. The only chance they have is to be led under the guidance of Marxist intellectuals. This comes close to a demand for the intellectuals’ authoritative pedagogy if not dictatorship.

Democratic politics or the supremacy of the intellectuals is the dilemma that Gramsci has to contend with. Gramsci aspires to becoming a “new type of philosopher ... a ‘democratic philosopher,’” in the sense that the cultural environment he proposes to modify corrects his personality—“it is his ‘teacher.’”¹⁴¹ But the main substance of the cultural environment, that is, the popular culture, has scarcely anything to teach the democratic philosopher, who already possesses superior scientific truths. Gramsci believes that the proletariat cannot breed its own organic intellectuals in a competitive environment: “The proletariat as a class is poor in organizing elements, does not have and cannot form its own stratum of intellectuals except very slowly, very laboriously, and only after the conquest of State power.”¹⁴² Although many proletarians have changed into traditional intellectuals or bourgeois intellectuals through education, their personality has also been changed—they are no longer peasants or workers. The intellectuals, of course, can choose to stand on the right side of history and join the workers’ movement. Nevertheless, there exists an unbridgeable chasm between the intellectuals and the workers. Gramsci’s communist faith requires him to bridge the gap. His inventing of “democratic philosopher” is a gesture of equality towards the workers.

Walzer is surprised at Gramsci’s use of the model of the preaching friars to secure the relationship between the intellectuals and the workers. “The preaching friars of the Middle Ages,” Walzer explains, “organized in religious orders that imposed an ‘iron discipline’ on their members, not for

138. *Critics*, pp. 86–87.

139. A. GRAMSCI, *Prison Notebooks*, p. 133.

140. A. GRAMSCI, *Prison Notebooks*, p. 395.

141. A. GRAMSCI, *Prison Notebooks*, p. 350.

142. A. GRAMSCI, quoted in *Critics*, pp. 88–89.

conspiratorial purposes, but ‘so that they [would] not exceed certain limits of differentiation between themselves and the ‘simple.’ When they move beyond such limits, intellectuals ‘become a caste or a priesthood.’”¹⁴³ It seems that Walzer is inaccurate here. The model Gramsci invokes is not the preaching friars but the Church. The Communists and the Church face the same problem: the division between the intellectuals and the simple. The Church uses politics to bind the two groups together, the Communists should also do the same. “There are, however,” Gramsci says, “fundamental differences between the two cases.” The Church imposes an “iron discipline,” which “render the split catastrophic and irreparable.” “In the past such divisions in the community of the faithful were healed by strong mass movements,” which were led by the preaching friars.¹⁴⁴ Gramsci does not go on to explain how the mendicant movements heal the divisions. We are not sure if he models the Communist politics on the preaching friars. Gramsci emphasizes that the Communists must take a position antithetic to the Church. “The philosophy of praxis,” he writes, “does not tend to leave the ‘simple’ in their primitive philosophy of common sense, but rather to lead them to a higher conception of life.”¹⁴⁵ Walzer is more correct to note that Gramsci’s solution resides in the communist party.¹⁴⁶ The party, Gramsci believes, is the best terrain where the intellectual élite meets with the “most advanced” sections of the proletariat, where the two groups can interact on an equal footing and edify each other, and where the intellectual element can “understand” and “feel” while the popular element can raise itself to the “higher levels of culture.”¹⁴⁷

This is easier said than done. How can the intellectual element who is in possession of scientific truths communicate with the popular element who is possessed by common sense? In his discussion on the study of philosophy, Gramsci gives hints to the manner of communication:¹⁴⁸

A philosophy of praxis cannot but present itself at the outset in a polemical and critical guise, as superseding the existing mode of thinking and existing concrete thought (the existing cultural world). First of all, therefore, it must be a criticism of “common sense”, basing itself initially, however, on common sense in order to demonstrate that “everyone” is a philosopher and that it is not a question of introducing from scratch a scientific form of thought into everyone’s individual life, but of renovating and making “critical” an already existing activity.

The most advanced philosophy cannot but present itself at the outset in a form of high culture. The base line is firmly stated. The initial reference to common sense is only a gesture towards the culturally retarded workers: everyone has critical power, and you can become a philosopher of praxis if ...

The relationship between the intellectual and the worker, as Walzer rightly observes, is a relationship between “a stern teacher” and “a backward, recalcitrant, but somehow promising student,” or in Gramsci’s own words, “a master-pupil relationship.”¹⁴⁹ “What Gramsci demands,” Walzer writes, “is that the promising student give [*sic*] up his own ‘culture and society.’ This is the demand that the party makes upon the working class as a whole (though always with the caveat that the practical activity of the workers already represents a new culture and society, of which only the party intellectuals and a few ‘advanced’ workers are fully aware).”¹⁵⁰ A master-pupil relationship is unattractive to adults. Such relation can’t be the basis of a democratic politics. At the end, Walzer concludes:¹⁵¹

143. *Critics*, p. 91.

144. A. GRAMSCI, *Prison Notebooks*, p. 331.

145. A. GRAMSCI, *Prison Notebooks*, p. 332.

146. *Critics*, pp. 89-91.

147. A. GRAMSCI, *Prison Notebooks*, pp. 334-335, 418.

148. A. GRAMSCI, *Prison Notebooks*, pp. 330-331.

149. *Critics*, p. 96; A. GRAMSCI, *Prison Notebooks*, p. 350.

150. *Critics*, p. 96.

151. *Critics*, pp. 99-100.

Gramsci is a victim ... of Marxist teleology. Advancement is the form of his detachment, and it is a bar to a comradesly politics.... His political activity is an irregular movement toward and then away from the people he hopes to lead. He knows that he can't lead them without their consent, but he also knows, and this time with a "scientifically and coherently elaborated" knowledge, that they ought to consent ... to his leadership.

Gramsci could not be a democratic communist, though his analysis of consciousness opens up the possibility of internal opposition, and thus democratic politics in communism. Walzer attributes the primary cause of such failure to Gramsci's disconnection. "The dilemma of the Gramscian intellectual," he suggests, "is ultimately a personal dilemma."¹⁵² Gramsci was born in the remote and backward island of Sardinia. It was only on account of the sternest education that he was able to leave for modern Turin and become a member of the intelligentsia, and then promoted to the most advanced section, and even became its head. He had left the backward Sardinia behind and became a most advanced agent of history. He demanded the workers to go through the same intellectual and moral education and to obey the party discipline imposed by the master-intellectuals. For him, this is the only viable means for the culturally retarded workers to raise themselves to higher cultural planes. Despite Gramsci's self-repression, Walzer points out, we can still find traces of Sardinia in him: "the first stirrings of revolt, sympathy with the oppressed, even solidarity."¹⁵³ Gramsci cannot completely eradicate his Sardinian root, but disconnection tilts the balance between solidarity and cultural capacity, and drives him to the side of advanced knowledge.

2. Ignazio Silone's moral sense

Ignazio Silone, who came from the faraway and underdeveloped Abruzzi mountains, was an ex-comrade of Gramsci. He was equally an influential leader of the communist movement in Italy. He witnessed the founding of the Italian Communist Party in 1921. When the party went underground during the fascist régime, Silone was the leader of the underground organization, and presided over the Central Committee. Despite of his senior position, Silone finally left the party after living almost ten years under its discipline. Both Silone and Gramsci had similar profiles, but they made different choices: Gramsci remained loyal to the party but Silone deserted it. Why?

This is an unfair question. Gramsci spent the larger part of his party life in prison and hospital. He knew and speculated about a communist life, but did not understand or feel it. Had he been active in the outside world and participated in the communists' struggle, he might have made the same choice as Silone. I pose the question in this way because it is implicit in the *Company of Critics*. Walzer believes that Gramsci would remain in the party because he had experienced a conversion from backwardness to the most advanced culture, and thus, he was and would remain a true believer of Marxist doctrine. In contrast, Silone was never converted to communism. He was a "natural communist," Arthur Koestler writes, "the only one among us." Walzer takes him "as a representative of all those men and women who become critics of their own society and even revolutionaries, who pay the common price in inner turmoil, quarrels with their families, and personal danger, but who have no experience at all of conversion, rebirth, or moral transformation."¹⁵⁴

Why then, did Silone leave the Church, take the trouble to join the Communist party, only to leave it in the end? If the leaving of one's inborn faith and the joining up with its adversary do not constitute a conversion, what then are they? Walzer explains all these changes in terms of Silone's "habits of

152. *Critics*, pp. 94-95.

153. *Critics*, p. 95.

154. *Critics*, pp. 101-102.

moral life.”¹⁵⁵ Silone’s integrity and his commitment to some permanent values led him to leave his part of the world to search for comrades. He was first disappointed by the priests and his natives, and then by the communists. But he retained his integrity and commitment till the very end.

“The first stirrings of revolt,” the root of all troubles, lies in “taking things literally.”¹⁵⁶ Silone took the teachings of the fathers, teachers, and priests seriously. He was indignant at the hypocrisy of the priests, orators, lawyers, and politicians. He found no option but to rebel. In his semi-autobiographical novel *Bread and Wine*, Silone, speaking in the voice of the main character Pietro Spina, who is a Communist and a Christian saint, tells us, in the most beautiful and moving lines, how he became a revolutionary.¹⁵⁷

[We begin] by taking seriously the principles taught us by our own educators and teachers. These principles are proclaimed to be the foundations of present-day society, but if one takes them seriously and uses them as a standard to test society as it is organized and as it functions today, it becomes evident that there is a radical contradiction between the two. Our society in practice ignores these principles altogether.... But for us ... they are a serious and sacred thing ... the foundation of our inner life. The way society butchers them, using them as a mask and a tool to cheat and fool the people, fills us with anger and indignation. That is how one becomes a revolutionary.

Anger and indignation finally led Silone to choose side. On the one side were the oppressors and their collaborators: apologists, complacent middle classes and sceptics, and on the other the downtrodden peasants. For Silone, the decision was unequivocal. The principle he recalled—be compassionate towards those in misfortune—was taught by his father ever since he was a child. It is also taught by Jesus in a different version: “Blessed be ye poor: for yours is the kingdom of God.” Or, in modern theology, it is stated as an option for the poor. In his autobiography *Emergency Exit*, Silone describes his decision to leave the Church as a choice of comrades.¹⁵⁸

One fine Sunday some of us stopped going to Mass, not because Catholic dogma seemed to us, all of a sudden, false, but because the people who went began to bore us and we were drawn to the company of those who stayed away.... What characterized our revolt was the choice of comrades. Outside our village church stood the landless peasants. It was not their psychology we were drawn to: it was their plight.

Silone sided with the poor, but the peasants were passive, ignorant, timid, self-interested, poor in organizing element, and suspicious of outside organizers. A long history of intimidation and delusive socialization have moulded them into *cafoni*—a tribe of nameless and mute beings-*pour-autre*, which are content with their bare existence, and which can be found in every society. The air of oppression and resignation in the countryside suffocated Silone. He was forced to run for an emergency exit from his beloved Abruzzi.

In search of comrades, Silone journeyed to the city. “His choice of the peasants,” Walzer writes, “led him ‘naturally’ into the party of the proletariat: first the Socialist Youth and then the new Communist party.”¹⁵⁹ Unexpectedly, the communist scientific truths required him to break with his friends and family and to denounce his faith. Silone accepted the party discipline, but he found the scientific truths difficult to digest. It was not easy, he wrote, “to reconcile my state of mental rebellion

155. *Critics*, p. 101.

156. Cf. I. SILONE, *Bread and Wine*, in *The Abruzzo Trilogy*, p. 333.

157. I. SILONE, quoted in *Critics*, p. 104. The text quoted by Walzer is longer and more emphatic. In some later editions, the passage is shorter. Cf. I. SILONE, *Bread and Wine*, p. 341; *Vino e pane*, Milano, 1975, p. 231.

158. I. SILONE, quoted in *Critics*, pp. 105-106.

159. *Critics*, p. 106.

against an old and unacceptable social order with the ‘scientific’ requirements of a minutely codified political doctrine.”¹⁶⁰ It is obvious to Walzer that “the reconciliation was never complete ... Silone never became a scientific socialist.”¹⁶¹ It is true that Silone did once lose his faith and was unrooted. He exclaimed: “Who can describe the private dismay of an underfed provincial youth living in a squalid bedroom in the city, when he has given up forever his belief in the ... immortality of the soul?”¹⁶² “But it is possible,” Walzer comments, “to lose one’s immortal soul and hold on to one’s practical principles, to leave the Church but cling to the teaching of holy books and faithful priests.”¹⁶³

Walzer is certainly right in saying that Silone clings to the teaching of faithful priests, but I would add that he leaves the Church but does not lose his immortal soul. He disavows the official teaching of the Church only to free his soul for the search of God, who cannot be confined by the establishment and doctrines. A conversation between Bianchina, a young woman, and Pietro, disguised as a priest Don Paolo, reveals that Silone has discovered a young God who is active in the world.¹⁶⁴

“May I confess a suspicion of mine?” Bianchina said. “I’m not at all sure you’re a real priest.”

“What do you mean by a real priest?”

“A boring person who has the *Eternal Maxims* in the place where his head ought to be...”

“You’re right, I’m very different from that kind of priest,” Don Paolo said, “Perhaps the biggest difference is that they believe in a very old God who lives above the clouds sitting on a golden throne, while I believe He’s a youth in full possession of His faculties and continually going about the world.”

Silone once thought that he had given up forever his belief in the immortality of the soul, but in retrospection, after he had left the communist party, he revised his former statement: he had never renounced his faith in the true God; he renounced only the image of God formulated by the Church Fathers and dogmatized by the Church authority.

Silone left the old God of the Church, but he did not find the young God in the Marxist scientific doctrine, and in due time he left the Communist party. “Silone left the party,” Walzer explains in a footnote, “according to his old friend and comrade, Togliatti, because of his *anima bella*, his beautiful soul.”¹⁶⁵ This is not meant to be a compliment. In fact Togliatti is sneering at Silone’s scrupulousness and his refusal to accept the communist amoral, tough politics. Togliatti shares the same opinion with Max Weber that anyone who cares about the salvation of his soul should not seek the way of politics.¹⁶⁶ Silone, in Togliatti’s view, has chosen the wrong way to realize his goodness. But this is not how Silone perceives life. He is a man who follows his inner conscience. He joined the party to become a revolutionary as his *anima bella* led him, and he left it to become a social critic also as his *anima bella* urged him. He gave up the abstract, scientific truths, and found his critical principles anew in “the moral conventions and the heretical Christianity he had learned as a child.”¹⁶⁷ Walzer mentions the word “heretical” several times without qualification. Judging Silone by his two novels *Bread and Wine*, and *The Seed beneath the Snow*, which are both forged in Christian imagery, I cannot find any heretical thought, at least not in the sense of what “heretical” should literally mean or is meant to Silone. A

160. I. SILONE, quoted in *Critics*, p. 106.

161. *Critics*, p. 106.

162. I. SILONE, quoted in *Critics*, p. 105.

163. *Critics*, p. 105.

164. I. SILONE, *Bread and Wine*, p. 343.

165. *Critics*, p. 110.

166. M. WEBER, *Politik als Beruf*, in *Wissenschaft als Beruf 1917/1919. Politik als Beruf 1919* (Max Weber Gesamtausgabe, 1,17), Tübingen, 1992, p. 247.

167. *Critics*, p. 111.

conversation in *Bread and Wine*, between Don Benedetto (a retired priest and Pietro's former teacher) and Don Piccirilli (Pietro's classmate, a priest and an informant to the Church authority) will illustrate my point:¹⁶⁸

"In 1920 Spina wanted to be a saint," [Don Piccirilli] said. "Very well. But in 1921 he joined the Young Socialists, who were atheists and materialists."

"I am not interested in politics," Don Benedetto said dryly.

"You are not interested in atheism, the struggle against God?" the young priest asked curiously.

Don Benedetto produced a slight ironic smile.

"My dear Piccirilli," he said slowly, almost articulating each syllable separately, "he who does not live according to expediency or convention or convenience or for material things, he who lives for justice and truth, without caring for the consequences, is not an atheist, but he is in the Lord and the Lord is in him. You can teach me many things, Piccirilli, how to get on in the world, for instance, but I was your master in the use of language, your master in the science of words, and please note that I am not afraid of them."

Silone is not afraid of words; he is a master in the science of words. He pleads that he is not an atheist. In fact, "he is in the Lord and the Lord is in him." It is the spark in his conscience that impels him to give up the official way of knowing God and to encounter him in the real world and in a personal way. The relinquishment of comfort and fearlessness of hardship are clear signs of God's indwelling in the soul. This theology is not something novel. Christians will not be surprised when hearing it, for Saint Paul has already argued that it is not orthodoxy but orthopraxy that justifies a person before God. If someone does not have God's law but acts according to the law, it shows, Paul says, "the work of the law written in their hearts, their conscience also bearing witness, and their thoughts the mean while accusing or else excusing one another (Rm 2,15)." In the same vein, Thomas Aquinas says that when the teaching of the Church comes into conflict with one's conscience, one should follow one's conscience. Silone is adapting the teaching of faithful priests to his own situation; he is, in fact, not heretical at all. Were he to be condemned by the Church, it would not be because he has lived for justice and truth, but because he has pursued them "without caring for the consequences." Such person, Walzer rightly predicts, "is likely to find it difficult ... to measure up to the ideological versions of propriety and respectability or to avoid the attentions of the police."¹⁶⁹

The return of Silone to the traditional wisdom, Michael Harrington opines, "is a sign of despair."¹⁷⁰ Disappointed, Silone takes his second emergency exit. But this time, he has no new comrade to choose and no new object of oppression to side with. The unbearable emptiness of free-floating forces him to return to the soil, to reconnect his root, or at least to rest with his ancestors. Silone does express his strong desire for homecoming in the note of *Fontamara*. But the actual return, Walzer explains, is intellectual, not physical. He notes that after Silone had left the Abruzzi, he never lived there again, except for a visit. Silone's return is the rediscovery of moral sense in the very foundation of life. Marxist scientific theory unroots him and the Communist politics dissects him, but the stirrings of revolt have remained in him. Silone knows the stir comes not from theory, but from "the ordinary sense of rights and duties."¹⁷¹ Theory may fail. Absolute theory may fall far short of its claim to account for reality. (Silone has experienced twice: one in the Church, the other in the Communist party.) The moral sense of ordinary life cannot be wrong. To Silone, it is a better guide than theory in the case of

168. I. SILONE, *Bread and Wine*, p. 201.

169. *Critics*, pp. 111-112.

170. M. HARRINGTON, quoted in *Critics*, p. 112.

171. I. SILONE, quoted in *Critics*, p. 105.

uncertainty. “In a situation where the premises of metaphysics and even of history are uncertain and open to question,” he wrote, “the moral sense is forced to extend its scope, taking on the additional function of guide to knowledge.”¹⁷²

In the *Company of Critics*, the portrait of Silone offers a sharp contrast to that of Gramsci. They come from similar background, meet at the same party, and receive the same doctrine, but in the end, they make different choices. Walzer has highlighted their antithetical mental and psychological inclinations. I find, however, that something is missing in Silone’s portrait, as if something is omitted deliberately. In the chapter on Gramsci, Walzer devotes a considerable length in describing the relationship between the Gramscian intellectual and the proletarian. On Silone, such nuance disappears. We are told that Silone chooses the side of the oppressed, but we find no word on how he relates to them. It gives the impression that Silone’s return is only a return to the Christian and pre-Christian heresies and utopias of the Abruzzi. Silone returns emotionally and intellectually, but he is unable to reconnect himself to the peasants of Abruzzi. Who is Silone then after the emergency exit from the communist party? He is no longer a rustic revolutionary. He becomes, Walzer says, “an urban and urbane social critic.”¹⁷³ What then is an urbane social critic’s standing vis-à-vis the groups of people?

Walzer does not answer this question. I am tempted to speculate a little farther since the question is related to Orwell. In *Bread and Wine*, Pietro disguises himself as the priest Don Paolo. Throughout the book, he keeps the distance between a priest and the various strata of rural society, though he behaves somewhat differently from a traditional priest. But in the sequel *The Seed beneath the Snow*, Pietro can no longer maintain the well-defined distance because his mask is lifted and his real identity as a communist is disclosed. Pietro has to go underground. In his underground life, Pietro meets his comrade Simone, a diehard rebel, and befriends the deaf-mute and nameless *cafone* Infante (whose name is given by Pietro). Together, they have wonderful adventure and finally settle in a remote village. They enjoy and treasure their friendship. Unhappily, Pietro is being pulled by another set of relations. Pietro is the son of a prominent local landlord. His family and friends wish him to lead a “normal” life: to marry a wife, to raise children, to establish a family. Indeed, a beautiful woman Faustina is ready to marry him. Between the spark of conscience and the natural desire, Pietro has to make a decision. This is a hard choice. At first Pietro hesitates. He then gives in to the insistent persuasion of his friend Don Severino to marry Faustina. His decision breaks up the rebel fellowship he helps to build: Simone vanishes and Infante becomes hysterical and kills his father. The story ends with Pietro’s taking the place of Infante and being arrested by the *carabinieri*. Pietro decides to go back to his middle class life and leaves behind the peasant reformation, but fate prevents him from undertaking both. Silone resolves the tension between family and comrades by ending the story in tragedy. His choice reflects his own struggle and his inability to find a satisfactory solution. Perhaps because of this, Walzer skips Silone’s tragedy—he has to look for a model elsewhere.

3. George Orwell’s red pillar-box

George Orwell is Walzer’s ideal critic. He calls Orwell “the very model of a national-popular intellectual,” who conceives problems from the viewpoint of his national history and culture, and who formulates his solutions in the ordinary language.¹⁷⁴ What Orwell conceives as the main problem of the English society is the entrenched class system. “Hatred of hierarchy,” writes Walzer, “is the animating

172. I. SILONE, quoted in *Critics*, p. 115.

173. *Critics*, p. 116.

174. *Critics*, p. 132.

passion of his social criticism.”¹⁷⁵ Orwell expresses his hatred in popular language: “A family with the wrong members in control—that, perhaps, is as near as one can come to describing England in a phrase.”¹⁷⁶

Raymond Williams, a leftist critic of Orwell, accused Orwell of his use of the “family” image as the chief cause of the failure of radical politics in England.¹⁷⁷

If I had to say which [of Orwell’s] writings have done the most damage, it would be ... the dreadful stuff from the beginning of the war about England as a family with the wrong members in charge, the shuffling old aunts and uncles whom we could fairly painlessly get rid of. Many of the political arguments of the kind of laborism ... usually associated with the tradition of Durbin or Gaitskell can be traced to those essays.

Williams accuses Orwell of overlooking or repressing the severity of the struggle that is required to overthrow the class system. His family image was later exploited by the Labour to bargain for a compromise between the hierarchy and the popular demand. The result of the struggle was “only a welfarist socialism,” which fell short of Williams’s expectation, (and Orwell’s also). “Not quite fair,” Walzer counters, for Orwell did contemplate a “bitter political struggle,” and even the use of violence. In *The Lion and the Unicorn*, Orwell writes: “The bankers and the larger businessmen, the landowners and dividend-drawers, the officials with their prehensile bottoms, will obstruct for all they are worth... . It is no use imagining that one can make fundamental changes without causing a split in the nation.”¹⁷⁸ Orwell knew that even family quarrel could sometimes be fierce and deadly. The reason that led Orwell to use that image, Walzer suggests, was the prevailing popular feeling. Williams also concedes that many people on the left had the same feeling during the war. Orwell only honestly pointed out this common connection between the populace and the English capitalists.

Orwell had political aspirations, he had drawn up a political programme, but he never followed the Marxist scientific truths nor insisted on imposing his own ideas. He recommended a socialist solution to England, such as democracy and collective ownership of means of production. But it would be a kind of socialism with concrete objectives tailored to the English style and adapted to the English taste. “Above all,” Orwell said, perhaps with the leftist advanced elements in mind, “it is *your* civilization, it is *you*. However much you hate it or laugh at it, you will never be happy away from it for any length of time. The suet puddings and the red pillar-boxes have entered into your soul.” Orwell accepted the English culture as something given and loathed the leftist demand for deracination. He once called the English Communism the “patriotism of the deracinated.” He believed that revolution should make the English more English, not less. “By revolution, we become more ourselves, not less.”¹⁷⁹ In his mind, Orwell was constantly thinking of an English socialism as opposed to the international, rootless and faceless socialism.

One of the crucial differences between the English socialism and the universal socialism, Walzer points out, is their attitudes towards commodities. Marx condemns the “fetishism of commodities.” He speaks about alienation between workers and their handicrafts: the worker produces the product, but the product becomes independent and exerts its control over the worker. Many twentieth century left-wing thinkers, like Marcuse, borrow Marx’s criticism and adapt it to “consumerism.” Now, it is not the alienation of workers and products, but that of consumers and commodities. For ordinary people, the consumer benefits from and is defined by what he consumes and possesses. It is quite puzzling that commodities will alienate the consumer. In contradiction to our common experience, Marcuse argues

175. *Critics*, p. 129.

176. G. ORWELL, quoted in *Critics*, p. 127.

177. R. WILLIAMS, quoted in *Critics*, p. 127.

178. G. ORWELL, quoted in *Critics*, p. 127.

179. G. ORWELL, quoted in *Critics*, pp. 119, 125–126.

that when the commodity becomes the be-all and end-all of everyday life, it overpowers its owner—it alienates its owner from his true self. “The attack on consumer goods,” Walzer comments, “is the work of social critics at the farthest reach of their willfulness. For men and women deprived of things are not liberated for radical politics any more than starving artists are liberated for art.” “Ordinary life makes its own demands,” he continues, “not only for what is absolutely necessary but also for what is merely desirable. Orwell was from the beginning sensitive to these demands.”¹⁸⁰

The English sensitivity towards the “small personal gear of life” is evident in Orwell’s work. “It finds its most remarkable expression in *1984* where, also remarkably,” Walzer points out, “it has gone largely unnoticed.” Most critics’ attention is captured by the clandestine love between Winston Smith and Julia. Walzer notices that it is not only sexual love that Big Brother wants to destroy, but also the love of things: “the notebook in which Winston Smith writes his diary, ‘a peculiarly beautiful book [with] smooth creamy paper’; the coral paperweight, smashed later on by the thought-police, ‘a beautiful thing’; the bed in the furnished room where he and Julia make love, ‘a beautiful mahogany bed’.”¹⁸¹ Sex and material, commonly condemned as immanent and corruptive, are the only concrete things that enable Winston to have a sense of privacy and possession. He longs for them because they symbolize an ordinary way of life: “He wished that he were walking through the streets with her ... openly and without fear, talking of trivialities and buying odds and ends for the household. He wished above all that they had some place where they could be alone together without feeling the obligation to make love every time they met.”¹⁸² Is Orwell’s plea for a socialism that respects the ordinary way of life an unforgivable bourgeois mentality?

An English patriot and a socialist, yet Orwell is critical of both the class system and the totalitarian politics of the left-wing. Because of his double connection and double criticism, Orwell stands out as a brilliant counterexample to the established belief that either you are disconnected and critical or you are connected and uncritical. Connectedness and integrity, Walzer argues, constitute the foundation of Orwell’s criticism. People on the left, and on the right alike, would disagree with Walzer: the Orwell betrayed was no longer a socialist after his return to England in 1937. Orwell was such an unstable character that he changed his physical locations as well as his political positions several times. He was born in India, studied at Eton, joined the Burmese police force and left afterwards, went down and out in Paris and London, changed his name (from Eric Blair to George Orwell), descended to the mines of Northern England, volunteered to fight in Barcelona, and finally came back to “England, Your England.” “He travels light,” says Williams.¹⁸³ “He moved left and remained whole,” counters Walzer. “At bottom, he was always Eric Blair, the ‘lower upper-middle class’ Englishman who went to school at Eton and who joined, and left, the Burmese police.”¹⁸⁴ Orwell changes fronts but his early education and socialization have determined his basic character. We don’t know why he changes his name. But he does give us an account of his radicality. In describing the days in the Burmese police force, he wrote:¹⁸⁵

For five years I had been part of an oppressive system, and it had left me with a bad conscience. Innumerable remembered faces—faces of prisoners in the dock, of men waiting in the condemned cells, of subordinates I had bullied and aged peasants I had snubbed, of servants and coolies I had hit with my fist in moments of rage ... —haunted me intolerably. I was conscious of an immense weight of guilt that I had got to expiate.... I

180. *Critics*, p. 123.

181. *Critics*, p. 124.

182. G. ORWELL, *Nineteen Eighty-Four* (Everyman’s Library, 134). Introduction by J. SYMONS, London, 1992, p. 146.

183. R. WILLIAMS, quoted in *Critics*, p. 122.

184. *Critics*, p. 120.

185. G. ORWELL, *The Road to Wigan Pier*, London, 1975, pp. 129–130.

had reduced everything to the simple theory that the oppressed are always right and the oppressors are always wrong; a mistaken theory, but the natural result of being one of the oppressors yourself. I felt that I had got to escape not merely from imperialism but from every form of man's dominion over man. I wanted to submerge myself, to get right down among the oppressed, to be one of them and on their side against their tyrants.

Guilt more than indignation turns Orwell into a revolutionary. He chooses to side with the oppressed ever after. But there is no conversion or emergency exit, notes Walzer.¹⁸⁶ Under the weight of immense guilt, Orwell did dress up as a proletarian and went down and out in Paris and London. What he found out was that he was not a proletarian, and that he was always Eric Blair, the “lower upper-middle class” Englishman who studied at Eton. He came to himself, accepted who he was, and stopped playing the proletarian. In a confessional tone, he wrote:¹⁸⁷

Once again, here am I, with my middle-class origins and my income of about three pounds a week from all sources. For what I am worth it would be better to get me in on the Socialist side ... But if you are constantly bullying me about my ‘bourgeois ideology’, if you give me to understand that in some subtle way I am an inferior person because I have never worked with my hands, you will only succeed in antagonizing me. For you are telling me either that I am inherently useless or that I ought to alter myself in some way that is beyond my power. I cannot proletarianize my accent or certain of my tastes and beliefs, and I would not if I could. Why should I?

It is important that Orwell knows, at the outset, that his conviction—the oppressed are always right and the oppressors are always wrong—is a “mistaken” theory. The same consciousness—the proletarian culture is not the finality of humanity—pulls him out of the proletarian disguise. Equally important is the fact that Orwell knows he does not have to become a proletarian before he takes the side of the proletarians—a bourgeois can know, understand, and feel the suffering of the proletarians and a bourgeois intellectual can write a socialist programme that accommodates the demands of various family members.

C. THE HEAVINESS OF CONNECTION

If connection leads social critics to formulate a national-popular critical standard, that standard, according to the popular wisdom, will tilt towards the critics' personal preferences. Walzer has argued against the popular wisdom in the case of class division, namely, that middle-class intellectuals can defend the rights of the oppressed without giving up their original position. But in the case of national division, it is unclear if the critic can side with the people oppressed by his own nation while holding fast his connection. It will be more difficult for the critic to cross the national border than to cross the class border without becoming a traitor, for on the other side of the class line, the people there is still the critic's people, but on the other side of the national line, the critic is only a stranger—going over to the side of the “enemy” is treason. What is the critic supposed to do when his own people are occupiers, colonialists, or oppressors? Should he side with the oppressed and criticize his own nation? Or, should he maintain his patriotism and rally for the national interests? Doesn't patriotism require one to defend one's nation? We have a conflict of obligations here. How should we balance them? The

186. *Critics*, p. 120.

187. G. ORWELL, *The Road*, p. 201.

clash of national interests, Walzer acknowledges, is the toughest test for the theory of connection. Connection means, he insists, that one gives priority to one's nation because one knows one's needs first, and by extension recognizes that the other has the same needs. If the critic belongs to the group of oppressors, then he must accept the burden of connection and find ways to negotiate a solution acceptable to both sides. In the *Company of Critics*, we find three cases—Albert Camus, Martin Buber, and Breyten Breytenbach—illustrating three different plausible responses to the problem of connection. I arrange them in the order of my own preference, not knowing whether it is also Walzer's order.

1. Albert Camus on the wrong side of history

Born in Algeria in 1913, Albert Camus was a son of a poor worker of the *pied noir* community. Due to his early experience of poverty, Camus was sympathetic to those who suffered. He knew that suffering had its human causes, and he devoted himself to fighting against them. Camus was commonly regarded as a man of principle, a “just man,” who spoke out against injustices, especially the injustices done to the Algerian Arabs by the *pied noirs*. Yet after the outbreak of the independent war in Algeria in 1954, Camus was condemned for betraying his principle: he could not denounce colonialism and ask the *pied noirs* to surrender political power. Simone de Beauvoir describes him in her memoirs as “that just man without justice.”¹⁸⁸ Camus sinned just this once because of his love for his own community. And because the *pied noir* community was “historically in the wrong,” Camus's sin seemed unavoidable.¹⁸⁹ This is a classical dilemma of justice versus love, or impartiality versus patriotism, or objectivity versus attachment, depending on how you call it. Thus the maxim runs: either one relinquishes love, or one risks having one's justice corrupted. The maxim appears to apply in Camus's case. But Walzer invites us to look deeper.

First of all, Walzer reminds us that Camus was not ignorant or indifferent to the suffering of the Algerian Arabs. As early as 1939, the young Camus received his assignment and went to study the problems of Berbers in the Kabyle mountains. He wrote a series of articles criticizing the colonial régime. Some of the articles were later collected in *Actuelle III*. Camus's proposed reform consisted of “a redistribution of land, technical assistance on a large scale, local self-government, equal rights for all the inhabitants of Algeria.” Nonetheless, he did not call for an end to the French rule. Camus's criticism aroused the suspicion of the authority and led to his exile a year later.¹⁹⁰

The belief in the coexistence of the French and the Arabic element in Algeria was firmly held by Camus throughout his life. In *Lettre à un militant algérien*, he writes:¹⁹¹

The “French fact” cannot be eliminated in Algeria, and the dream of a sudden disappearance of France is childish. But there is no reason either why nine million Arabs should live on their land like forgotten men; the dream that the Arab masses can be cancelled out, silenced and subjugated, is just as mad.

The solution that Camus was contemplating was based on the principles of equality and federation. Both sides had to negotiate and work out the details that matched the identities and the interests of the two Algerian nations.

188. S. DE BEAUVOIR, quoted in *Critics*, p. 137.

189. A. MEMMI, quoted in *Critics*, p. 142.

190. *Critics*, p. 143.

191. A. CAMUS, quoted in *Critics*, p. 145.

The plea of Camus was not heard by either side. The French authority did not initiate any process of assimilation or reconciliation, let alone equality and federation. The FLN seized the national mood of resentment and started a terrorist campaign in 1954 with the aim to erase the French fact. The *pied noirs*' response was all-too-familiar: an eye for an eye, a tooth for a tooth. They tortured and executed the rebels, repressed and massacred the Arabs. The vicious circle of violence escalated and spun out of control. Very soon, the hope of coexistence became an impossibility. Camus was caught in this tragic situation; he had no room for manoeuvre. What is more: "that just man" was demanded to choose side, to draw a clear line. For the French left-wing intellectuals, the FLN's demand for independence was just, and justice required everyone to support the FLN's struggle. On the other hand, the *pied noir* community asked their members to stay together and fight for their survival. Camus refused to make an either-or decision. "Love is injustice," he wrote, "but justice is not enough."¹⁹² This antinomic theme appeared repeatedly in his works and in his speeches. His most famous statement on Algeria, which was delivered to a group of students in Stockholm in 1957 when he went there to receive the Nobel Prize, was coined thus: "I believe in justice, but I will defend my mother before justice."¹⁹³

No one took Camus's words seriously, Walzer says. People on the left considered the statement as clear evidence that Camus had betrayed his principle because of love. Even his friends dismissed the statement as a passionate outburst. The statement, in Walzer's opinion, is ambiguous. Camus could have avoided the ambiguity by translating the antinomy into simple sentence like "a justice without room for love would be itself unjust."¹⁹⁴ Walzer thinks that this was what Camus believes. He cites a passage from the Preface of *Actuelle III* to support his claim:

When one's own family is in immediate danger of death, one may want to instill in one's family a feeling of greater generosity and fairness ... but (let there be no doubt about it!) one still feels a natural solidarity with the family in such mortal danger and hopes that it will survive at least and, by surviving, have a chance to show its fairness.

Walzer interprets the passage as a denial of the antinomy of love and justice. "True justice," he writes, "must include one's own people."¹⁹⁵ Love would require Camus to hold dear the *pied noirs* more than the Algerian Arabs. It would require him to seek for their security and autonomy. By extension, love would also require the Arabs to do the same. Thus justice would require both sides to negotiate a term. Is Camus unjust, Walzer asks, when he approaches the problem from his connected position? I do not think Camus is unjust if he has a massive restitution in mind and persuades his people to go to the negotiation table. Camus had tried to find the guidelines that would facilitate the negotiation, but he never succeeded.

After 1958, Camus became silent; he wrote no more about Algeria. Critics took Camus's silence as tacit compliance to the right-wing fanatics. But Walzer defends the silence as a natural response of a connected critic in face of a total failure. "Camus's silence," he writes, "was eloquent in its hopelessness."¹⁹⁶ Criticism is an intimate activity, Walzer explains. "It has its own (implicit) rules. We don't criticize our children, for example, in front of other people, but only when we are alone with them. The social critic has the same impulse, especially when his own people are confronted by hostile forces." There is, however, no social space like the familial space; the only place the critic can speak is the public space. If the critic's speech will endanger his people, he had better remain silence. But the silence of the connected critic is louder than the voices of detached moralists combined: "The detached and disinterested moralist drones on and on, and we don't care. But the silence of the connected social

192. A. CAMUS, quoted in *Critics*, p. 137.

193. A. CAMUS, quoted in *Critics*, p. 145.

194. *Critics*, p. 138.

195. A. CAMUS, quoted in *Critics*, p. 147.

196. *Critics*, p. 148.

critic is a grim sign—a sign of defeat, a sign of endings. Though he may not be wrong to be silent, we long to hear his voice.”¹⁹⁷

Should we expect Camus to call for the retreat of the *pied noirs* so that both sides will have less casualties and less grievances? “That too much is expected of a writer in such matters,” replies Camus.¹⁹⁸

2. Martin Buber and the Palestine tragedy

The modern encounter of the Jews and the Arabs in Palestine is a tragedy. In the late nineteenth century, some Jewish leaders in Europe drafted a political Zionist programme for the creation of a Jewish home in Palestine. When the movement gathered momentum, more and more Jews from Europe emigrated to the land of their origin. Palestine at that time was, of course, not a no-man’s land; it was inhabited by Arabs all over the land. Multitudes of Jewish migrants were able to settle there because Palestine was under British rule and the British government had officially promised to support the creation of a Jewish national state in Palestine. Tension was mounting between the local Arabs and the Jewish settlers, and there seemed to be no ground for cooperation or negotiation. The Arabs saw the Jews as intruders, whom could be tolerated if their number was not expanding exponentially. The provision of the Arabs was unacceptable to the Zionists, who aspired to creating a home for every Jew. Their aspiration turned into a moral obligation when the Nazi annihilation campaign broke out in Europe. The Jews had to come, and the Arabs had to defend their land. It is sure now that a historical tragedy has been played out. What is not sure is the end of this tragedy.

The tragic view was accepted among the Zionist leaders, but not by Martin Buber, Walzer points out. Throughout his long political life, Buber resisted the fate of tragedy; he believed that nothing was inevitable. He fought against the tragedy in two planes. On the macrolevel, Buber proposed to resolve the Arab-Jewish conflict by establishing a binational state. On the microlevel, he offered to build mutual trust on the initiative of the Jews in “thousand small decisions,” restraining from every act of provocation or terrorism, and looking for opportunity of cooperation.¹⁹⁹

Walzer does not believe that binationalism is ever a plausible politics. What is the meaning of a binational state to the Arabs? They have their right to form an ordinary national state. Why do they need to share political power with the Jewish settlers? The same is true for the Jews. Their main purpose is to establish “the right of free immigration to the land,” an objective that Buber also assents.²⁰⁰ An ordinary Jewish state will suit their purpose. Buber insisted that only a binational state would do justice to the Arabs and thus, create ground for a legitimized Zionism; as an ideal moralist, he could not accept a Jewish state built at the expense of the Arabs. He had argued for as long as twenty years before WWII that the Arabs would accept Jewish immigrants if the Jews had offered, in return, economic cooperation and political compromise. Such arguments, Walzer thinks, are totally unrealistic; Buber proposes them only because he is driven by his doctrinaire fervour. What is at stake is the membership of the future state, and membership cannot easily lend itself to compromise. The Arabs are the majority. If they would ever agree to form a binational state, they would insist on remaining as the majority and imposing a quota on immigration. This condition violates the basic

197. *Critics*, p. 152.

198. A. CAMUS, quoted in *Critics*, p. 148.

199. *Critics*, p. 70.

200. M. BUBER, quoted in *Critics*, p. 71.

principle of Zionism. Many Zionists will never consider it. Buber, however, is willing to restrict the number of Jewish immigrants.

“The formula Buber eventually adopted,” Walzer writes, “called for the ‘greatest possible number’ of Jewish immigrants, where ‘possible’ was (or seemed to be—his language here was never explicit) a complex function of the absorptive capacity of the Jewish community in Palestine and the agreement of the Arab community.” Buber adopted this formula in the late 1930s and early 1940s when the need of the Jews for a safe haven was overwhelming. It was “an impossible position within the Zionist movement,” and not “an adequate response to [the refugees’] experience.”²⁰¹ Not only was his argument for a binational state ignored, but also Buber himself was discredited among the Jews. The final blow to Buber’s ideal of macro-justice came when Israel declared independence in 1948. Buber immediately responded angrily: “today the Jews are succeeding at [normality] to a frightening degree.”²⁰² His anger was caused not merely by the burst of his binational-state dream. Buber was both an idealistic philosopher and a practical social critic. He knew, far better than many politicians, that independence meant war with the Arabs, and that not one, but many wars would follow.

War broke out following the declaration of independence. When the fighting stopped, Buber was greeted on the street by a sympathetic Jerusalem shopkeeper: “Oh! An utter political rout like the one your circle suffered is no common thing. It looks as if you’ll have to face the facts and resign yourselves to total silence for the time being.” Walzer agrees with the shopkeeper that Buber was in the greatest crisis of his life. Buber has to make a choice, and his critical situation is paradigmatic. “Here is a model moment in the history of criticism,” Walzer writes solemnly, “when a critic is forced to respond to the failure of his largest hopes.” To resign or not to resign? To be silent or not to be silent? To be or not to be? That is the hardest choice to decide. Some of Buber’s friends and followers left Palestine to find some “more suitable” country.²⁰³ But Buber chose to follow the example of the prophets. The prophet, he wrote, “does not confront man with a generally valid image of perfection, with a Pantopia or a Utopia. Neither has he the choice between his native land and some other country ‘more suitable to him.’ In his work of realization, he is bound to the *topos*, to this place, to this people, because it is the people who must make the *beginning*.”²⁰⁴ Buber’s choice is the *topos*, rather than a Pantopia or a Utopia. He refuses to be silent. “He seems to have been no less active and outspoken,” Walzer writes, “after the war than before, at least until age and illness began to limit his activity (he was seventy-two in 1949 but still politically engaged and wonderfully busy).”²⁰⁵ Buber’s thousand-small-decisions micro-criticism can still be employed despite the failure of his macro-criticism. He insists on acting justly in every single dealing with the Arabs. Unlike Camus’s Algeria, Buber’s people have established a state, which allows him to foster the optimistic view that it is always possible to do something.

Nevertheless, Buber was “no more successful, as the world measures success,” Walzer comments, on “thousand small decisions” than on the binational state. Buber knew the inefficacy of his criticism. He did not hold that “under all circumstances the interest of the group is to be sacrificed to the moral demand.” He only wondered why politicians did not bear the scars of the inner conflict. He was sometimes tempted to resign, but his belief in human conscience carried him on. The prophet, Buber wrote, “must speak his message. The message will be misunderstood, misinterpreted, misused; it will even confirm and harden the people in their faithlessness. But its sting will rankle within them for all

201. *Critics*, pp. 71–72.

202. M. BUBER, quoted in *Critics*, p. 73.

203. *Critics*, p. 76.

204. M. BUBER, quoted in *Critics*, pp. 74–75.

205. *Critics*, pp. 76–77.

time.”²⁰⁶ As long as his criticism carries a sting that rankles his people, Buber is successful—not a worldly success, but a critical success.

3. Breyten Breytenbach and apartheid

If Camus’s *pied noirs* were on the wrong side of history, Breyten Breytenbach’s Afrikaners were on the far-wrong side of history. Apartheid, a régime so low and so nude that I could hardly believe that it could be proposed and installed in the twentieth century and after WWII. Amazing thing did happen: Afrikaners translated their cultural and technological superiority into a doctrine of racial superiority; they claimed they had rights to exploit and to oppress the blacks. This is a claim that their advanced culture obviously opposes, and that their own people have unceasingly fought against. Liberty heightened at the expense of other people is always a temptation, but it is also morally condemned almost everywhere. How could Afrikaners deny this basic moral principle? How could they pretend not to see the suffering of the black Africans? How could they bear the internal strife? Some of the white Afrikaners could not bear the sting, and they spoke out. Breytenbach is, perhaps, the fiercest one among them. He is a gem of Afrikaners—a fine produce of high culture. He is said to be one of the finest Afrikaans poets. Yet, Breytenbach unlashd his poetic talent against his own people, or more accurately, against the dark side of his people. Under a terrible burden of guilt and anger, he once wrote: “We whiter ones are the scum of a civilization based upon injustices.”²⁰⁷

Although Breytenbach disliked apartheid, he had not yet committed himself to criticize the régime until the late sixties. Breytenbach left South Africa at the age of twenty. But that was not for political reason. He left for Europe to wander and to explore the land of his ancestors. Three years later, in 1962, he settled in Paris, again not for political reason. He was, Walzer writes, “more a bohemian expatriate than a political exile.” There he met and married a Vietnamese woman, Yolande Ngo Thi Hoang Lien. Breytenbach wrote Afrikaans poems in Paris. He was then, in his own designation, the only Afrikaans-writing French poet. Breytenbach’s poems were received enthusiastically by his natives in Africa, and he was awarded various literary prizes. When he wanted to return home with his wife to collect the prizes personally, his wife was refused a visa and he was threatened with prosecution for living with a woman of a different race under the Immorality Act. Since that moment, Walzer says, Breytenbach’s real exile began.²⁰⁸ It was also the beginning of his career as a poetic social critic, who attacked human ugliness in a beautiful, imaginative language. Thus he declared:²⁰⁹

To the best of my powers, I oppose
my people: cave dwellers.

Let us not be mistaken, Breytenbach loved his Afrikaners; he always used first person pronouns in his criticism. He criticized the Afrikaners because they were his people. The intensity of his criticism came from his connection. Breytenbach sometimes denied the connection only to find out afterward that he was bonded to them. His connection, insofar as the Law of Impartiality was concerned, did not infatuate him and impair his sense of justice. He wanted neither to defend his mother before justice nor to establish a binational state. He thought that the future South Africa should be a unitary and democratic state, and that the white minority should come to terms with the black majority rule.

206. *Critics*, pp. 78–79.

207. B. BREYTENBACH, quoted in *Critics*, p. 216.

208. *Critics*, p. 212.

209. B. BREYTENBACH, quoted in *Critics*, p. 212.

Breytenbach also insisted that the white Africans were “there to stay.”²¹⁰ He nevertheless argued: “it would be a kind of indecency to focus on white rights and white security” while blacks are being enslaved.²¹¹ Breytenbach wanted to retain his independent national identity. He deemed it best for an activist to work among his own people: whites among whites and blacks among blacks. “Just as I respect the black man trying to improve the dispensation of his ... people,” he wrote, “just so, I believe, will the black man respect me only to the extent that I am prepared to work for the transformation of my community—and not if I attempt to tell him what he ought to do.”²¹²

In 1973, the South African authorities finally issued visas to Breytenbach and his wife. The trip was meant to inveigle Breytenbach to spy on exiled dissidents for the government. But it worked the other way round: it hardened Breytenbach’s belief that the apartheid régime was beyond humanization and any other means of redemption. After his return to Paris, he organized a small political group aiming to overthrow the apartheid régime. In 1975, Breytenbach, with forged documents, returned to South Africa on a vague clandestine mission. When he arrived in Johannesburg, the police was tipped off. Upon his departure, he was arrested then tried as a terrorist and sentenced to prison for seven years. His fellow Afrikaner André Brink explains Breytenbach’s recklessness as his attempt to resolve his guilt by suffering in the hands of his own people. But Walzer suspects that “he was in headlong flight from his exile.”²¹³

Released from prison, Breytenbach renounced secret politics. He criticized the clandestine cells as “colonies of grave dwellers”—even more severe than the apartheid. He described how the clandestine cell closes up in itself, “how the means corrupt the men.”²¹⁴ He ceased to believe that secret politics could be the means to achieve a right political end. Breytenbach was defeated, but he did not give up his Afrikaners. Indeed, he undertook an even more difficult task, that is, “to yeast Afrikaner sensibilities from within,” and to forge a new identity for Afrikaners.²¹⁵ Breytenbach described himself as “a whitish Afrikaans-speaking South African African,” and claimed that “South African Whites are African; they are there to stay.”²¹⁶ The identity, Walzer agrees, is “no mere construct, ... a poetic invention.” The Afrikaners have become, after a long historical process, one of the African tribes; and the Afrikaans is a creole language: seventeenth-century simplified Dutch with Malay and African additions. It is a common language that the Afrikaners interact with the coloreds.²¹⁷ In this sense, Afrikaans is an African language, not a European language. Breytenbach does have some concrete material, some inarticulate but shared experience to shape an African identity. Walzer is not at all optimistic about Breytenbach’s enterprise at all. In 1988, Walzer said: “Today the task remains but it isn’t clear that time remains. Who is it, after all, who supports apartheid? Whose interests are served by the ideology of separation? Once one has finished a critique of Afrikaner ‘attitudes,’ is there anything left to hope for from Afrikaner ‘aspirations’?”²¹⁸

Breytenbach, in Walzer’s judgement, is not sanguine about his own project. His new South African identity only pushes him to the margin. Nonetheless, Breytenbach insists that he is the mainstream. Walzer describes such kind of connection as “perpetual torture.” He can find signs of escape in Breytenbach: “But connection of this sort is a perpetual torture, and to dissociate oneself, to make the most of one’s marginality, is a permanent temptation. The temptation takes many different forms, and

210. B. BREYTENBACH, quoted, in *Critics*, p. 221.

211. *Critics*, p. 222.

212. B. BREYTENBACH, quoted in *Critics*, p. 213.

213. *Critics*, p. 214.

214. B. BREYTENBACH, quoted in *Critics*, p. 215.

215. B. BREYTENBACH, quoted in *Critics*, p. 220.

216. B. BREYTENBACH, quoted in *Critics*, p. 217.

217. *Critics*, p. 217.

218. *Critics*, p. 219.

Breytenbach, one feels, has worked his way through all of them.”²¹⁹ Breytenbach is intensely in love with his country. But he is not mad, nor blind, nor naïve. He knows, after passing through the training ground of politics, that revolution may or may not bring forth a more equal society. In the South African situation, the hope is dim. He thinks that the black Africans will ultimately take over South Africa, but that the régime they will have established may even be more oppressive. He wrote in 1983, in an appendix to his prison memoirs: “It is conceivable that the present totalitarian state will be replaced by one which may be totalitarian in a different way, and intolerant of alternative revolutionary schools of thought, more hegemonic but minus the racism.”²²⁰ No hope of revolution, no hope of transformation, not much hope of social improvement, why then did Breytenbach keep on barking, “like a dog loving the moon?”²²¹ In his *End Papers*, Breytenbach gives a glimpse of his reflection on his “just hang in there”.²²²

To get through with it. To break through to clarity. Also to continue the struggle. I know power structures are practically immutable and when broken down they're more likely than not to be replaced by others which are as exclusive and manipulative.... But I must hang in there, hoping to help set off some alarms somewhere.... I know, don't I, that I need not believe or trust in the possibility of attaining the objective in order to keep moving.... Besides, continued commitment may just succeed in being perceived as a form of solidarity and support—by those in ... transit areas and prisons who need to feel *some* human concern in order to survive.

§3. ANOTHER HONOURABLE COMPANY OF SOCIAL CRITICS

From the Israelite classical prophets and the modern social critics, Walzer has constructed an immanent and elitist model of social criticism. Walzer's attempt is to heal the wound of deracination inflicted by modernity. He attributes the failure of modern social criticism, and to a certain extent of the liberation movement, to the disconnection of the radicals. What he suggests to the social critics is that they should ground themselves in the tradition of the prophets. Walzer's argument is compelling. But as usual, some people, who can roughly be classified as liberals and Christian ethicists, are uneasy with certain features of his proposal. Liberals are uncomfortable with the immanence of prophetic criticism. They find it especially hard to accept the kind of connection exemplified by the prophets. To weaken Walzer's connected criticism, they have devised a strategy of first dichotomizing connection and objectivity and then antagonizing them. Their aim is to replace Walzer's unconditional commitment with a conditional commitment.²²³ In my judgement, their arguments are flawed in the similar fashion as Joshua Cohen's SCD (simple communitarian dilemma). Since I have already

219. *Critics*, p. 218.

220. B. BREYTENBACH, quoted in *Critics*, p. 221.

221. B. BREYTENBACH, quoted in *Critics*, p. 211.

222. B. BREYTENBACH, quoted in *Critics*, p. 223.

223. Cf. J. ALLEN, *The Situated Critic or the Loyal Critic? Rorty and Walzer on Social Criticism*, in *Philosophy and Social Criticism* 24 (1998) 25–46.

provided comprehensive argument and ample counterexamples against this type of arguments, there is no need to repeat it.

Although the liberals have not thought up a better argument right now, what they argue for is justifiable in liberalism. People are not plants that can't move, so to speak. Why should they not find a more suitable country? Of course, people have obligations to a country. But the obligations must be conditional, for only conditional obligations are congruent with the ideal of liberty. On the other hand, the liberals have not touched the core issues raised by Walzer. They think that man is *per se* individualistic, and that relations come as a result of rational calculation. This is, however, a sociological misconception, argues Walzer. Men and women are born into webs of social connections; they are involved in crucial bonds even before they can reason. Social connections constitute the foundation of human existence. What will be the effects on people who renounce their crucial givenness—their bonds with land and people? Part of the answer given by Walzer is that they are not fit to engage in social criticism. At a deeper level, Walzer shows that some persons (Buber, Silone, Orwell, Camus, Breytenbach) cannot and will not give up their connections. Why? A liberal answer would be that they are irrational. But this answer only reveals an impasse of liberalism. Deprived of (premodern) literature or religion, liberals seem to have lost touch with the very ground of human existence.

For the Christian ethicists, they are sympathetic to Walzer's approach, except that Walzer's prophetic criticism is too immanent and too elitist. As I have pointed out before, there are some transcendent elements present in the prophetic messages. These elements disappear in Walzer's reinterpretation. Walzer accepts the authority of the Bible only to the extent that it forms part of the shared understandings. This standpoint is unsatisfactory to some Christian ethicists, who want to claim a superior status for the Bible or for the Christian community as the locus of value generation. Moreover, the equality of shared understandings of different communities is only upheld by Walzer in theory. In practice, Walzer favours the hegemonic culture, which constitutes the ruling ideas. Walzer speaks of "common language" and "common principles" insofar as they are common among the ruling classes and the intellectual élite. Walzer fights for the oppressed, but his politics, inclusion of the excluded, is elitist. It assumes the inferiority of the poor: they have no way out save to be assimilated into the mainstream. Maybe this is a political reality. The Christian ethicists, however, tend to resist this reality. They believe that there are some virtues peculiar to the poor, who, under a long history of suffering, have cherished some values of resistance. These values are an integral part of humanity and are indispensable in the criticism of the dominant culture. Hence they see it as their duty to promote these values. Since their complaints are substantial, it is worthwhile to take a more detailed look at their complaints and how Walzer responds to them.

1. A Christian questioning of Walzer's prophetic paradigm

In 1994, the *Journal of Religious Ethics* published three articles commenting on various aspects of Walzer's theory, and at the end, the response of Walzer. Tyler Roberts first criticizes Walzer's social criticism, he is then joined by Elizabeth Bounds who challenges Walzer's conception of community, and finally Glen Stassen comes to the defence of Walzer's position. In his response, Walzer directs his attention only to Roberts and Bounds, and he uses the same arguments to respond to both of them because they are tackling more or less the same issues. Since Roberts's argument is directly related to our subject, we shall base our discussion on his article.

a. *Differently connected*

Roberts's critique of Walzer's theory begins with his emphasis on the common culture. Walzer, in explaining Gramsci's culture war, states: "Ruling ideas are always something more than rationalizations of class interest.... The visible organization of hegemony and their range of values it expresses are worked out through a complex political process; the result is something close to a common culture."²²⁴ It implies that criticism can always start from the dominant culture itself. At this point, Roberts agrees with Walzer. He nevertheless thinks that Walzer is too restrictive. What if some values are not incorporated into the common culture? What if they exist only in an excluded group? Social criticism can start from the dominant culture, and it can also start from the cultures of the oppressed groups. In the pluralistic setting of the United States, Roberts's question is not a hypothesis, but a reality, and he is going to exploit this situation.

To launch an attack on Walzer, Roberts calls upon two other authors: Sharon Welch and Cornel West. Welch is a feminist and a liberation theologian, whereas West is somewhat difficult to classify—he "grounds his principles and his criticism" on the traditions of "prophetic African-American Christianity, progressive Marxism, and American pragmatist philosophy."²²⁵ Welch and West, Roberts argues, are connected critics of another kind. Walzer's connected criticism is "the immanent critique of the betrayal of the core values by those in power." "There is ... [another] kind of criticism in which the critic is connected to more than one community or group and uses his or her connection with an oppressed or marginalized group to criticize the dominant community and to call for the creation of new principles or shared understandings."²²⁶ Walzer's connected critic is a marginalized rebel of the dominant class. Roberts suggests another kind of connected critics, who are connected to both the dominant group and an oppressed group. Obviously, the critical distance of the latter is greater than the former. If the former's distance from the power centre is measured in millimetres, then the latter's must be measured in centimetres. It seems that the latter has attained a longer critical distance without losing any advantage that the former has in relation to the mainstream.

Both Welch and West have committed themselves in the retrieval of the "dangerous memories," Roberts tells us. West argues that "Enlightenment moral thought and social criticism has shown an 'inability to believe in the capacities of the oppressed to create products of value and oppositional groups of value.'" This is, however, the prejudice of the bourgeois. Despite the ideological repression of the élite, the oppressed group does have its own values. Welch, for instance, has discovered the "ethic of risk" in the literature of African-American women, and West the spirit of resistance in African-American Christians. "Such memories are dangerous and tragic," Roberts explains, "because they are memories of oppression, failure, and despair: recovering them means confronting the inescapable reality of evil and suffering without attempting to 'cover it with names'—that is, explain it away." The remembering is crucial to people who belong to the oppressed groups since it "[keeps] alive a sense of alternative ways of life and of struggle."²²⁷

Neither Welch and West nor Roberts are sectarians or separatists. They are active citizens of society, and advocates of social reform. They believe that their "dangerous memories" of oppression are invaluable resources of social criticism. The ruling class rejects their values and imposes limits on popular wilfulness to contemplate alternative values beyond those of the mainstream. Critics must dare to imagine the unimaginable. Critics must ask, Welch says, "whether previously accepted limits are

224. *Critics*, p. 86.

225. T. T. ROBERTS, *Michael Walzer and the Critical Connections*, in *The Journal of Religious Ethics* 22 (1994) 333-353, p. 344.

226. T. T. ROBERTS, *Michael Walzer*, p. 343.

227. T. T. ROBERTS, *Michael Walzer*, pp. 344-345.

actually necessary.” “The motive that gives rise to this question,” Roberts adds, “is not some fanciful denial of human limitation but the duty to engage in ‘sophisticated questioning of what a social system has set as ‘genuine limits.’” The “genuine limits” of a social system are the self-regulatory control that cannot be transcended from within. “All moral traditions have blind spots,” in reproducing Welch’s argument Roberts writes, “which prevent them from seeing how their ways of life and their ideals affect others. Thus social critics must engage in structural criticism of dominant traditions. Such criticism finds its resources not in the internal principles of the dominant group, but in the principles and histories of suppressed traditions.”²²⁸

The notion of “reiteration,” Roberts argues, is one example of the so-called “genuine limits.” “It is not by comparison and classification that we acquire moral knowledge of other people”; Walzer says, “rather, we understand others by reiterating our self-understanding.” The idea of reiteration is fundamental to the Walzerian mode of thinking; Walzer uses it to counter universalism. Roberts criticizes reiteration as a mode of self-centred thinking. Walzer argues that we come to know others “by seeing how they are like us,” Roberts says. In this way, Walzer imposes a limit on the moral actor. This limit, however, is an unnecessary self-imposed restriction. Why can’t we understand the other as the other, that is, from the other’s perspective? And if we can understand the other as the other, why can’t we improve ourselves by learning from the differences? Apparently, Walzer’s reiteration puts too much limitation on “dialogue and political participation.”²²⁹ Walzer himself has criticized de Beauvoir for her adoption of “male forms of autonomy,” Roberts correctly notes.²³⁰ De Beauvoir should be more imaginative and more creative, Walzer urges. She should create a new role for woman in modern society, and not just follow in the man’s step. “The very idea of a universal humanity is itself oppressive,” Walzer writes, “insofar as it holds subordinate groups to standards they have had no hand in shaping.”²³¹ “In other words,” Roberts infers, “Walzer suggests that oppressed groups need to find ways to help shape shared understandings, that criticism involves not simply an appeal to the past, but also the effort of forging new shared understandings in the light of social conflict.”²³²

In contrast to Walzer’s ordinary language and common principles, Roberts contends for extraordinary language and uncommon hope. He does not mean to replace the ordinary with the extraordinary; he only intends to supplement the ordinary with the extraordinary. Walzer stresses the ordinary and depreciates the extraordinary; Roberts strives to restore the extraordinary to its proper relation with the ordinary. But what does Roberts mean by extraordinary language and uncommon hope? If he means the creation of new shared understandings, Walzer would not object to it—he is an advocate of tradition reflexivity. The real charge against Walzer is that he fails to acknowledge the special, continual contribution of religious (Christian?) communities in shaping the shared understandings. “Though Walzer stands out among secular moral thinkers for the detailed attention he has devoted to the impact religious traditions have had on social thought in the West,” Roberts writes, “his writing does not attend to the living power of religious communities as sites of social criticism and empowerment.”²³³ The Christian communities, in Roberts’s view, are the embodiment of the Bible and theology (extraordinary language), which contains utopian ideal (uncommon hope). They were, are, and will be a vital source of social reform. Walzer has attended to their past contribution, but chooses to neglect their present and future significance. Of course, Walzer could say that the Church has ceased to be the mainstream. In return, Roberts could probably insist that the real Church is always

228. T. T. ROBERTS, *Michael Walzer*, pp. 345–346.

229. T. T. ROBERTS, *Michael Walzer*, p. 347.

230. T. T. ROBERTS, *Michael Walzer*, p. 342.

231. *Critics*, p. 167. Cf. T. T. ROBERTS, *Michael Walzer*, p. 342.

232. T. T. ROBERTS, *Michael Walzer*, pp. 342–343.

233. T. T. ROBERTS, *Michael Walzer*, pp. 348–349.

a minority, and has never been the mainstream; nevertheless, she has had tremendous influence on the world. Today, as in the past, we still have real Christian communities littered all over the world. One example, Roberts cites, is the Christian base-communities founded on liberation theology in Latin America. "Accordingly," he concludes, "reflection on the task of social criticism has to attend to the positive connections between the ordinary and the extraordinary, connections that, paradoxically, do not preclude certain forms of critical detachment."²³⁴

In response, Walzer attempts to defend his conception of shared understandings by arguing that it not only functions in a multicultural nation-state but also respects difference. Since his theory is grounded on temporal and particular conditions, he wants first of all to clarify the present conditions of the United States of America. What is the nature of the United States? Is it an empire? Or, is it a pluralistic, democratic state? This question is crucial to the social critic because the nature of the régime shapes his interests and his mode of social criticism. "In a multinational/imperial setting," Walzer writes, "'national-popular' critics are likely to confine themselves to their own nations. They show little interest in reforming the imperial state; they want to escape from it." Their motive is readily understandable, for they have little, if any, sense of belonging, and "the empire is not a world of shared meanings" to them. "By contrast," Walzer continues, "in a poly-ethnic or multicultural/democratic setting, like that of the United States, critics from the different communities are definitely interested in reforming the democratic state."²³⁵ The reason for their eagerness is equally obvious: they are invited, in principle, to participate in the process of nation-building. They will thus see the state as a world of shared meanings in spite of the existence of conflict and domination.

Under the multicultural/democratic setting, what is the best course that a social critic, who belongs to a particular community or culture, should take in his social criticism? In order to enrich the common culture, Roberts proposes that the critic, in addition to affirming the common principles, should bring in the extraordinary language and the uncommon hope peculiar to his background. Walzer seems to think that Roberts's proposal so idealistic that it could hardly be efficient. Instead, he is content with the strategy to challenge domination from the "hegemonic" cultural and political discourse. "There really is no choice about this," Walzer says. "That is what 'hegemonic' means," he adds.²³⁶

Even if one agrees with his prudence and accurate political calculation, Walzer's pragmatism seems to fall under Roberts's moral judgement that the mainstream ignores the voices of subordinate groups and religious communities, and imposes the shared meanings from above. "Truth and justice are not served," Roberts protests, "if dominant cultures and communities refuse to look beyond their shared social meanings in order to listen to different voices."²³⁷

Walzer's answer to Roberts's charge is that he has listened carefully to the voices of minorities and attended to the differences. The fact is, Walzer does not find any significantly differences in the minority groups when he reads the criticisms of African-American, Latino, Jewish, feminist, and gay writers and publicists. Their criticism is differently accented, but "they speak, almost always, in the name of values like equality and freedom, understood in a specifically American way."²³⁸ The minorities speak the common language, and they want other members of the society to accept and treat them on the basis of the common principles. Gay critics, for instance, do not want an independent health care system for gays, let alone a gay health care system for all the Americans. All they want is to

234. T. T. ROBERTS, *Michael Walzer*, p. 350.

235. M. WALZER, *Shared Meanings in a Poly-Ethnic Democratic Setting. A Response*, in *The Journal of Religious Ethics* 22 (1994) 401-405, pp. 401-402.

236. *Shared Meanings*, p. 402.

237. T. T. ROBERTS, *Michael Walzer*, p. 351.

238. *Shared Meanings*, p. 402.

be included into the general health care system so that diseases specific to their community are cared for as diseases specific to other communities are cared for.

In the past, Walzer notes, minorities were shy of exposing their peculiar mode of life to the public. Their expression had appeared in “obscure places,” and their voices had been “soft, timid, repressed.” Why does Roberts now speak emphatically about communal values? Why is he indignant of their exclusion from the mainstream? How could he be “indignant with the rest of us for failing to live up to values peculiar to themselves?” It is because, Walzer points out, Roberts is riding on the tide of a “newly assertive multiculturalism.” Now, every group can assert its particularity in the United States. Walzer, however, seems to think that it is simply unwise to be too assertive. First, it is imperious to criticize people for their refusal to accept something that they do not share. Second, if you elevate your particularity and use it to criticize the commonality, you invite criticism of your community in return. And it is entirely uncertain that your community can prove itself worthy of imitation. “Better to focus on the failures we have in common,” Walzer advises.²³⁹

After explaining his position to assertive multiculturalists, Walzer then addresses their assertion that particular communal values should be incorporated in the mainstream. What are the values that Roberts proposes to incorporate? Walzer asks. Roberts mentions no concrete value. And without a concrete case, it is difficult to evaluate his claim. Indeed, Walzer has hit Roberts’s Achilles’ heel. He could have stopped the discussion, but instead he goes on to give some general remarks on the process of incorporation. In reality, Walzer affirms, the shared understandings of a society are under constant revision. Ideally, all the cultural groups of a multicultural state should participate in the process of making and remaking, and the final results should be in proportion to the relative numbers of the groups in the population. Walzer would not agree, however, with the establishment of a central cultural committee to censor the process. He recognizes that the process is “more mysterious,” and that the results depend on “power relations,” “socio-economic position,” and “the quality of the writers, artists, musicians, and scholars that the different groups produce in any given generation.”²⁴⁰

So far as it goes, Walzer’s argument is all right. His emphasis on the mainstream is prudent, and his explanation of culture revision fits the multicultural, democratic setting. Moreover, he has demonstrated elsewhere how group culture is to be incorporated into the mainstream. Walzer once admitted openly: “When I speak personally, I speak in a Jewish voice (also American, twentieth century, male, white, and so on)... I don’t speak only to other Jews, for dispersion and emancipation have provided me with a wider audience.” Walzer likes to have audience because he takes “seriously Isaiah’s notion that Jews should be ... ‘a light unto nations.’”²⁴¹ In the works of Walzer, it is not difficult to notice that some of his main ideas are related to the Jewish tradition, such as the prophetic paradigm of social criticism, the interpretation of shared understandings (rabbinic interpretation of the Bible), the spirit of democracy (the politics of Exodus),²⁴² and the ideas of spheres,²⁴³ socialism,²⁴⁴ and pluralism.²⁴⁵ Arguably, these ideas are shared by the Christians, and Walzer always interprets them

239. *Shared Meanings*, p. 403.

240. *Shared Meanings*, p. 404.

241. *Particularism*, pp. 194-195.

242. Cf. *Exodus*.

243. The paradigm of spheres or separation is one of the fundamental categories in Jewish thought. Jews throughout history insist on their separation from other people. Noticeably, they have formulated this motive in the creation narrative, and in the cultic rituals. It does not follow, however, that Walzer is a “separationist.” I mean to point out that spheres are an imagery in the Jewish tradition. Cf. *Seminar*, p. 236.

244. Walzer once confessed, “Indeed, I lived for a long time with the easy conviction that socialism and Judaism were more or less the same thing. Socialism, to be more precise, was a militant version of Judaism. Judaism a prayerful version of socialism.” (*Particularism*, p. 196, c. 2.)

245. Walzer argues that the correct interpretation of the monotheism of Old

within the framework of liberalism. Walzer is the mainstream, albeit differently accented. This is how he demonstrates what a minority writer may do in a multicultural, democratic setting.

b. Transcendent element

Roberts is a good reader and a sympathizer of Walzer. He expresses explicitly that he has no intention at all to replace Walzer's model of social criticism with one of his own. Yet, he is aware of some differences between what Walzer preaches and what his community is practising. He tries to poke holes in Walzer's theory in the hope of, I guess, gaining recognition for his own practice. Walzer does recognize Roberts's work. "I am wholly on [your] side," he says.²⁴⁶ At the same time, he defends his theory as an adequate model for a pluralistic society. In such a subtle way, Walzer avoids confronting directly the cross-cultural social criticism suggested by Roberts and remains in an ambivalent position. So, Walzer's response to Roberts is incomplete.

Two important issues are left out. The first issue is related to what Roberts calls "the extraordinary language and the uncommon hope." They can be translated philosophically as "transcendence," or in plain religious language as "revelation." Roberts invents his terms, perhaps because he wants, as Walzer puts it, to "veil" his religious concern.²⁴⁷ Understandably, Walzer is not a theologian, and should not be subject to theological questioning. We could not complain to him if he declines to talk about revelation. Since Walzer is one of the few mainstream social scientists who refer to the Judeo-Christian tradition as a source of their research and are able to show their sensitivity—the most amazing thing is that he even wrote a (liberal?) commentary on the event of Exodus (*Exodus and Revolution*), theologians are interested in hearing Walzer's opinion on revelation. Hence I will put the question of revelation bluntly before Walzer, and try to extract an answer from his writings and seminars.

"My own mind is theologically blank. The questions that interest me are worldly questions."²⁴⁸ This is, so far as I know, the first open theological statement given by Walzer in his self-introductory essay published in *Religious Studies Review*, July 1990. It is quite puzzling to hear a writer utter such words, who (not long ago) in his lectures delivered in Brasenose College, Oxford in 1989, couched his reiterative universalism in terms of theological language,²⁴⁹ who advised future social critics to learn from the model of the Israelite prophets in his *Interpretation and Social Criticism* (1987) and *Company of Critics* (1988), and who published *Exodus and Revolution* in 1985. Throughout the 1980s, Walzer was occupying himself with religious texts, if not theology. Yet, in retrospect, he found himself "theologically blank." I find it hard to take Walzer's words literally. How could a person be theologically blank but have interest in religious texts? Even more startling are Walzer's insight into

Testament is not the kind of covering-law universalism understood by Christianity but what he calls "reiterative universalism". He quotes the prophet Amos to support his claim: "Are ye not as children of the Ethiopians unto me, O Children of Israel? ... Have I not brought Israel out of the land of Egypt, And the Philistines from Caphtor, And the Syrians from Kir?" He goes on to explain: "These questions suggest that there is not one exodus, one divine redemption, one moment of liberation, for all mankind, the way there is, according to Christian doctrine, one redeeming sacrifice. Liberation is a particular experience, repeated for each oppressed people... Each people has *its own* liberation at the hands of a single God ... What makes it different from covering-law universalism is its particularist focus and its pluralizing tendency." (*Nation*, p. 513.)

246. *Shared Meanings*, p. 404.

247. Cf. *Shared Meanings*, p. 403.

248. *Particularism*, p. 195, c. 2.

249. The lectures are published as *Nation*.

the biblical texts and his understanding of theology in the areas that he is dealing with. Since religious writers are driven by their religious zeal, it is highly improbable that an interpreter can interpret the texts properly without taking into account their authors' motive. So, Walzer is not theologically non-receptive. What he means by "theologically blank" is, perhaps, that he has no interest in the speculation of God, or he does not believe in the theological message, or he does not accept the transcendent authority of the texts or their authors.

About a decade later, Walzer appeared to be willing to acknowledge the issue of revelation. In a seminar held by Walzer in Louvain 1999, he was challenged with the query that his interpretation of the Bible could lead to the acknowledgement of revelation.²⁵⁰ Walzer's first response is a kind of avoidance: "Well, I don't have an experience of transcendence from which to talk about these questions."²⁵¹ This is a typical answer we can expect from a scientist. Transcendence is conceived as something that cannot be experienced or objectively observed, and hence it cannot be an object of scientific research. Walzer upholds this position, nevertheless he goes further to suggest a solution so as to bypass the insolvable problem posed by modernity to religion. He affirms that the Torah, in the Jewish tradition, is regarded as given by God. There has been a continuous debate about its authority and its interpretation. The final consensus reached among the rabbis is that since the Torah has already been given, it only needs to be interpreted by human reason. In other words, Walzer is saying that we are not sure whether there is revelation or not. Anyway, there is givenness in every culture. We can take the givenness as an authority or some kind of constraint. We start from the givenness, but we reinterpret it on the basis of our experience and our reason.

Walzer's approach to revelation is a practical one. His method bridges the gap between social sciences and traditional disciplines, but it is only half satisfactory to theologians, for the claim of revelation does not merely reside in the texts, but more importantly in the living community, which is seen as the locus of interaction between the divine and the profane. Walzer invokes the rabbinic wisdom to circumvent the first issue. As for the second, he leaves it untouched. The question came back squarely before Walzer when the same theologian in the seminar accused him of being a "reductionist," who assumes that "God disappears once the law is given."²⁵² This is really a hard question for a social scientist. Walzer, like any other scientists, could choose the option that God indeed rests himself once the world is created—this thesis is also accepted by some theologians, who even explain it as a necessary act of God if he is to allow man to grow into a mature person. Surprisingly, he puts this protective clothing aside and ventures to respond to this question.

In his own experience, Walzer notices that there is indeed a difference between religious Jews and secular Jews in their manner of Torah reading. The rabbis invest "great emotion" in the study of the law. "One of the hardest things for a secular Jew to understand," Walzer said, "is the deep absorption of rabbinic scholarship with questions that had no meaning whatsoever in the everyday life of the people rabbis were claiming to lead. That feature of study and interpretation seems to have been almost pure worship, but what exactly that means is very, very difficult to figure out."²⁵³ Walzer observes that something extraordinary is motivating the rabbis in their study of the Torah. He interprets their act as pure worship. But what does worship mean? Walzer cannot say. Worship normally consists of a deity as the object of worship and human beings as the worshippers. In the Jewish or Christian understanding, it is a form of communication between the creator and the creatures. The sustained effort undertaken by the worshippers indicates that worship has some substantial effects. Otherwise, it would be difficult to explain the piety of the worshippers. At the same time, it is impossible to confirm

250. For the exact formulation of the question, see *Seminar*, pp. 223-224.

251. *Seminar*, p. 224.

252. *Seminar*, pp. 224-225.

253. *Seminar*, p. 225, c. 1.

or to explain the effects scientifically. This is, perhaps, why Walzer finds it “very, very difficult to figure out.”

Walzer also notices that piety has something to do with authority. The interpretive authority does not solely depend on reason alone. “The authority,” Walzer said, “came from some combination of learning and piety. It wasn’t always the most learned who had the most authority, it was some combination of a religious aura and a visible intellect and I don’t know exactly how the judgements were made.” It is sure that Walzer affirms interpretive authority as a result of some combination of learning and piety in the religious community. What is not clear is whether piety has a role to play in secular society. Walzer has not mentioned this aspect. Maybe, intellectual authority is enough for secular interpretation and secular society. On second thoughts, it seems to me that reason alone is not enough to constitute the sole authority in religious interpretation as well as in secular interpretation. The authority of the interpreter is partly related to his zeal for justice and his moral integrity. This relation can be readily explained in terms of freedom and connection. Human has the ability to break every moral rule. A person observes the moral rules because, besides many things, the rule belongs to his community, and because some people in the community take the rule seriously. Moral observance is related to the connection with community and with practitioners in the community. It often happens that the more serious practitioner will attract more followers. A similar view is expressed by a philosopher in the seminar, Herman De Dijn. In response to Walzer, he said: “If there is any transcendent interpretation to be found, it is precisely in what you say: this combination of interpreting and worship. Perhaps that is why authority is not primarily related to orthodoxy but to orthopraxy, because the point is not so much to know something you can write down. That would be useful for science but is not the real point in matters of religion and ethics.”²⁵⁴ Walzer may or may not accept the theological conception that God today is still actively present in religious communities. But it is quite sure that he rejects the exclusive claim to revelation by any religion.

The second issue is the alternative social criticism mentioned by Roberts. There are significant differences between the kind of social criticism practised by liberation theologians and some feminist writers and the kind of social criticism practised by Walzer. Roberts notes that social critics of the former type emphasize the importance of the marginalized group they belong. They see their group as a carrier of some unique human values, which constitute an integral part of humanity but are disparaged and repressed by the masters of the world. The masters cultivate the kind of virtues that encourage competition and domination, and leave the kind of virtues that emphasize love and sacrifice to the “slaves.” The so-called mainstream, which is not necessarily espoused by the majority of a population, is dominated by the morals of the masters. Walzer regards the mainstream as the common culture, and criticizes the use of “false consciousness” to explain the prevalence of the mainstream. He is right to say that the common culture is a compromise between the masters and the slaves; he may not be right that the complacency of the slaves is not, at least partially, the result of endless ideological bombardments.

Walzer thinks that the most effective way is to work within the hegemony, to turn what is secondary into primary. Roberts does not deny this possibility. He nonetheless deems it inadequate. Similar to Bourne, Roberts advocates an “emancipatory social experimentalism.”²⁵⁵ Such kind of experiment has no place in the mainstream. That is why social critics have to carry out their experiment in marginal groups. Roberts emphasizes that his intent in the article “has not been to set up two rigidly contrasting models of criticism.”²⁵⁶ But I find that Roberts’s social criticism is also rooted in an ancient tradition,

254. *Seminar*, p. 225.

255. T. T. ROBERTS, *Michael Walzer*, p. 348. Cf. *Critics*, p. 49.

256. T. T. ROBERTS, *Michael Walzer*, p. 351.

though not as ancient as the prophets. I also find that many Western social critics are somewhat influenced by this tradition. Hence it would be meaningful to define this tradition of social criticism. As opposed to Walzer's prophetic paradigm, I would call it the evangelical paradigm. I cannot undertake to investigate this model in detail here. All I can do is to highlight some central features of an evangelical paradigm.

2. The evangelical paradigm

To construct a critical paradigm from the life of Jesus as exclusively reported by the evangelists is an intricate task. The difficulty lies not merely in the fact that the evangelists wrote with their religious conviction and reported distorted pictures of Jesus so that a reconstruction is needed to recover the real Jesus, the Jesus of Palestine. More importantly, Jesus was a controversy: he violated the socially defined roles, and thus stirred up a debate among his contemporaries. Who was Jesus? And what was he doing? These were, probably, some of the hottest topics discussed among the dwellers of Jerusalem and other megapolis in the Mediterranean during the first and second century. The evangelists all asked the question who Jesus was. Mathew, Mark, and Luke formulated the question in almost the same way: Jesus confronted his disciples and asked, "Whom say the people that I am?" "Whom say ye that I am?" John expressed the question differently in the dialogue between Jesus and a Samaritan woman.²⁵⁷ The evangelists' answers to both questions were unanimous. People said that Jesus was John the Baptist, or Elias, or Jeremias, or one of the prophets risen from the death. His disciples said that Jesus was the Messiah, the Christ of God. The message is clear: Jesus is not a prophet; he is the Christ. What is not clear is the nature and the work of the Christ. The evangelists had to do a lot of explaining in order to introduce a new religious figure. Hence John made use of the form ἐγώ εἰμι, which is reserved for God's self-revelation in the Septuagint, to reveal the messianic secret of Jesus. And as if that were not emphatic enough, the evangelist put one more ἀμὴν before the ἀμὴν λέγω ὑμῖν phrase used by Jesus in the other three Gospels.

Despite the evangelists' effort to explain Jesus' identity, readers of the Gospels throughout the centuries have not stopped doubting who he is. The debate of the Son of God or son of man was widespread, and partisans were formed in the early Church. Dispute lingered on even after the official doctrine was established. In modern times, when the authority of the Church is eroding, reinterpretation of Jesus has proliferated. The first series was done by the German liberals and documented by Albert Schweitzer in his *Von Reimarus zu Wrede. Eine Geschichte der Leben-Jesu-Forschung*, which was translated into English as *The Quest of the Historical Jesus*. Being enlightened, many German scholars undertook the project of recovering the historical Jesus. But in the end, Schweitzer found their effort futile: the researchers constructed images of Jesus, each according to his own image. Schweitzer concluded that it was impossible to reconstruct the historical Jesus.²⁵⁸ This conclusion, however, does not discourage people from speaking about Jesus. It only heightens their awareness of a Jesus with many faces. In 1931, Arthur McGiffert categorized seven figures of Jesus: the literary Jesus, the dogmatic Jesus, the ecclesiastical Jesus, the mystical Jesus, the communal Jesus, the symbolic Jesus, and the historic Jesus.²⁵⁹ Recently, Daniel Harrington has reported another seven

257. Mt 16,13-15; Mk 8,27-29; Lk 9,18-20; Jn 4,3-29.

258. For a brief review of Schweitzer's work, see J. M. ROBINSON, *Albert Schweitzer's Quest of the Historical Jesus Today*, in *A New Quest of the Historical Jesus and Other Essays*, Philadelphia, PA, 1983, 172-195.

259. A. C. MCGIFFERT, *The Significance of Jesus*, in T. S. KEPLER (ed.), *Contemporary Thinking about Jesus. An Anthology*, New York, NY, 1944, 333-338, pp.

Jesus with Jewish characteristics: an eschatological prophet, a political revolutionary, a magician, an Essene, a Galilean Charismatic, a Hillelite, and a Galilean rabbi. He tells the readers that he can go on with the list but he prefers to stop at seven.²⁶⁰ “Myriad” is probably the right word to describe Jesus. A brief look at the portraits of Jesus shows that on the one hand, it is inadequate to conceive Jesus solely as a prophet, and that on the other, Jesus certainly bears some resemblance to the prophets, otherwise his contemporaries would not have called him one of the prophets risen from the dead. Jesus may not be a traditional prophet, though. But how about an eschatological prophet as proposed by E. P. Sanders?²⁶¹

Having exposed the difficulty in constructing an evangelical paradigm for social criticism, I had better give some justification. As discussed before, Walzer is highly selective in his construction of the prophetic paradigm. Among the myriads of prophets, he selects Amos; and within the book of Amos, he selects certain type of texts. His selection enables him to erect a perfect model social critic. If he takes into account the broad range of prophets and the various types of prophecies, he will encounter complications no less than mine. Problems also emerge when the critical models proposed by Walzer are applied to the understanding of the eleven critics in the *Company of Critics*. In the book, Walzer argues that those critics who do not follow the prophetic paradigm not only cause trouble for themselves but also mislead others. He rebukes the modern critics for their romantic conception of the critic as hero, which he deems to be utterly unfounded. Julien Benda calls upon the ascetic monk as his guide, and Walzer says that this is not an appropriate model. Hero, monk, and prophet are the three paradigms used, I suppose, to understand the critics in the book. Some of the critics do not comfortably fit into either category. Breytenbach is the best match of the prophet. Bourne and Buber consciously follow the prophet, but their practice only partially resembles the prophet. Silone, who in Walzer’s opinion starts a critical tradition that influences two other of his favourite critics Orwell and Camus, shows no salient characteristics of the prophet.²⁶² On the contrary, his two major works, *Bread and Wine* and *The Seed beneath the Snow*, are in fact modelled on the Gospel. The names of the books, the plot, the characters, the imagery, all bear unmistakable marks of the Gospel. The two books are probably a reinterpretation of Jesus. The author is constantly asking himself how Jesus would react in fascist Italy. Silone may be an evangelist, never a prophet. Heroism and detachment may be used to explain Sartre’s and de Beauvoir’s treasonous crossover. Equally, or better still, their act can be understood as a deviation from the evangelical paradigm. I suspect that most Marxist critics are to some extent influenced by the evangelical paradigm. Since they are the primary targets of Walzer’s criticism, a knowledge of their historical background will enhance our appreciation of the previous discussion.

There is an existential reason for Christians to assert the evangelical paradigm. The crux is not whether the prophet or the evangelist offers the better model for social criticism. Effectiveness is not their sole concern. The *raison d’être* for Christians is that they are the followers of Jesus. They follow him not by force of argument but by force of life originating from him. Because of that, the immediate disciples of Jesus ascribed to him the titles of Christ and Son of God. Generations after generations, people find strength and inspiration in him. His influence does not cease even in the religion-hostile modernity. Schweitzer, though shattered in the hope of finding the historical Jesus, wrote: “Jesus means something to our world because a mighty spiritual force streams forth from Him and flows through our time also. This fact can neither be shaken nor confirmed by an historical discovery. It is

333–335.

260. D. J. HARRINGTON, *The Jewishness of Jesus. Facing Some Problems*, in *The Catholic Biblical Quarterly* 49 (1987) 1–13, pp. 7–8.

261. E. P. SANDERS, *Jesus and Judaism*, London, 1985.

262. *Critics*, p. 116.

the solid foundation of Christianity.”²⁶³ Of course, he is not quite right to assert that historical discovery cannot shake the foundation of Christianity. Historical discovery, or more accurately, modern reconstruction of the past has already shaken and undermined the foundation of Christianity. Yet he is right to declare that history cannot annihilate existence. History can alter its perception, render it inarticulate, or even suppress it, but history cannot destroy existence. Sooner or later, rebels will appear and assert it. Schweitzer’s life is an illustration of the disjunction between reason and faith. He conformed to the rational criteria of the enlightenment and declared the failure of the research on historical Jesus. But he also refused to accept that Jesus was a literary figure, a non-existence. To demonstrate Jesus’ existence, Schweitzer left his professorship in university, and went to Africa to live among the blacks, the poorest people at his time.

Between the Christ of faith and the Jesus of Nazareth, contemporary biblical scholars, unlike Schweitzer, believe that there is a middle ground for manoeuvre. Since Jesus was a Jew, a historical reconstruction must begin with this Jewishness. Among the various identities, eschatological prophet is the closest to the perspectives of the evangelists, and may serve as a starting point in our interpretation of Jesus’ acts and teachings. Jesus may be seen as a late eschatological prophet and the founder of a new religious movement. Born in the first century, Jesus shared with other Jews the dependency of their nation. After centuries of foreign domination, and with each conqueror stronger than the previous one, most Israelites were spent and lost hope of a national restoration. Rational calculation saw no end of Roman imperial rule in the near future. More and more people became sceptical of the prophetic message which identified the loss of sovereignty as the divine punishment for Israelite disobedience. Israelites had to admit that prophecy had failed. It was no longer sensible to proclaim the kind of prophecy proclaimed by classical prophets, like Amos. Another possibility to regain autonomy was through armed conflict. An angry prophet might take up arms and transform himself into a zealot. But this was not really an attractive alternative because the chance of success was slim and the consequence would be disastrous. Still, not a few fanatic Israelites chose this option and organized bands of zealots.

Apparently, Jesus forged a strategy somewhere between the prophet and the zealot. Like an eschatological prophet, Jesus preached the kingdom of God without specifying its concrete social and political implications. He proclaimed that his kingdom was not of this world, and yet in the world. These two conflicting claims betray Jesus’ ambiguous political stand. Was he for the establishments or against them? Obviously, Jesus was not for the establishments. The otherworldliness of his kingdom was a kind of reaction against the worldly establishments. Indeed, one of the main charges brought against him is that he wanted to destroy the temple.²⁶⁴

Matthew and Mark denied the charge as false witness. They, together with Luke, reported that Jesus only predicted the destruction of the temple.²⁶⁵ John’s defence was somewhat different. He recorded Jesus saying: “[You] destroy this temple, and in three days I will raise it up (Jn 2,19).” The statement is hypothetical, and it is not Jesus but the people who destroy the temple. The evangelist further added an allegorical explanation clarifying that the said temple was not the real temple, but the body of Jesus, and that Jesus was speaking about his own crucifixion and resurrection (Jn 2,21-22). The four evangelists were careful to portray that Jesus was a critic of the Jewish establishments but not a social reformer, still less a rebel.

Strange enough, Jesus was never reported to have voiced any criticism against the Roman imperial force. The synoptic Gospels mention one incidence where Jesus was confronted. He was then forced

263. A. SCHWEITZER, *The Quest of the Historical Jesus. A Critical Study of Its Progress from Reimarus to Wrede*, trans. W. MONTGOMERY, London, ²1936, p. 397.

264. Mt 26,61; 27,40; Mk 14,50; 15,29.

265. Mt 24,2; Mk 13,2; Lk 21,6.

by the opponents to express his attitude towards Roman oppression. They asked him: "Is it lawful to give tribute unto Caesar, or not?" Jesus told them to show him a coin, and he showed them in return the image inscribed on it. Thus he said, "Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's."²⁶⁶ This answer was taken as the key to understand the kingdom of God by the evangelists and the early Church. It was interpreted as thus: The worldly kingdom and the heavenly kingdom were two separate entities. Each was ruled by a different set of laws and by a different king. The kingdom of God entered the kingdom of the world only to save the souls of men; it did not intend to disrupt the law of the world. This is a strained interpretation, however. How can a person who observes the law of Moses and the prophets be complacent with a personalized religious life? How can he accept social injustice as a normal business of life? If Jesus is God and if God is consistent, he will not tell us to tolerate or accept oppression joyfully in the hope of receiving eternal life. Under the control of the Roman Empire, it is not surprising that the evangelists took this line of interpretation.

Possibly, Jesus was an idealist, while at the same time he did not have the illusion that his ideal could be realized in this world. He did not accept the compromise position taken by the Jewish élite. Neither did he opt for armed rebellion. Jesus followed the eschatological prophecy of his time and preached the kingdom of God in the same style. Unlike the prophets, Jesus chose other audience. He blamed the failure of prophecy not so much on God or on the prophets as on the ruling élite. He often called them "hardhearted."²⁶⁷ His final condemnation was that their fathers were killers of prophets and they were the collaborators: "Woe unto you, scribes and Pharisees, hypocrites! because ye build the tombs of the prophets, and garnish the sepulchres of the righteous, And say, If we had been in the days of our fathers, we would not have been partakers with them in the blood of the prophets (Mt 23,29-30)." Jesus had had enough of the Jewish élite. He did not want to preach to them any longer. His compassion for the masses drew him further from the élite and closer to the poor: "when he saw the multitudes, he was moved with compassion on them, because they fainted, and were scattered abroad, as sheep having no shepherd (Mt 9,36)." He suffered and could not bear to see people's faces being trampled on. Hence he forsook the ruling classes and turned to minister to the poor. He comforted them, taught them how to live, and preached to them that they were the heirs of the kingdom of God. As for the content of the kingdom, he could only tell them in metaphors. Though Jesus did not take up arms and revolt, his action shook the status quo. The priests and the Pharisees gathered together to discuss him. They said, "If we let him go on thus, every one will believe in him, and the Romans will come and destroy both our holy place and our nation." The authorities could not take his ministry as apolitical. They knew that if Jesus were left to continue his work, sooner or later the crowd would be out of control and they would attract the attention of the Romans. The high priest thus concluded: "It is expedient for you that one man should die for the people, and that the whole nation should not perish (Jn 11,48-50)."

Jesus preaches like an eschatological prophet and dies as a rebel. But neither category can fit him well. He criticizes the society, and he organizes a social movement. He is the founder of the evangelical model. In modern terms, he is in between a social critic and a revolutionary. Perhaps, we might call him a visionary. A visionary is a moral idealist. He believes in a certain version of an ideal society. He cannot accept political compromise when the majority of people are being exploited. He criticizes the ruling classes. Yes, his social action is "an enterprise far more radical than social criticism as [Walzer has] described it."²⁶⁸ It is not, however, necessarily a work of conversion as what the missionaries have done in a foreign land. The visionary preaches to his own people an ideal, not

266. Mt 22,17-21; Mk 12,14-17; Lk 20,22-25.

267. Mt 19,8; Mk 3,5; 10,5; Jn 12,40.

268. *Interpretation*, p. 52; cf. pp. 44-46.

adapted from anywhere else but embedded in their own shared understandings. It is a particular interpretation, and in Jesus' case, an impractical one. The focus of the proclamation is a conversion of heart more than a conversion of mind. Should peoples live peacefully together? Almost all people will answer yes. Will they then live peacefully together? Most people will answer no. To deal with the anticipated conflict, social critics construct a just war theory to minimize the brutality of war. In contrast, the visionary rejects this kind of legitimation. He goes further to convert people's heart rather than to legitimize human weaknesses. Calling for repentance is the mission proper of the prophet. Jesus' ministry is the continuation and the actualization of this mission. His course of action can be seen as a correction of the practice of past prophets.

The prophets target their messages primarily to the Israelite élite. But centuries have passed, the ruling classes show no signs of improvement. Worse still, they now levies double portions of burden on the poor—one for themselves and one for the Romans. What is the use of prophecy? No doubt, the messages of the prophets rankle. To expiate their guilt, the ruling classes build tombs for the prophets. Jesus sees this act as hypocritical. It signals the failure of the leadership to respond to God's calling, to become a holy nation and a light unto nations. Words alone cannot change the heart of the ruling classes. Not only does the message of the classical prophets fail, but also their practice. Jesus changes the strategy and turns to the poor. The lower classes are the ones who are fooled by the priests and the teachers using the very words of God. Perhaps, when they understand the true meaning of the law, they will repent. Hence Jesus invests his hope in the poor. He denies the ruling classes the privilege of attention and counsel. He denies them the control of intellectuals. He denies them the exclusive sovereignty over the people. He insists on preaching a utopia without concrete political programme. His ministry is highly subversive. In this sense, Jesus is a rebel and a revolutionary.

Two features of the evangelical paradigm stand out in stark contrast to Walzer's prophetic paradigm. The first is its utopian overtone or otherworldliness, and the second its preference for the poor. Both of them have been under Walzer's severe criticism. Walzer has successfully exposed some weaknesses of the evangelical paradigm. Even so, he cannot persuade me that the evangelical paradigm is a kind of destructive social criticism.

"It is one of the major failures of Marxism," Walzer writes,²⁶⁹

that neither Marx himself nor any of his chief intellectual followers ever worked out a moral and political theory of socialism. Their arguments assumed a socialist future—without oppression or exploitation—but the precise shape of that future was rarely discussed. When Marxists wrote social criticism, ... The force of their criticism derived, however, from the exposure of bourgeois hypocrisy.... Marxists never undertook the sort of reinterpretation of bourgeois ideas that might have produced Gramsci's "new ideological and theoretical complex." The reason for this failure lies in their view of the class struggle as an actual war in which their task, as intellectuals, was simply to support the workers.

The above passage is one of Walzer's main criticisms on the Marxists, where he links the unqualified socialist ideal with the intellectuals' preference for the workers. These two features resemble those of the evangelical paradigm. Since Walzer also recognizes a resemblance between a Marxist and an evangelist, I assume that the Marxists have adopted (and at some points modified) the evangelical paradigm.²⁷⁰ Some of Walzer's criticisms on Marxist critics can thus be taken as his criticisms on the evangelical paradigm. Walzer criticizes the Marxists for failing to concretize the socialist ideal in terms of bourgeois ideas. Their failure is due to the fact that they have gone

269. *Interpretation*, p. 56.

270. Cf. *Interpretation*, pp. 44-46.

completely over to the side of the workers. Consequently, Marxists deprive themselves of an important medium of social criticism. Nonetheless, the total rejection of the bourgeois, Walzer concedes, is “a major force within Marxism.” “It accounts for the essentially polemical and agitational character of the Marxist critique and the ever-present readiness to abandon ‘the arm of criticism’ for the ‘criticism of arms’.”²⁷¹ Walzer has pointed out the tension in the evangelical critique—to criticize by not criticizing. He ridicules it, but he at least acknowledges its agitational force. That force, however, should not be underestimated, especially when it is channelled not to the fostering of hatred but to the conversion of heart. Jesus, and his most faithful imitators, such as Francis of Assisi, and Mother Teresa of Calcutta, have sent shock waves across the world. These personages warrant imitation. Though Jesus has never been a clear-cut prophet in his lifetime, his dedicated life inspires an evangelical style of social criticism.

Walzer is cautious of the preference for the poor. He agrees that the critic should give priority to the oppressed. Then, he draws a fine line between political identification and social identification. Political identification is deemed to be a sufficient condition for social criticism: the critic stands politically on the side of the oppressed, and thus creates a distance for his criticizing of the ruling class. Whereas social identification is both unnecessary and harmful. Generally speaking, the critic is an intellectual who does not belong to the poor. (Marx himself was a petit bourgeois, at least before his transformation.) The critic, in Walzer’s opinion, can never become one of the poor. If he cuts himself off from his social network and pretends to be a proletarian, he will end up harming himself and the people he is supposed to help. Disconnection produces adverse consequences. A grave case, for instance, is the crossover to the side of the enemy, or what Walzer calls “treasonous engagement.” So far as Marxist critics are concerned, Walzer’s criticism is correct. But I want to make a distinction between a Marxist critic and a Christian critic. The Christian critic is not disconnected, though he may bring about “undesirable” social effects.

It is true that Jesus calls people to follow him, and that the following requires a decisive disconnection. The most poignant teaching can be found in Luke 12,51-53:

Suppose ye that I am come to give peace on earth? I tell you, Nay; but rather division: For from henceforth there shall be five in one house divided, three against two, and two against three. The father shall be divided against the son, and the son against the father; the mother against the daughter, and the daughter against the mother; the mother in law against her daughter in law, and the daughter in law against her mother in law.

Disconnection is commonly understood as a price of discipleship. Ordinary believers may not be required to observe it. But it is the touchstone of true discipleship. Francis, for instance, is a fulfilment of the father-against-son prediction. After his conversion, Francis gave away all that he had to the poor. His father tried to stop him by confining him at home. But Francis, with his mother’s help, escaped. When his father knew that he could not control his son anymore, he brought Francis before the bishop to renounce him in order to protect the family possessions. Francis’s decision was as resolute as his father. His official biographer Bonaventure tells us: “Francis showed himself eager to comply; he went before the bishop without delaying or hesitating. He did not wait for any words nor did he speak any, but immediately took off his clothes and gave them back to his father.... he even took off his underwear, stripping himself completely naked before all.”²⁷² Francis’s disconnection was complete. Now, he was ready for discipline of any schools.

²⁷¹. *Interpretation*, p. 57.

²⁷². S. BONAVENTURE, *The Life of St. Francis*, trans. E. COUSINS, in *The Soul’s Journey into God. The Tree of Life. The Life of St. Francis*, New York, NY, 1978, 177-327, pp. 193-194.

Francis, indeed, is ready to experiment a new mode of life, but he is not totally disconnected. He disconnects with his family only because and after he is connected with God. (Since Walzer quotes E. M. Foster's "Only connect!" in the *Company of Critics*, I need to speak a little more on the connection with God.)²⁷³ Ancient records testify that Francis's change is the direct consequence of a vision he receives from God:²⁷⁴

One day when Francis *went out to meditate in the fields* ... he walked beside the church of San Damiano which was threatening to collapse because of extreme age. Inspired by the Spirit, he went inside to pray.... he heard with his bodily ears a voice coming from the cross, telling him three times: "Francis, go and repair my house which, as you see, is falling completely into ruin."

Francis's drastic change and his subsequent acts are very, very difficult to figure out if we exclude the possibility of divine vision. The modern biographer Paul Sabatier has tried to understand Francis against his historical background, but in the end he still cannot evade attributing Francis's conversion to his vision in the church of San Damiano. In Francis's account, his disconnection from his family is the direct consequence of his connection to God. He is drawn closer and closer to God while farther and farther from the world. But this is only half of the experience of Francis. He is also called to reconnect himself with the creation. His detachment is temporary, and it serves to a vacuum so that Francis can reconnect himself anew. This is the crucial difference between an evangelist and a Marxist. From now on, Francis cares for the lepers as though they are his dearest friends, and he calls bird sister, and wolf brother.²⁷⁵

Enough distinctions have been made between the prophet, the evangelist, and the Marxist. I shall stop here. But, overhearing the debate among the rabbis on revelation, I am tempted to intrude my own opinion. The rabbis should allow me, though an outsider, to speak because I am an attentive audience, and besides, I shall abide by their rule of argument. I am impressed by the rabbis' shrewdness in forcing God to surrender his privilege. God has said enough, they argue, and we can apply the existing law to deal with our life. If God is unhappy with our interpretation, either he himself or his prophet is always welcome to join in our debate on the understanding that he too must be obliged by the existing law. Nevertheless, I am dissatisfied with Elijah's report to Rabbi Nathan. I surmise that God may not so easily and happily defeated—something must be missing from the report.

"R. Nathan met Elijah and asked him: What did the Holy One, Blessed be He, do in that hour?—He laughed [with joy], he replied, saying, 'My sons have defeated Me. My sons have defeated Me.'" The Holy One's happiness was short. Later, He became sorrowful and had some sleepless nights. He was not grieving over His broken self-image, nor was He upset by the maturity of His sons. His concern was that oppression still existed. He heard cries ascending from the earth, and could not bear to ignore them. "Prophecy, with its impassioned and fiery exhortations, could not accomplish in purging the Jewish people of idolatry and in uprooting the basic causes of the most degrading forms of oppression and violence—of murder, sexual perversity, and bribery." "My sons are right: enough has been said, and there is no point in sending more prophets," the Holy One said to Himself. "My sons know the law, some even use it to fool others. The problem lies not in their mind, but in their heart. In the course of evolution, their brain becomes sophisticated, but their heart hardens. Perhaps I should come down to instil more sympathy on them."

273. *Critics*, p. 142. "Only connect!" are words inscribed on the front page of E. M. Forster's *Howards End*, ed. O. STALLYBRASS, London, 1975 (repr., 1989).

274. S. BONAVENTURE, *The Life*, p. 191.

275. Cf. P. SABATIER, *Vie*, p. 73; *The Little Flowers of St. Francis*, trans. R. BROWN, New York, NY, 1958, pp. 88-92.

V. A MATURE MODERN SOCIETY

§1. THE STRUCTURE OF A MODERN SOCIETY

Since the appearance of *Spheres of Justice* in 1983, praises have alternated with criticisms. Charles Taylor praises the book for its creativity: “This brilliant book works out a new and radically different conception of distributive justice ... *Spheres of Justice* should and will transform the debate about distributive justice beyond all recognition.”¹ William Galston attributes Walzer’s originality to his mastery and integration of various Western traditions: “Walzer began as the inheritor of three disjoint traditions of discourse: formal political philosophy, understood as speculation *sub specie aeternitatis*; radical social criticism, conducted from a standpoint outside existing institutions and practices; and the everyday talk of citizens and leaders about what is to be done here and now.”² On the other hand, Ronald Dworkin criticizes Walzer’s theory as “irrelevant” and his argument a failure. “The ideal of complex equality he defines,” Dworkin observes, “is not attainable, or even coherent, and the book contains very little that could be helpful in thinking about actual issues of justice.”³ Brian Barry banishes Walzer by labelling him “the scourge of Anglo-American political philosophy.”⁴ Critics differ about Walzer. Nonetheless their opinions converge at least at one point, and that is, Walzer has proposed a new conception of justice, which may change the way of doing political philosophy. I interpret this newness as a phenomenon of mature modernity. As we have discussed Walzer’s interpretive methodology in previous chapters, we may now turn to the design of a mature modern society. To begin with, Walzer emphasizes that domestic justice is particular, and that he is writing a programme for the citizens of the United States. In view of this limited scope, we can appreciate that his proposal may not be directly applicable to other countries. Thus we will focus mainly on the theory and structure of Walzer’s programme.

A. THE SEPARATION OF SPHERES

1. Each according to its kind

In a paper defending equality, Bernard Williams raises the idea that goods should be distributed in accordance with “the relevance of reasons.” Classical theory holds that the distributive principle *suum cuique* or “to each his own” dictates that goods should be distributed in proportion to a person’s recognized inequalities. Williams accepts this principle, but he proceeds to argue that even then,

1. C. TAYLOR, quoted in *Spheres*, backcover.

2. W. A. GALSTON, *Community, Democracy, Philosophy. The Political Thought of Michael Walzer*, in *Political Theory* 17 (1989) 119–130, pp. 119–120.

3. R. DWORKIN, *To Each His Own*, pp. 4,6.

4. B. BARRY, *Liberty and Justice. Essays in Political Theory* 2, Oxford, 1991, p. 1.

equality is present in *suum cuique*. He starts with the distinction that men have inequalities in merit as well as in need. Merit and need are two different distributive principles. Correspondingly, there are two kinds of goods, Williams argues, which should be distributed according to merit and need respectively. For example, higher education should be given to those who possess the capacity to be benefited from it; whereas medicine, as a remedy for illness, should be administered to the sick. If these goods are distributed to those people who have money for them, then they are not distributed in accordance with “the relevance of reasons.” If goods are distributed in accordance with “the relevance of reasons,” that is, education to the able student and medicine to the sick, a certain notion of equality will then be realized.⁵

Williams’s ideas of equality and “the relevance of reasons,” Walzer acknowledges, constitute some of his starting points in thinking about distributive justice.⁶ He seizes upon the idea of relevant reasons and sets out to develop a theory of goods, which shifts the focus of distribution from its agents to the goods themselves.

Walzer begins his argument by inviting us to consider a straightforward description of the distributive process:

People distribute goods to (other) people.

Two categories are noticeable in the sentence: people and goods. People are both the distributors and the receivers, and goods are the direct distributed objects. It is quite straightforward to most people that it is the human beings who distribute goods among themselves. This is why most distributive theories focus on the category of people. Theorists would speculate on the human agent, either looking into his human nature, or trying to discover his rights. What they are searching for is a set of distributive principles which will sustain their image of the human person. Goods, on the other hand, are assumed to be passive objects that can be moved freely according to the will of man.⁷

This understanding of the distributive process appears to Walzer to be “too simple.” Every good we distribute has its meaning. It is dear to us, and we value it. Otherwise, we will not bother to distribute it. If goods have their internal meanings, it would then be unreasonable (or unjust) to distribute them contradictory to such meanings. So, when we think about the distributive process, we have to take into consideration the meanings of goods. Below is a more precise and complex description of the process proposed by Walzer:⁸

People conceive and create goods, which they then distribute among themselves.

This new formulation places its emphasis on the conception and creation of goods which precede distribution. Goods do not just appear in the hands of the distributive agents. There must be processes of conception and production. Goods “come into people’s minds before they come into their hands,” Walzer writes.⁹ The conceiving, naming, and creating are at the same time attributing meanings to goods. Even natural objects and raw material—like air, water, stone, trees, and fruits—cannot escape human imposition of meanings. We give them meanings by naming them. For those that are scarce, we prescribe rules for their distribution; for those that are abundant, we distribute them according to need.

The meanings of goods, though first attributed by their inventors or producers, are not monopolized by them. They are subject to a wider public modification, and are undergoing complex processes of assimilation. The attribution of meanings to goods is a collective enterprise. Social meanings are *vox populi*, and *vox populi* as a whole resembles *vox dei*. Thus, a good with attributed social meaning can

5. B. WILLIAMS, *The Idea of Equality*, in *Problems of the Self. Philosophical Papers 1956-1972*, Cambridge, 1973, 230-249, pp. 239ff.

6. *Spheres*, p. 9, n. 7.

7. *Spheres*, p. 6.

8. *Spheres*, p. 6.

9. *Spheres*, p. 7.

no longer be treated in an arbitrary or idiosyncratic way. Rather its meaning tells people how to value it, use it, and distribute it. A social good comes to life, so to speak, through the spirit of the collective intelligence of mankind. Once the social meaning of a certain good is established, the good may be said to distribute itself among people. Any violation of this internal logic of distribution entails criticism. For instance, priesthood is conferred on someone according to piety. In the history of Christianity, this principle has often been violated. Therefore, the Church condemns simony, and fights against the imposition of temporal power on the election of ecclesiastical offices. Goods, in this sense, are the more important subjects in the process of distribution. The meanings of the goods direct and constrain how the distributive agents are going to distribute them.

Six principles of goods

Social meanings do play a role in the distributive process. Yet, Walzer is not content with this proposition. His ambition is to establish the thesis that the meanings of goods alone are sufficient to account for distributive justice. Walzer thus constructs a theory of goods with six principles. I will first give a list of them before proceeding to their explanation.¹⁰

1. The goods with which distributive justice is concerned are social goods.
2. Men and women take on concrete identities because of the way they conceive and create, and then possess and employ social goods.
3. There is no single set of primary or basic goods conceivable across all moral and material worlds—or, any such set would have to be conceived in terms so abstract that they would be of little use in thinking about particular distributions.
4. It is the meaning of goods that determines their movement.
5. Social meanings are historical in character; and so distributions, and just and unjust distributions, change over time.
6. When meanings are distinct, distribution must be autonomous.

1. *All goods are social goods.* Goods are distributed because they have use or sign values. Goods have different uses as well as different significations. The acts of assigning uses or signs are historical social processes. They are determined partly by the nature of the goods and partly by the collective creativity of a community. Goods circulated among people cannot escape the imposition of meaning. Every good distributed has social meaning. However, this claim does not exclude the possibility of the existence of idiosyncratically valued goods. Old pictures or odd family souvenirs are valued individually. But, these private goods are not distributed in the public. Moreover, they are culturally conditioned. Very often, these goods, which are cherished privately for sentimental reasons, are to be found only in cultures where sentiment is attached to them. As far as distributive justice is concerned, only social goods with shared meanings lie within its domain. Social goods carry with them the conspicuous implication that they are culturally specific. Different societies may have different goods and different meanings of the same good. There is no way to determine *a priori* how a good should be distributed in a particular society.

2. *Goods define identity.* A human person is not just an abstract entity. He has physical as well as psychological needs. His self-consciousness and well-being depend on his interaction with goods. Poverty is regarded as evil because it deprives a person of the material basis on which he develops his

10. Cf. *Spheres*, pp. 7–10.

potential. Though man's dependence on goods is undeniable, it can be disputed on the ground that the I-it relation is too materialistic. Personhood is equally, if not more so, conditioned by social connections, that is, a person comes to his identity through the history of interactions with other persons. It seems that at the time when Walzer was writing *Spheres of Justice*, he had not dealt with this subject adequately. However, in a later article entitled *Objectivity and Social Meaning*, he explains that interpersonal relationships are indeed very dense, and "one of the ways we reach that thickness [of moral world] and density [of human relations] is through the social construction of objects (of all kinds)."¹¹ What he means is that human relationships do have a material basis. For most of the time, people relate to each other through the mediation of goods. Consider the Golden Rule: "Love your neighbour as yourself." People may in principle accept this rule, but when it comes into practice, they disagree. There are various interpretations of "love" and "neighbour," each according to its tradition. Accordingly, the Golden Rule in the Christian tradition must be qualified by the acts and teachings of Jesus. When the Rule is being qualified, goods inevitably come into its formulation. For instance, one qualification of the Rule could be: "share your food with the hungry." Precisely because food, or good in general, is scarce in comparison with attitude, manner, or speech, it becomes a good indicator of human relationship. The quality and the quantity of food offered indicate the intensity of love and the kind of relationship between the giver and the receiver. The focus on goods shifts our attention from people to matter. It has the advantage that goods rather than men become the point of contest. An attack on the unjust distribution of goods is definitely better than an attack on a class of men and women.

3. *No basic goods.* The third principle is a rejection of the idea of basic goods. Most political philosophers, such as Rawls, begin their philosophizing by reflecting on the basic human needs, and come up with a set of universal basic goods that are fundamental to the existence of men and society.¹² These basic goods are then taken as primary in the consideration of equality. An egalitarian society must guarantee a more or less equal distributions of the basic goods to its members. Walzer rejects this idea of basic goods for fear that the list of basic goods would quickly be "abstracted to a single good; a single distributive criterion or an interconnected set."¹³ He argues that for a given good, there may exist several social meanings and distributive principles. The idea of basic goods elevates a single social meaning to a universal status, and the specific distributive principle connected with this social meaning is used to overrule the other distributive principles. For instance, food carries different meanings in different places: bread is the staff of life, the body of Christ, the symbol of the Sabbath, and so on. If we think in the line of basic goods, the staff of life will be the primary meaning of bread. Walzer objects this simplification by reason that there will be rare occasion when bread-as-staff-of-life would yield primacy, except in the case when "there were twenty people in the world and just enough bread to feed the twenty." Even under such condition, we still cannot be sure of that. Suppose the gods demand the bread to be burned as sacrifice. Then, it will become uncertain which use should be the primary one.¹⁴ Walzer's argument would be convincing if not for the fact that most people regard food as a basic good. He also contradicts his own argument in the book by constructing membership as the basic good which regulates the distributions in many spheres.¹⁵

11. *Objectivity*, p. 169.

12. J. RAWLS, *A Theory*, pp. 78-81.

13. *Spheres*, p. 4. Arguably, the rights of life and liberty in the *Wars* may be regarded as basic goods. It seems that Walzer does not think these two rights have anything to do with distributive justice.

14. *Spheres*, p. 8.

15. Cf. G. DEN HARTOGH, *The Architectonic of Michael Walzer's Theory of Justice*, in *Political Theory* 27 (1999) 491-522, pp. 494-495.

4. *Goods should be distributed according to their social meanings.* The movement of a good is determined not by its intrinsic meaning but by its social meaning, similarly just or unjust distribution of the good is relative to the social meaning. Behind this proposition, Walzer is pondering on Bernard Williams's discourse on equality. Williams thinks that goods should be distributed in accordance with "the relevance of reasons." Here, relevance refers to the essential or intrinsic meanings of goods. But, does a good have intrinsic meaning? Is it not that any meaning is related to human beings? Even if we ignore the philosophical difficulty and grant that a certain good may have intrinsic value independent of men, that value will still be irrelevant to us, and we will be unlikely to use it as a distributive principle. Walzer insists that goods should be distributed according to their social meanings, and that what we regard as intrinsic meaning is, in fact, its social meaning.

5. *Social meanings are relative.* Since social meanings vary with places and change over time, the perception of just or unjust distributions will shift accordingly. It follows that justice is a relative concept. Some distributive principles of certain key goods look rather common, and people may think that they are universal. Walzer rejects the idea of universal norms, he believes such notion often leads to unwarranted assertion. Instead, he speaks of reiteration—some norms may reiterate across time and space. For examples, offices should go to the qualified persons; simony and nepotism are condemned as sinful and unjust. Apparently, these norms are universal. But, if we attend the goods close enough, we will discover divergent meanings of offices, simony, and nepotism. An office in one culture may not be an office in another culture at all. Williams's "relevance of reasons" presupposes universal norms. What appears to him as universal is in fact reiterative. All distributive principles, confined within a certain boundary of space and time, require empirical investigation rather than intuition or speculation.

6. *Goods congregate into distinct spheres.* When the social meanings of goods are widely known and accepted, goods become "autonomous." By autonomous, Walzer means that a good or a set of goods will form a distinct distributive sphere, where the goods are governed by their own distributive principles and arrangements. Money and priesthood, according to their social meanings, form two distinct spheres. Money is not appropriate in the sphere of ecclesiastical office, and piety should not be weighed in the market place. Any intrusion from one sphere into another is unjust. Yet, Walzer also realizes that social meanings will not be totally distinct, and that spheres are more likely to be overlapping and interdependent. What he argues for is thus a "relative" autonomy. Though spheres do not appear in a clear-cut style, we cannot deny their existence.

Walzer puts his groundbreaking theory of goods in a few pages and states the six principles as if they were self-evident. His brevity invites intense questioning. Three subjects, namely relativism, social meaning, and autonomous spheres, are severely criticized. As we have already discussed relativism and social meaning, we may now come to the issue of autonomous spheres.

2. Spheres or no spheres

The first attack comes from Ronald Dworkin. In a review of *Spheres of Justice*, Dworkin harshly criticizes Walzer for his tendentious creation of the spheres as if he were “bewitched by the music of his own Platonic spheres.” Dworkin means that Walzer, like Plato in the construction of the universe, has a perfect scheme devised in advance. He faults Walzer with secretly fixing eleven spheres of justice and their distributive principles, and then applies the whole scheme to the United States. In order to maintain the harmony of his scheme, Walzer disregards social reality, and proposes startling distributive arrangements without giving any proof. His spheres are arbitrary and unfounded. As a result, his theory is “irrelevant” for the United States.¹⁶

In reply, Walzer bluntly retorts: “I don’t in fact make any such assumption.” “Social goods and distributive spheres,” he continues, “have first to be found through a process of empirical investigation, and then they have to be understood through a process of interpretation. They have the forms they take in a particular society; there are no preordained forms.”¹⁷ Dworkin issues his criticism without giving substantial evidence either. Thus Walzer could easily answer his accusation by saying that the eleven spheres are identified through empirical research. However, it is equally unclear what kind of empirical research has been conducted by Walzer. Dworkin’s charge is indecisive, and Walzer’s reply is incomplete. Their exchange only serves to inaugurate an ongoing debate which has not yet ended.

The academic world is divided over Walzer’s spheres. A group of critics rally behind Dworkin, and try to look for mistakes in Walzer’s theory. An often voiced criticism is that the movement of the good in the *Spheres* does not follow its social meaning, rather it follows some abstract distributive principles independent of the social meaning. Among these critics, Jeremy Waldron is perhaps the one who formulates the most forceful argument.

“Money,” Waldron opines, “is a solvent of complex equality.”¹⁸ It will dissolve the spheres set up by Walzer. By destroying the boundary of money, all the other spheres will implode. The first point Waldron wants to make is that money is not a good with intrinsic value. A silver coin may have aesthetic value on top of its exchange value. But money-objects are no longer used in the contemporary world. The banknotes and coins we own have no value in themselves. They represent abstract numbers, which are institutionalized into a system of exchange. The numbers in our bank accounts and the huge amount of electronic transactions carried out everyday in the financial institutions give us the best picture of what money really is—it is only a neutral medium of exchange. If money is said to have social meaning, it is its role as an exchange platform that gives it such meaning.¹⁹ So far, Waldron’s conception of money does not differ much from that of Walzer, though he claims that Walzer misconceives the nature of money. The difference between them is that Walzer wants to constrain money within a sphere, while Waldron proposes to let money work freely according to its social meaning.

There is no question that goods do have social meanings, but it is not so obvious that when meanings are distinct, goods will separate to form spheres, each according to its kind. The meaning of money, for instance, does not tell us to which sphere it belongs. If we must impose a sphere on it, that sphere should include all things that people want to exchange. Walzer attempts to restrict the exchangeable things to a set of goods called commodities. But it is difficult to say what a commodity is. Walzer does not succeed in giving it a positive definition either. What he achieves is to write down a

16. R. DWORKIN, *To Each His Own*, p. 6.

17. M. WALZER & R. DWORKIN, ‘*Spheres of Justice*’, pp. 43–44.

18. J. WALDRON, *Money and Complex Equality*, in *Pluralism*, 144–170, p. 144.

19. J. WALDRON, *Money*, pp. 147–148.

long list of goods that are prohibited to buy. Outside this list of blocked exchanges, everything that answers our needs, or pleases our eyes is a commodity that can be traded in the market.

Walzer's procedure is questionable: he does not strictly follow his sixth principle in defining a sphere. It seems that the social meanings of goods do not carry the idea of commodity, and Walzer has to fix the sphere of money and commodities indirectly. Waldron even produces more damaging evidence by showing that Walzer's list of blocked exchanges is irrelevant to the sphere of commodities. He accuses Walzer of committing a "category mistake." The blocked exchanges, according to Walzer, indicate that some goods should not be bought by money. The exchanges are blocked, Waldron points out, often because they are banned in society rather than they have anything to do with money. Walzer says, "Citizens ... cannot purchase a license for polygamy."²⁰ He is correct, but polygamy is not a distributive good. American citizens can in no way obtain such a license. Exemptions from military service and jury duty cannot be sold. These are also correct, but there is no legitimate way whatsoever of exchanging these exemptions. The most "bewildering rubric," Waldron says, is the series of criminal sales. Murder contracts, blackmail, heroin, stolen goods, fraudulently described goods, adulterated milk, and confidential state information, all these things are blocked from exchange not only for money but also for any other good.²¹ Thus the sixth principle of goods is problematic. Waldron has shown us that the sphere of commodities does not follow this logic. Do the other spheres behave like this as well?

Now, suppose all the distributive spheres were not derived from the social meanings of goods. Even then Walzer's kind of spheres do seem to exist, with their corresponding distributive principles peculiar to each of them. So some parts of Walzer's argument must at least be valid for some distributions. Why is this so?

Govert den Hartogh has the ambition to uncover the mystery of spheres. He sees Walzer's theory as a "promising alternative" to the "Grand Theory, as it is represented by the work of Rawls, Nozick, Dworkin, or Habermas." "One obstacle to its having the impact it deserves," den Hartogh writes, "is that the real structure of the theory, as it is applied in Walzer's patient discussions of the exchange of actual goods, is quite different from the way he describes this structure himself."²² To show Walzer's discrepancy between consciousness and praxis, den Hartogh offers a thorough deconstruction of Walzer's theory.

The spheres of goods, according to den Hartogh, do not actually exist. They are Walzer's invention, which serves as a theoretical smokescreen behind which he engages a familiar traditional philosophizing. The novelty of spheres has impressed us. Besides that, the language of spheres has no more function other than confusing us. In order to go into the real architectonics of Walzer's theory, we have to get rid of the spheres first. If some people still insist on speaking of spheres, they may continue to do so provided the concept of sphere to be strictly understood "nominalistically." We can speak of the sphere of public education, the sphere of private education, the sphere of professional education, or the sphere of private affairs, etc. "Nothing depends on the decision; it is only a matter of convenience of exposition."²³

How are we then to explain Walzer's eleven spheres? The sixth principle of goods states that distributive principles are derived from the meanings of goods. But den Hartogh, following some previous critics, points out that this principle is only applicable to honour and love. One cannot sincerely praise someone who one does not admire, or one cannot genuinely love someone who one dislikes. One can sing praises, or one can offer marriage. But the act itself is not honour, or love.

20. *Spheres*, p. 101.

21. J. WARDRON, *Money*, pp. 155-159.

22. G. DEN HARTOGH, *The Architectonic*, p. 491.

23. G. DEN HARTOGH, *The Architectonic*, p. 502.

Honour should be given to those who are honourable, and love to those who are lovable. Praise and love, however, are connected to a person's psychological state, and they cannot be distributed. Only laurels and marriage can. If laurels are commonly regarded as an expression of honour, and marriage as a loving relationship, their proper distributive criteria can be said to be derived from their social meanings.²⁴

Yet the cases of honour and love are exceptional. Other goods do not share the same properties. Walzer separate them, den Hartogh opines, not according to their social meanings but by two covert methods. The first is selection by principle, and the second, selection by goods. To apply the first method, Walzer has to fix beforehand four basic distributive principles: membership, need, desert, and free exchange.²⁵ He then sets out to determine, for a particular principle, the range of goods to which it can be applied. The resultant group of goods is said to form a sphere. In other words, a particular distributive principle is being imposed on some goods whose social meanings do not contain the principle itself. Den Hartogh names three such spheres: security and welfare, money and commodities, and recognition. The most obvious one is the sphere of money and commodities. Walzer first affirms a principle of entitlement, namely, people are free to dispose of their possessions provided they abide by some rules. He then constructs a sphere, puts in all the goods that are not prohibited for exchange, and elaborates on the distributive principle.²⁶

The other method is selection by goods. It begins with a liberal selection of a set of goods with some common properties. These goods are then defined as a sphere. To find out which distributive principles are appropriate to that sphere, Walzer examines each good by the four basic principles in turn. Is it necessary to support full membership? Is it a need? Is it a reward? Or is it a commodity? After that, he derives social meanings from the fixed principles. The majority of the eleven spheres are constructed by this method. Take education as an example. Walzer groups various kinds of education into a sphere. He then considers them one by one from the elementary to the advanced levels. Basic education is necessary for an effective participation in the community. It is a need, and should be distributed to every member. General education is a kind of welfare, and should be distributed to anyone who is interested in it. Specialized education for jobs that require expertise is a kind of office, and should only be given to those who are qualified. Although the meaning of education does not prohibit education to be provided by the free market, in view of the fact that priority has already been given to other distributive principles, private education should be strictly limited.²⁷ In the final analysis, den Hartogh reduces Walzer's theory to four principles. In his opinion, Walzer has no theory at all. The sphere is only a "disguise." But happily, "what it disguises turns out to be a very effective way of doing applied ethics without theory."²⁸

On the whole, I do not find den Hartogh's argument convincing. Walzer could not have imposed distributive principles on educational goods, and then derived social meanings from them. Den Hartogh's charge is absurd. How can one derive the long historical account of a good from its distributive principle? It needs a wilful determination on the part of the reader to ignore the narrations of goods in the *Spheres*. We see here the Principle of Prior Simplicity is at work on den Hartogh—he wants to reduce Walzer's thick description of goods to a set of four distributive principles. It may be possible that Walzer has determined the distributive principle in advance, and then looks for historical cases to support his argument. But den Hartogh cannot give evidence for it. It is also true that Walzer is unable to define positively what a commodity is. This is due to the fact that men have the ability to

24. G. DEN HARTOGH, *The Architectonic*, pp. 505–507.

25. Cf. *Spheres*, pp. 21–26.

26. G. DEN HARTOGH, *The Architectonic*, pp. 495–498.

27. G. DEN HARTOGH, *The Architectonic*, pp. 499–501.

28. G. DEN HARTOGH, *The Architectonic*, pp. 516, 518.

exchange almost everything via a monetary system. Hence the sphere of commodities has to be defined negatively. But that does not mean the market has no boundary. As to the idea of entitlement, Walzer must have known it, and it certainly plays an important role in Walzer's construction of the sphere. However, Walzer would probably say that the concept of entitlement is a part of the social meanings of commodities.

There are some ambiguities concerning the meaning of "the social meaning of a good." Most critics will understand it in the narrow sense of the term as the immediate meaning of the good. For example, they would say that medicine is meant to cure illness. Whereas Walzer would take a long and broad view of medicine. He would investigate how the meaning of medicine changes in history, and how this meaning is related to other aspects of life. Thus he would arrive at the conclusion that medicine is for the "cure of the bodies"—an equivalent of the "cure of the souls" in the Middle Ages, and that it should be equally distributed to everyone who has the need. The critics have misunderstood Walzer. Of course, Walzer himself must assume some degree of responsibility for not making himself clear in his theory of goods.

Den Hartogh has not solved the mystery of spheres. Nonetheless, his suspicion is valid. Is it true that Walzer constructs his spheres arbitrarily? Or has he some tacit criteria in mind? Could we take the concept of sphere "nominalistically" and use it as a matter of convenience? To all these questions, I cannot find satisfactory answers in the *Spheres of Justice*, so I have to look for them elsewhere.

3. The liberal project

An article published in 1984—*Liberalism and the Art of Separation*—discloses the origin of Walzer's spheres: they come from the root of liberalism. In it, Walzer suggests that liberalism be interpreted as "a certain way of drawing the map of the social and political world." The method that the liberals employed is separation. Instead of annihilating their rivals, liberals were often content with a division of power. Their aim was immediate: they wanted a limited freedom of their own. Before the movement of liberalism, society was conceived, Walzer writes, as "an organic and integrated whole." Though there were distinctions between various aspects of life, they were connected with each other through Christ, the redeemer of the world. The Church, who is the representative of Christ on earth, co-ordinated diversity into unity. Liberalism emerged as a movement of separation, of fighting against integration and domination. They drew lines to differentiate spheres of life, and they built walls to protect them. First came the separation of church and state, then followed by church-state and universities, civil society and political community, family and state, public life and private life.²⁹

Separation may be regarded as evil—a destructive force which disintegrates the coherence of society. However, separation may also be seen as a positive process of differentiation, of struggling against chaos—a continuation of the creative work of "each according to its kind." Each separation creates a new sphere of freedom. The separation of church and state creates religious liberty which safeguards the autonomy of each religious institution. At the same time, it allows each individual to have equal freedom in seeking his or her own salvation, that is, a priesthood of all believers; it tends to create churches dominated by laymen rather than by priests. The line between church-state and universities brings about academic liberty. Academic freedom protects the autonomy of universities, which in turn enables the universities to make their own rules of admission and research independent

29. M. WALZER, *Liberalism and the Art of Separation*, in *Political Theory* 12 (1984) 315-330, pp. 315-317.

of the rich and the powerful. The separation of civil society and political community creates the free market. All persons are equal in market place. The price is determined by the market mechanism instead of status or race. The split of family and state abolishes nepotism, and paves the way for careers open to talents, which provides equal opportunities for equally talented persons. The separation between public and private life facilitates the right to privacy. It protects individual and familial freedom against intrusion by the authorities. It affirms that values held by individuals or families are equal.³⁰

In a few strokes, Walzer outlines the achievements of the liberals over the past several hundred years. Few people would doubt what he says. Indeed, liberal theorists always reiterate the independence of state, church, and civil society. Walzer only adds some more items to the list. His spheres are in fact a description of the liberal world. One of the factors that make Walzer's theory distasteful to some critics may be his use of language, which bears a striking resemblance to the creation narrative of the ancient Judeo-Christian tradition.

The creation story of Genesis (1,1-2,4a) tells us that "in the beginning, God created the heavens and the earth; the earth was without form and void, and darkness was upon the face of the deep." Then, creation is described as consisting of acts of causation as well as acts of separation: light is created and separated from darkness; firmament is created which separates the waters above and the waters below; waters on earth are separated from the dry land; plants and animals are created and separated according to their various kinds; stars are created and separated to function differently; human beings are created and separated into male and female. The act of creation is not only creation *ex nihilo* but also separation and assignation of functions. Thus, the creation is changed from formlessness and darkness into a differentiated, ordered, meaningful world. The Christian interpretation of creation emphasizes the aspect of creation *ex nihilo*, and tends to neglect the implication of separation. However, in the Jewish tradition, separation occupies an important role.

Let us take the creation of light (Gn 1,3-5) as an example and see how the rabbis interpret it. Rabbi Rashi, commenting on verse 4, says,

He saw that it was good, but it was not proper that light and darkness should function together in a *confused* manner. He established the daytime as the limit of the former's *sphere* of activity, and the nighttime, as the latter's.³¹

For Rabbi Rashi, it is important that light and darkness should each have its own sphere of activity so that they will not work in a confused manner. It is noteworthy that both Rabbi Rashi and Walzer, coincidentally, use the same word "sphere."

Another rabbi, Ibn Ezra, when commenting on separation, suggests that "the 'separation' here refers to God's differentiation of light and darkness by assigning them different names as detailed in the following verse."³²

The verb *בדל* does not mean simply 'divide'. It carries with it, at the same time, 'a positive allocation, a separate existence, a separate purpose.' Light thus awakens, and darkness gives the opportunities to relax from stimulation, and it is God who arranged and limited these two most important contrasts ... Light is not to work unceasingly ... we cannot bear constant light ... we must sink back, after twelve hours of using all our forces, into the old darkness and imbibe fresh forces.

30. *Liberalism*, pp. 315-317.

31. N. SCHERMAN and M. ZLOTOWITZ (eds.), *Bereishis. Genesis / A New Translation with a Commentary Anthologized from Talmudic, Midrashic and Rabbinic Sources* (Artscroll Tanach Series). Translation and commentary by M. ZLOTOWITZ, Vol. I(a), New York, NY, 1986, p. 41, c. 1. Italics added.

32. N. SCHERMAN and M. ZLOTOWITZ (eds.), *Bereishis*, p. 42, c. 1.

Here, it is significant to note that division is not understood in a negative way. It bears “a positive allocation”—an independent sphere, “a separate existence”—a real distinction from other beings, and “a separate purpose”—a specific function. Darkness is not seen as evil or bad; it has its specific function. Both light and darkness are essential to the well-being of humankind.

The Talmud also has similar opinion, though presented in a different form:³³

It is comparable to a king who had two servants, both of whom wanted to serve during the day. He summoned one of them, and said ‘the day will be your domain,’ and to the other he said ‘the night will be yours.’ Similarly, here: *and to the light He called day*—i.e. to the light He said ‘the day will be your domain’, *and to the darkness He called night*—i.e. to the darkness He said, ‘the night will be your domain.’

In this passage, we are told that light and darkness will come into conflict if God does not allocate different domains to them. It implies that an ordered world is a world separated into different domains. Each heavenly body should be confined to its domain for the exercise of its specific function.

There are many such passages in the Bible and in the Talmudic literature. But the above quotations will suffice to show that separation and sphere are ancient ideas in the Western tradition. They may have deposited their traces in the mind of the liberals, and possibly in Walzer if he is brought up in a traditional Jewish family. In view of their Western origin, it is not inappropriate for Walzer to articulate the ideas of separation and sphere. And it seems quite sure that Walzer does not separate the spheres arbitrarily, for at least six of the eleven spheres—money and commodities, office, education, kinship and love, divine grace, political power—are created by the liberals. Den Hartogh’s suggestion that the concept of sphere “be taken as nominalistically as possible” is unfounded. His deconstruction does not help us understand Walzer. On the contrary, it leads us to misunderstand Walzer as well as the real world. Of course, there does not exist a canonical list of spheres, but there is a framework of spheres, I believe, not only in the West but in every society. To define them properly is an art of separation.

Walzer is a master in the art of separation. His eleven spheres define the main features of citizenship in a mature modern state. No critic, as far as I know, has challenged his separation. This may be taken as evidence that Walzer has accurately articulated the Western ideals. The real problem of Walzer’s spheres is his sixth principle of goods, which states that the distributive principle of a good is derived from its social meaning. If Walzer’s statement is taken in its strictest sense, it may not be true for some spheres. To solve this problem, David Miller has a clever advice: “I do not think we need to accept Walzer’s claim in its strongest form in order to defend the spheres of justice argument. That argument requires that it should be possible to establish a separate criterion of distribution for each good, but it does not require that the criterion should be directly determined by the good’s social meaning.”³⁴ I agree with Miller’s suggestion that the distributive principle of a good may or may not come directly from the social meaning. In some cases, the distributive criteria are embedded in the social meanings. In other cases, they are implied by the names of the spheres. And in some others, they result from the interactions among spheres. The sixth principle of goods is inaccurate. Nevertheless, each sphere of goods has its own social meanings, and these social meanings are determinative in choosing the criteria of distribution.

33. N. SCHERMAN and M. ZLOTOWITZ (eds.), *Bereishis*, p. 43, c. 1.

34. D. MILLER, *Complex Equality*, in *Pluralism*, 197–225, p. 222.

B. THE TRANSITION FROM LIBERALISM TO DEMOCRATIC SOCIALISM

1. Three interpretations of the liberal project

Following Walzer's interpretation, I have described the liberal project as a way of separating society into autonomous spheres. This seems to me to be a natural understanding of the liberal society. Marxists, however, have another interpretation. They take liberalism, says Walzer, "as an ideological rather than a practical enterprise." They regard the liberal project of separation as "a pretence," "an elaborate exercise in hypocrisy." They insist that liberal society is an organic whole with economy as its centre and other inter-connected spheres as attached to it. Freedom and equality are denied; they exist only nominally. All the independent spheres as a whole is but an ideology covering the hegemony of the capitalists. Religion is the opium that calms down the resentment of the oppressed; the universities are training camps for the top working classes; free market benefits only the large companies and corporations, which manipulate public policy and use public facilities to their best advantage; offices, though not legally inheritable, are still in the hands of the capitalist class; freedom at home is allowable so long as what happens there does not threaten the capitalist state.³⁵

The Marxists are blind to the achievement of the liberals. The separation of society into different spheres has indeed created a certain degree of freedom and equality. This is undeniable. People living in a liberal society can easily recognize them. How can the leftists ignore such facts? The answer, Walzer suggests, is that they are too occupied with their own ideology. They aspire to a homogeneous society ruled by the proletarians; they project their aspiration to the liberal society, and conclude that the liberal society must be ruled by the class of entrepreneurs.³⁶ The Marxists are self-contradictory, Walzer complains. They say that separation is a pretence, but at the same time, they criticize the liberal society for manufacturing individuals separated from community.³⁷ It is quite difficult to imagine how a seamlessly integrated society can have free floating individuals.

Either the citizens in the liberal state are free or they are not free. The Marxists' interpretation is inconsistent. They are misled partly by their own presupposition, and partly by the liberals' doctrine. When Marx writes that "the so-called rights of man ... are simply the rights ... of egoistic man, separated from other men and from the community," he is reporting the liberals' self-understanding.³⁸ Marx's report is correct: liberals couch their theory in the terminology of individualism and natural rights. They commonly assume that man is a solitary endowed with a set of inviolable rights. For instance, John Locke justifies the rights of individuals by appealing to nature. In *The Second Treatise of Government*, he writes:³⁹

To understand Political Power right, and derive it from its Original, we must consider what State all Men are naturally in, and that is, a *State of perfect Freedom* to order their Actions, and dispose of their Possessions, and Persons as they think fit, within the bounds of the Law of Nature, without asking leave, or depending upon the Will of any other Man.

In the state of nature, a man or a woman is a free individual, who is bound only by the unique law of nature which says "no one ought to harm another in his Life, Health, Liberty, or Possessions."⁴⁰ But man in society is not absolutely free; he has obligations, and is under the rule of judges, kings, or the majority. Liberal theorists accept this limitation as a challenge, and try to draw a plan for society that

35. *Liberalism*, pp. 317-318.

36. *Liberalism*, pp. 319-320.

37. *Liberalism*, p. 318.

38. K. MARX, *Early Writings*, trans. T. B. BOTTOMORE, London, 1963, p. 24.

39. J. LOCKE, *The Second Treatise of Government*, in P. LASLETT (ed.), *Two Treatises of Government*, Cambridge, 1967 (repr., 1988), ch. 2, sect. 4.

40. J. LOCKE, *The Second Treatise*, ch. 2, sect. 6.

resembles as much as possible the state of nature. They ask: What are the best political arrangements which allow individuals to enjoy their natural liberty? So, liberal theorists interpret the separation of institutions as an intermediate stage in the process of setting individuals free from each other. If needs arise, individuals can form voluntary associations, and through their consent, cede some rights to the central bodies. Every relationship is seen as non-compulsory. Individuals can at any time renounce their agreement, and withdraw from the associations.

Consent and individual rights, Walzer admits, are two important elements in modern society. But they alone are not sufficient to explain our complex world. The political theory that builds on the imaginary state of nature is a kind of “bad sociology.” Men probably never live in a state of nature. Such hypothesis simply cannot adequately explain social cohesion and the actual experience of man in society. Walzer asserts that the liberal individual who is by nature free and who enters into institutions and relationships by his own consent “does not exist and cannot exist in any conceivable social world.” “The goal that liberalism sets for the art of separation—every person within his or her own circle,” he judges, “is literally unattainable.”⁴¹

Modern society has engaged in a long-term process of social differentiation. The separation of institutions is the necessary and inevitable consequence of modernization. Marxists do not take it as a reality, and lightly explain it away. Liberals capture the significance of social differentiation. They theorize it, and make themselves the leaders of the movement. Now, Walzer points out that their interpretation is also inaccurate. Social differentiation and the separation of institutions cannot be explained as a process that ends up with spheres of individuals. Thus Walzer suggests interpreting modernization as a process of institutional separation, which aims at setting people free from oppression. If the art of separation is properly understood, he asserts, a consistent “liberalism passes definitively into democratic socialism.”⁴²

2. The shape of a democratic socialist society

While Walzer anticipates that a consistent liberalism can have many forms, he painstakingly works out in *Spheres of Justice* a very detailed social plan for distributive justice. He thinks that a democratic socialism for the United States should have the following arrangements:⁴³

a strong welfare state run, in part at least, by local and amateur officials; a constrained market; an open and demystified civil service; independent public schools; the sharing of hard work and free time; the protection of religious and familial life; a system of public honoring and dishonoring free from all considerations of rank or class; worker’s control of companies and factories; a politics of parties, movements, meetings, and public debate.

To actualize this vision, Walzer separates the American society into eleven spheres: membership, security and welfare, money and commodities, office, hard work, free time, education, kinship and love, divine grace, recognition, and political power.. Much of *Spheres of Justice* is devoted to defining the boundary of each sphere and to fixing its distributive principles. The overall aim is to promote a sense of equal membership. The spheres are not, as Walzer says, autonomous. Rather, the idea of equal membership is used to shape the distribution of goods. Equal membership is the salient character of Walzer’s democratic socialism. Instead of giving a complete account of all the spheres, I will only provide a glimpse of the project. I believe an overview of the four spheres—membership, security and

41. *Liberalism*, p. 324.

42. *Liberalism*, p. 328.

43. *Spheres*, p. 318.

welfare, money and commodities, and political power—is sufficient for us to grasp the characteristics of Walzer’s democratic and socialist ideals.

a. *Membership*

Membership is the first and foremost sphere, for in Walzer’s opinion, distributive justice can only be meaningful within the confinement of a political community. We distribute goods among ourselves, but not to strangers. In Western languages, the root of the word “stranger” means “enemy.” It takes the Western people many centuries before they can distinguish strangers from enemies, and allow them to enter into their territory, offer them hospitality and assistance, and open their market for mutual trade. Walzer holds that that is all they would deal with strangers: they invite them to their market, but exclude them from all the other spheres.⁴⁴ He justifies the exclusion by appealing to the preservation and development of cultural identity. This is a good reason, but there are complications arising from globalization that Walzer’s concept of citizens may not have adequately dealt with.⁴⁵

Walzer’s view on members and strangers, from the perspective of the cosmopolitans, may not match the emerging the global conditions. Under many years of intensive economic campaigns, the world has been transformed by the capitalists into a sphere of market. Everybody has become a stranger to everybody. These individuals are connected only by a trading relationship. Offices are open to talents, and social welfare is provided by insurance companies. Individuals can move around the globe anywhere they like. The only distributive justice entailed is perhaps Robert Nozick’s minimal state. The above description is only an exaggeration. We are not yet in this state, but we may be at the doorstep to this future world. Another criticism can be raised from the perspective of global justice: Walzer’s inclusion and exclusion are, to borrow the word of Veit Bader, “parochial” ideas, which permit the free movement of goods, but at the same time, deny people from developing countries the chance to compete with the citizens of the wealthy countries for work in the well-developed world.⁴⁶ Merchandise is free to move, but labour force is not. This is a partial implementation of the free trade principle in the advantage of developed countries.⁴⁷

Walzer, however, does not believe in one global market and universal nomadism. To him, communal life is something more than just security and economic activities. If states open their borders to let strangers in, the members of local communities, Walzer observes, “will organize to defend the local politics and culture against strangers.”⁴⁸ It is our desire to nurture intimate relations and to share them selectively. Some people may wish to annul the boundaries set up by nation-states, but this is not be the wish of the majority.

As to the question of exclusion, Walzer cannot give any good solution to the foreigners outside one’s state territory: we simply cannot open our border to all outsiders. But he is not insensitive to this problem; he is willing to speak for the metics within a state. Some European countries, such as Switzerland, Sweden, and Germany, Walzer says, have encountered the shortage of labour. The “shortage” is not really a shortage; it is only a “shortage” in the economic sense of supply and demand. These are affluent capitalist states with generous welfare systems. Such societies will naturally have difficulty in finding workers to fill up the vacancies of dirty, dangerous, and degrading jobs. These

44. *Spheres*, pp. 32–33.

45. I cannot treat the problem of citizenship fully here. I only present two issues that Walzer has touched upon.

46. V. BADER, *Citizenship and Exclusion. Radical Democracy, Community, and Justice. Or, What Is Wrong with Communitarianism?*, in *Political Theory* 23 (1995) 211–246, p. 221.

47. Cf. V. BADER, *Citizenship*, pp. 211–213.

48. *Spheres*, p. 38.

undesirable jobs must be done one way or the other. Either they prune the welfare benefit and force the underprivileged to accept the jobs, or they raise the salary of the jobs to attract workers. Neither way seems desirable. The third way proposed by the business managers is to import labour force from poorer countries. It is the most economical way, and it is also beneficial to everybody—companies, citizens, and foreigner workers. These imported foreigners are called “guest workers.” The word “guest” is a euphemism. These workers are not really being treated as guests. Their salary is relatively low, their living environment is not pleasant, and their movement is strictly regulated. “Alien” would be a more accurate description: they are given permits to work, but they are denied any citizen right, not even the opportunity to become a citizen. Although the guest workers have given their consent, Walzer still thinks the policy unjust. The guest workers are residents of the host country, and are subject to its ruling. They make contribution to the country, but they are barred from taking part in its decision-making. Walzer calls the citizens of the host country “citizen-tyrants.” They should not exclude anyone who lives under their jurisdiction. The foreign workers should at least be given a chance to become naturalized, Walzer pleads.⁴⁹

Once membership is clearly defined, a political community emerges. The members of the commonwealth can speak of distribution of various goods among themselves: political power, titles, wealth, responsibility, punishment, etc. All in all, membership is still the most valuable good. It occupies a pivotal role in all other distributions. “What we do with regard to membership,” Walzer writes, “structures all our other distributive choices: it determines with whom we make those choices, from whom we require obedience and collect taxes, to whom we allocate goods and services.”⁵⁰ This statement does not fully express the importance with which its author has invested in membership. Membership, in Walzer’s enterprise, determines not only the questions of with whom, from whom, and to whom, but also the distributions of other goods. It restrains the autonomy of the spheres, and neutralizes the kind of inequalities that will depreciate membership and social bondage. The primary aim of a political community, in Walzer’s mind, is to sustain the sense of membership. Contrary to his own claim, membership is the basic good of his spheres of justice.

b. Security and welfare

“The original community,” Walzer speculates, “is a sphere of security and welfare, a system of communal provision, distorted, no doubt, by gross inequalities of strength and cunning.”⁵¹ To him, it is self-evident that the most important end of a political community is to provide its members with security and welfare. When we ponder over the reason why people come together to form a community, the answer seems obvious enough: we need common effort to sustain and to enjoy our life. No individual alone can withstand the harshness of nature, the hostility of competitors, and the fragility and finiteness of human existence—both physically and psychologically. Even if he could, his life would be so short and so impoverished that no one would desire it. People, out of their common needs, gather together to organize a society. They cede power to a central governing body, and pledge their loyalty to it. In return, they expect the government to provide welfare for them. Every government recognizes this responsibility, and thus every government claims to serve its people, no matter how tyrannical or corrupt it actually is. Political community exists for the sake of provision, and provision strengthens the sense of belonging, the communal life, and the integrity of that community. Every society, in principle, is a welfare state.

49. *Spheres*, pp. 56–61.

50. *Spheres*, p. 31.

51. *Spheres*, p. 65.

How to provide welfare so as to foster a communal spirit is the prime art of politics. There are surely many ways to sustain social cohesion. Underneath the plurality of welfare systems, Walzer believes there exist some common distributive principles. To discover these principles, he compares two particular cases: Athens in the fifth and fourth centuries B.C., and the medieval Jewish communities in Europe.

Walzer observes that the Athenians and the Jews have different patterns of distributions. They attend differently to the needs of their people. The Athenians focus on democracy, while the Jews concern more with religious identity. The difference in communal interest leads to differences in communal distributions. The Athenians were generous in providing general provision, but almost indifferent to the needs of particular citizens. The Jews, on the contrary, distributed the public funds mostly in the form of particular distributions. Community does exist for the sake of the needs of the people, but the needs are not the same for every community. Human beings have many desires, and no community could claim to satisfy them all, nor has any the capability to do so. Which desires should we recognize as the needs of the community? And to what extent should we provide for the needs? Some basic goods, such as food, water, security, and so on, are needs of individuals and essential to our survival, but they are not necessarily recognized as the needs of the community. Food, for instance, was not perceived as a need by the Athenians and the Jews. The former thought that a guarantee of the supply of corn had already fulfilled the duty of the city, and the hungry should fill their stomachs by themselves. The latter did distribute food to the poor, but they regarded the distribution as charity, an unavoidable religious duty rather than the need of the community. So the Jews did nothing to improve the situation of the poor. It is curious that a community will sometimes spend a large proportion of public funds on something that is not regarded as essential for survival. The Athenians used over half of its revenue to pay those citizens who participated in public offices, whereas the Jews spent generously on education. These two communities have different concerns that have their origins in their respective national aspirations.

Once a list of the needs could be recognized, many of the goods provided would be distributed in proportion to the needs of the members. The reason is obvious. Public funds are distributed for the promotion of certain projects or to satisfy the needs of particular members. The aim of provision is to relieve certain distress or to enhance certain aspects of the communal life. The point here is functionality rather than equality. Thus, it must be provided to all members who need it in proportion to their needs. Any other criterion introduced to the distributive process, save the constraint of resources, is experienced as a distortion or a violation.

Still, there is an exception to the general rule of proportionality: the Athenians gave an equal amount of stipend to those who attended public offices, rich and poor alike. Why didn't they distribute the stipend according to need? Walzer points out that the underlying rationality was to uphold the equality of membership so that none of the citizens attending the Assembly would feel inferior. As individuals, they had different needs; but as citizens, their status was equal and thus they were equally paid. Provision is generally distributed in proportion to need, but at the same time, it should be distributed in a way that does not harm citizenship. Moreover, provision is different from charity. In the act of charity, the donor, out of kindness, responds to the misery of the donee. The giver will always have a sense of superiority over the receiver. Even if the giver is the community, the whole procedure is degrading and imparts to the receiver a sense of inferiority. This is why people are often reluctant to receive charity. Provision on the other hand is distributed on the recognition that each person is an equal member of the community.

Since goods are scarce, a community has to decide which needs, to what extent, and for whom they are going to provide. Even if we recognize some goods as the needs of the community, it is unclear

how much we need them, or how much we owe each other. Most people will agree that internal security and order is a necessity of the community. But we may dispute the quantity and quality of policing to be provided. To make a city free of crime, we can position one policeman on every street. Though some cities can afford to do this, they may not think that they need such degree of security. Moreover, provision is redistribution, where the funds come mainly from taxes. As taxes are not equally distributed, so do benefits. Generally, the rich have to contribute more and benefit less in redistribution, while the poor give less and receive more. There will always be tension between different groups over the issue of how much to spend on a certain provision.

These questions, Walzer opines, cannot be solved philosophically. Speculation on human rights will not bring about an Athenian welfare state or a medieval Jewish community. Each community has its own history and identity, and thus will perceive problems differently. Philosophers can lay out general principles, but the specific arrangements will always be shaped by the people's shared understandings and determined by public opinions. Walzer makes a distinction between authorization and validation.⁵² Authorization belongs to the sphere of politics whereas validation falls in the realm of philosophy. Politics and philosophy are two different spheres. Philosophy claims to have a special knowledge of the truth. But this claim is in fact one of the opinions. "In the world of opinion," writes Walzer, "truth is indeed another opinion, and the philosopher is only another opinion-maker."⁵³ In politics, the citizens have the right to decide which opinion they want to adopt. Therefore, the decision as to what a community should provide, to whom and how much, should be determined by public opinions but not by philosophical speculation.

c. *Money and commodities*

Membership is the most valuable good in a political community, indeed the very existence of the community is to sustain a particular understanding of membership. We collectively create goods of all kinds, and arouse each other's desire for them. Ideally, all goods are meant to facilitate the common identity. One way to realize this socialist ideal is to distribute goods equally among all members or according to particular needs. Walzer calls this kind of socialist thinking "simple equality." Strictly understood, simple equality is bound to fail because no political community can provide total security and welfare that can satisfy every need of every member. Even if it could, people would not like such totalizing system. People like to obtain some goods and services from the market. They like to choose and to secure the goods they really want in an environment of free exchange. Taking into account the complexity of human desires, Walzer proposes to create a sphere of security and welfare separate from the civil society. A certain number of goods are allocated to the sphere of security and welfare, and they are to be distributed according to the socialist ideal. As for the vast varieties of goods which he calls commodities, they belong to the sphere of money and commodities. While the former sphere guarantees a minimum membership, the latter provides a space for free exchanges and entrepreneurship. According to Walzer's theory, if the two spheres do not intrude into each other's domain, they will operate justly by their own rules. Besides this idea of justice, Walzer also wants to uphold the ideal of equal membership, or in his words, "complex equality." Now, we have a question here: do autonomous spheres entail equal membership? Walzer says they do, but in reality they do not. For example, Walzer himself acknowledges that the free market as we know it undermines equal

52. For detailed discussion of the relationship between philosophy and democracy, see M. WALZER, *Philosophy and Democracy*, in *Political Theory* 9 (1981) 379-399.

53. *Philosophy*, p. 397.

membership. His creation of the sphere of security and welfare alone cannot effectively check the market forces, other external constraints need to be imposed on the market. This discrepancy between theory and praxis has misled many readers. To highlight the issue at stake, I suggest that we recast Walzer's argument in the following order: the nature of the market, its problems, and Walzer's solutions.

In the liberal ideal, the market is infinite. It does not have any border and boundary. It is indifferent to membership and is open to all. Sellers from everywhere are welcome to exchange whatever goods or services they possess. Buyers are welcome to look for the right kind of goods and services regardless of who offer them. Thanks to the invention of a monetary system, we can price almost anything. Theoretically, all goods and services that people are willing to exchange can be sold, except for a few things such as love and honour. When the market functions in an environment with no external intervention, we are informed by the liberal economic theory that it is the most effective medium to distribute resources. Apparently, Walzer seems to subscribe to this economic argument. "The right way to possess such things [commodities]," he writes, "is by making them, or growing them, or somehow providing them or their cash equivalents for others. Money is both the measure of equivalence and the means of exchange; these are the proper functions of money and (ideally) its only functions. It is in the market that money does its work, and the market is open to all comers. In part, this view of money and commodities rests upon the sense that there is no more efficient distributive process, no better way of bringing individual men and women together with the particular things they take to be useful or pleasing."⁵⁴

The distributive principle in the sphere of money and commodities is free exchange through the medium of money. Supermarket is not a good example of free exchange because the price is fixed by the management, and the consumer cannot bargain for a lower price. A better example will be the stock market or the futures market, in which buyers and sellers are both on an equal footing. The sellers can ask and the buyers can bid. When a bid price matches an offer price, a deal is done.

A capitalist system is characterized by its immense capability to exchange goods through an abstract monetary scale. The entrepreneurs, by their creativity and incessant effort, have connected our life seamlessly to the economic system. A large number of goods are supplied through the market to satisfy our basic needs, to please our desires, to develop our humanity, to educate our youth, to defend our country, etc. Money obviously is the dominant good in a capitalist society. The possession of a large capital immediately enables one to gain extra influence in other spheres. Moreover money can, rightly or wrongly, buy almost every good. Walzer perceives that the two market forces will cause four main problems in industrial society.

First, money confuses the line between price and value. Since different goods have different values, and normally goods with higher values will have higher prices, money can be conceived as a representation of value. Hence, every good, every service, every valued thing can be translated into monetary terms. For instance, life has value, and thus insurance company can calculate the prices for different lives. Sometimes price will coincide with value, but often enough, it fails to represent its true worth. If we evaluate a work of art in terms of money, and take the price as the value of the art, Walzer says, the most important value of the art will evaporate in the process. Just as when we translate a poem from one language into another, something quintessential will be missing.⁵⁵ Furthermore we have created some values which are difficult to price. Sometimes it is impossible or inappropriate to price, thus we call them "priceless." But the pander can always name a price to priceless things. This illegitimate act is an obvious case that money can degrade the values we create.

54. *Spheres*, p. 104.

55. *Spheres*, p. 97.

Specifically, “money buys membership in industrial society.”⁵⁶ Walzer is not thinking of immigration or naturalization when he makes this charge. He is speaking of membership being degraded by money. A political community gives every member a social status which is supposed to be protected by the sphere of security and welfare. But the merchants create another sphere of status commodities, which supersedes the former. In a commercialized society, a person who possesses the set of commercially defined commodities will be accepted as a member of the society. For the have-nots, they are socially rejected. The merchants’ trick is to play on the human psyche of longing to be equal and differentiated at the same time. Commodities, through advertising strategies, acquire widely accepted sign values in addition to their use values. A certain product is mapped onto a certain class, creating an illusory equivalent of the two. It produces an effect that only through the possession of that particular good can a person identify himself as a member of that group. So an average American should have a house, a car, a computer, various electrical appliances, and go on vacation from time to time. Unless they own these socially required things, they cannot be socially recognized, or they cannot effectively participate in society. Walzer describes this situation as “status starvation.” This sociological disinheritance, he warns, is more serious than poverty because one becomes an alien in his own homeland—and often in his own home.⁵⁷

Money has also acquired a political character. This does not mean bribery. Walzer observes that capitalists have gained extra political influence, and that money has become a form of political power in capitalist state. In the mid nineteenth century, Rowland Macy and the Strauss brothers owned and ran the world’s biggest department store. As a result, they became very rich and popular. Later, the Strauss brothers, Isidor, Nathan, and Oscar entered politics and occupied important public offices. Walzer does not have any problem with their riches, he even admits that the Strauss brothers were capable managers as well as civil administrators. However, he is uneasy with their political advantage due to the money they owned. Their wealth definitely helps them to the offices. Walzer finds such prestige and influence unacceptable.⁵⁸ Moreover, the accumulation of large amount of money is virtually an accumulation of political power. (Walzer discusses this when he deals with the sphere of political power. But it may be helpful to mention it briefly here.) It leads to the concentration of almost all means of production in the hands of a few relatively small groups of people. These means of production, such as plants, machines, and assembly lines, exert enormous influence on people. The owners can make all sorts of decisions which will constrain and shape the lives of their employees, or even the citizens. The control of productive means can effectively transform the entrepreneurs into the governors of their private governments.

In order to solve all these problems, Walzer recommends three solutions: blocked exchanges, redistributions, and regulating money as a kind of political power. The first constraint may be considered as an internal reasoning of the sphere, but the last two are external interventions. They are introduced not for the sake of the market, but for the integrity of other spheres. The nature of the rules will become clear when we look at Walzer’s explanations.

Blocked exchanges bring out the idea that some goods are barred from pricing. Different goods may be blocked from exchange for different reasons. But the underlying principle is the difference between value and price. Every good has its value, and it can be given a price arbitrarily or through the market mechanism. The price may or may not represent the value of the good, for price and value belong to different categories. We have created some values that cannot be represented by a price. For

56. L. RAINWATER, quoted in *Spheres*, p. 105.

57. *Spheres*, pp. 105-106.

58. *Spheres*, pp. 110-112.

such values, we block them from exchange in the market. To substantiate this argument, Walzer lists a set of fourteen blocked items in the United States.⁵⁹

This is an extensive list of things that cannot be bought in the United States, and probably in all the other existing states. But not all of the items in the list are blocked exchanges. Many of the presumed blocked exchanges are in fact prohibitions; they have nothing to do with value or price. There is no value in slavery (1), polygamy (5), or murder (14), we simply refuse to price them or to allow for their exchange. Slavery, polygamy, and murder are prohibited by law. Under no circumstances, should they be practised by anyone. Divine grace (12), love and friendship (13) can never be priced or bought. Other items are no better.⁶⁰ The only goods that may perhaps be said to be blocked from exchange are political power (2), offices (8), and honours (11). Despite such shortcomings, Walzer's list shows that there are constraints imposed on the market. It implies that we may restrict or block some goods from exchange if we think fit. It is an external restriction, which has nothing to do with the social meaning of commodities, but it is an legitimate act nonetheless.

Even if we block the exchange of those goods that are important for sustaining membership, the market is still a risky place. It is ruled not only by demand and supply, but also by luck and strategy. There is no guarantee of success, or distributive equality, or a basic level of subsistence. A man who loses in the market has to suffer the damage. Those who have weak bargaining power can only get a small share of their production, or they may even be forced out of the market forever. Yet market is the place where people get most of their necessities and self-esteem. Therefore, the state must intervene. It has the responsibility to help its citizens to participate in the market so that they can realize themselves as active and equal members. In order to achieve this aim, redistribution is essential. Walzer proposes three kinds of redistributions which can help alleviate the severity of the market. The first one is the redistribution of market power such as the blocking of desperate exchanges and the fostering of trade unions. The government should help the weak so that they can bargain with the powerful for a fair share of their production. The second is taxation. The government can redistribute money directly through the tax system. Finally, the government can constrain property rights and the entailments of ownership, as in the establishment of grievance procedures or the co-operative control of the means of production. Yet even with these measures, we should not forget that the nature of market is venturous. These redistributions cannot provide absolute security, and should not be applied to the extent of stifling the internal mechanism of the market. After all, life is not totally controllable and misfortune does happen. But a responsible community should not leave its citizens to risk their lives alone.

When money has transformed itself into a kind of political power, blocked exchanges and redistributions can no longer be the effective means to curb its power. We have to socialize it, Walzer says, just as we have socialized the government. Before giving a full account of the socialization of money in his later discussion of the sphere of political power, Walzer indirectly mentions it here when he talks about wages. He argues that when we apply a democratic decision-making procedure in the sphere of business, the outcome will be a more equal distribution of profit. He substantiates his argument by citing a report of some American experiments on democratic determination of wages: "In each of the cases reported here, if the worker-owned enterprises did not make wages completely uniform, they at least equalized them significantly compared with capitalist-owned firms and even with the public bureaucracy."⁶¹ Further he adds: "The new distributive rules seem, moreover, to have no negative effects on productivity."⁶²

59. See *Spheres*, pp. 100-103.

60. For a detailed criticism of Walzer's blocked exchanges, see J. WALDRON, *Money*, pp. 155-164.

61. M. CARNOY and D. SHEARER, quoted in *Spheres*, pp. 117-118.

62. *Spheres*, p. 118.

d. *Political power*

Political power is the crucial agent of distributive justice. All policies require legislation and enforcement. The state regulates and defends the boundaries of all spheres, it is the obligatory defender of its citizens' freedom. Ironically, the government itself tends to be tyrannical. We thus have no better way than to limit its power. Some people may have the misconception that the sovereignty of the state is unlimited. Such kind of subject mentality is reinforced intentionally and repeatedly by powerful men and women. The ruling classes always pretend that they are omnipotence. In fact, they, including the dictators themselves, are not as powerful as they think or pretend to be because ultimately their power comes from the people. Without the consent and the co-operation of the citizens, the state is powerless. In human history, every form of government has been restricted in its use of power. Walzer's list of blocked usage of power in the United States gives us a concrete case of a limited government.⁶³

The power of state must be bounded, but, to Walzer, a limited government is not enough. State officials occupying strategic positions can easily turn regulation into intrusion, that is, they intrude into other spheres under the cover of governance. So, we have to ensure that state officials act within their boundaries as well. The best way to achieve this, Walzer suggests, is to socialize the government.

Wise man, like Plato, will certainly not agree that the best form of government is one ruled by the majority. In his argument against democracy, Plato analogizes a state to a ship, which requires a competent master to steer it. He envisages the danger of the ship of democratic state. Politics is a τέχνη, and it must be learned under a qualified teacher. The crowd can never learn enough to rule a state. Although Walzer agrees that effective governance requires certain knowledge and skill, he nevertheless points out that Plato has in fact wrongly applied the analogy. By quoting Renford Bambrough, he writes, "The true analogy is between the choice of a policy by a politician and the choice of a destination by the owner or passengers of a ship."⁶⁴ A shipmaster does not have the privilege to determine the destination, and his τέχνη is irrelevant to the choice of a port. The owner or the passengers have to decide where they want to go. Therefore, the destiny of the state should not be determined by the politician. But then we have the question: who is the owner or passengers of the state? Emperors, kings, queens, and princes once claimed to own nations. But this era was gone. Today, most people regard themselves as free men and women, instead of the subjects of a sovereign, (even though some of them are still formally called subjects). All citizens are the owners of a state. Or better still, a state should have no owner. All citizens are the passengers on the same boat. They come on board, and they have to leave some day. They are all equal, and they must determine their common fate through a democratic process. State officials and technocrats are merely elected or appointed servants. They do not have more votes or privilege than any other ordinary citizens in determining the common destiny. They are only administrators of the collective decision. When a choice is made, they can then use their technical knowhow to find the best route, and steer the ship safely to its destination.

So far we are talking about public government. Nowadays, the greatest danger posed to liberty comes not so much from public government as from private government fostered by capitalism. Properly understood, ownership is a power over things. The owner of a thing has the right to dispose of it—he can keep it, use it, exchange it, or give it to anyone he likes. However, the control of things can be transformed into the control of people if the things in question are crucial to the survival of people. Anyone who possesses huge quantity of these goods can exert great influence on the life of people. Already the characters and habits of city dwellers have largely been shaped and partially manipulated by advertisers and entrepreneurs. They influence the taste and the choice of our food and clothing, and

63. See *Spheres*, pp. 283–284.

64. R. BAMBROUGH, quoted in *Spheres*, p. 286.

set the style of our life. For those who work in factories or corporations, they are under tighter and more direct control of the owners. Thus Walzer argues, the means of production cannot be regarded simply as commodities. They are, in fact, means to power, like weaponry of a modern army. Through the possession of them, owners can form private governments.

Private government is not merely a possibility but a reality in capitalist society. An illuminating case given by Walzer is the entrepreneur George Pullman of Illinois in the late nineteenth century.⁶⁵ Pullman was one of the most successful entrepreneurs of his time. His product—comfortable train compartment—was very popular at the age of railway. Having earned enough money, Pullman decided to build a new complex of factories with a town around it so that every aspect of the life of the workers could be under his control. He thought that this plan would give him the most efficient factories in the world—happy workers and strike-free plants. Pullman built his factories and the town Pullman along Lake Calumet just south of Chicago. Everything in the town belonged to Pullman, and he governed the people at his will. Once asked by a journalist about the management of Pullman, Pullman replied, “We govern them in the same way a man governs his house, his store, or his workshop. It is all simple enough.” Politics is not so simple as business. Pullman’s tyrannical rule bred resentment, people protested and the issue of civil rights was raised. Finally in 1898, the Illinois Supreme Court ordered the Pullman Company to divest itself of all its property not used for manufacturing purposes.

Pullman’s case makes it clear that the possession of basic necessities can help gain controlling power over people. Of course, the ownership of a town is different from the ownership of a factory. The influence of owning a town is reasonably greater than that of owning a factory. However, the influence of a factory owner is serious enough for its employees. In terms of the workers’ quality daytime, the owner has control over most part of it. Thus Walzer suggests that the control over the means of production should be regarded as a form of political power. If we think that it is appropriate to socialize public government in order to diminish its tyrannical character, the same argument should also be applied to private government. It follows that the right of decision-making should be turned over from the management to the workers. This does not necessarily mean the abolishment of private property. Ownership and sovereignty are not identical, and indeed can be separated. An owner’s right of using a property (sovereignty) can be restricted. He should not have the right to freely dispose of a property if the disposal will tremendously influence the life of his neighbours and fellow citizens. A group of shareholders can own a factory and receive dividends, but the right of management should belong to the workers. This is similar to that of owning government bonds. The bondholders receive interests, but have no right to interfere with any decision on policy. If private government is socialized, Walzer believes, capitalist society will transform into democratic socialist society.

65. *Spheres*, pp. 295–303.

§2. JUSTICE, LIBERTY, AND EQUALITY

The spheres delineated by Walzer are neither arbitrarily drawn as commented by some critics, nor are they entirely autonomous as Walzer himself has claimed. There are different domains of activities in society, and Walzer's hand is visible in moulding them into a definite shape. His purpose is to construct a model of modern society with, as it were, not only a skeleton but also flesh and blood—a feat that the Marxists, the socialists, and the liberals have all failed to accomplish. Walzer deserves praise for his nuanced description of a democratic socialist society. While many critics admire Walzer's accomplishment, they query at the same time the nature of this régime: is it just? is it egalitarian? Walzer claims it to be an egalitarian régime of a complex kind. A novel idea! And we have to see what it means.

A. THE SEPARATION OF JUSTICE FROM THE MODERN IDEAL

1. Justice and shared understanding

Liberté, Egalité, Fraternité—this is not merely the slogan of the French Revolution, it is also the touchstone of modern society. A set of political arrangements is said to be just if it promotes either freedom or equality. In order to construct a political theory that satisfies these standards, philosophers commonly identify some basic goods like welfare, opportunity, and freedom, and find ways to distribute them equally among citizens. Walzer disparages this kind of thinking as simple equality. Justice, for him, has many spheres, and simple equality actually violates the pluralistic justice we hold. “A given society is just,” he says, “if its substantive life is lived in a certain way—that is, in a way faithful to the shared understandings of the members.”⁶⁶

However, this definition is ambiguous. How are we to measure “substantive life”? And what are we supposed to do if shared understandings are controversial? Walzer gives us two additional criteria for its clarification:

1. All distributions are just and unjust relative to the social meanings of the goods at stake.⁶⁷
2. When people disagree about the meaning of social goods, when understandings are controversial, then justice requires that the society be faithful to the disagreements, providing institutional channels for their expression, adjudicative mechanisms, and alternative distributions.⁶⁸

The first criterion is the distributive principle: to each according to its kind. It divides the measurement of the whole into parts. A society is just if it distributes goods in all, or almost all, or the major(?) spheres according to the shared understandings. The second criterion is the principle of democracy. It anticipates that there will be different interpretations of shared understandings. The solution should not be dictated by authority of any kind, be it of philosophical, religious, or political in nature. Indeed, no final or right interpretation should be presumed. Opposing parties can argue for

66. *Spheres*, p. 313.

67. *Spheres*, p. 9.

68. *Spheres*, p. 313.

their cases, and they can amend the existing distributions. The process is fully democratic, and we may say that democracy is the prerequisite of a just society. These two principles together imply that every existing society, except the dictatorial régime, is potentially just. An authoritarian régime is just if shared understandings authorize authoritarianism. An inegalitarian régime is also just if the inequalities are inscribed in the shared understandings. Many philosophers find the last two implications difficult to swallow.

2. Caste society

To further provoke his opponents, Walzer gives an example in which justice does not resist inequality, but instead enacts dominance and monopoly. The Indian caste system is a case in point.⁶⁹ Ancient India had a caste system in which people were divided into rigid, segregated groups with definite, un-transgressible boundaries. All goods, such as prestige, wealth, knowledge, office, occupation, food, clothing, even conversation, were subject to the hierarchical ordering. The distributions were determined by the single good of ritual purity, and purity was largely defined by birth and blood. There were no separate spheres, and the social meanings reinforced the status quo. In such a case, people can be faithful to their shared understandings but their society remains inegalitarian. Walzer asserts that ancient India is a just society.

For those who believe that inequality is unjust always and everywhere will certainly denounce the caste system as a notorious case violating “the demands of justice,” to borrow Brian Barry’s words. Barry rebukes Walzer for “flattering our audience and telling them that if enough of them believe the same thing it makes no sense to say they are all wrong.”⁷⁰ Walzer may answer that it is more effective to use the local language to persuade the local people. Barry would respond that truth has nothing to do with effectiveness. It is the requirement of human dignity that we should pronounce inequality unjust, “even if this cuts no ice with the beneficiaries.” Moreover, if criticism is not heard by the members of the group at stake, it “may convince those outside the society to support or undertake action to change things—ranging from letter-writing campaigns organized by Amnesty International all the way up to military intervention.”⁷¹ Barry even uses Walzer’s principle of faithfulness to shared understandings to produce a counterargument: “The obvious objection to this is that ‘justice’ is a word in *our* vocabulary, and it is not correct, according to the way in which most speakers of English use the word, to say that the caste system is just in India—and it would not be correct to say so even if there was a consensus among Indians that it was just.”⁷²

I do not think Walzer really approves the Indian caste system. He only makes use of an extremely irritating case to arouse the cultural awareness of his Western readers. To him, a cautious approach to distributive justice is necessary. One should first try to understand the underlying ideology that legitimizes the caste system. And if we look closer into the matter, we will find out that the concept of Indian equality is closely linked to the country’s religious beliefs. The Indians believe that a person’s present state is the direct consequence of his previous life, and what he now does in this life will have consequence in what he will become in the next life. Each person will be awarded or punished according to one’s aggregate rights or wrongs. So, the Indians actually have a different idea of equality,

69. *Spheres*, p. 313.

70. B. BARRY, *Spherical Justice*, pp. 79–80.

71. B. BARRY, *Liberty*, p. 17.

72. B. BARRY, *Spherical Justice*, p. 75.

and that is, equal opportunity is given to each person throughout the whole of his incarnated lives instead of focused in one single life.

Walzer further argues that the caste system, albeit its rigidity, still allows the lower castes a certain degree of enjoyment. Very often, the main cause of suffering stems from the exploitation of the upper castes which exceeds the limit of shared understandings. He gives an example of the distribution of grain in an Indian village:⁷³

Each villager participated in the division of the grain heap. There was no bargaining, and no payment for specific services rendered. There was no accounting, yet each contributor to the life of the village had a claim on its produce, and the whole produce was easily and successfully divided among the villagers.

The picture presents a harmonious communal life despite the fact that the shares are significantly unequal. The division is normally done in public. Therefore, any unjust seizures of grain could easily be recognized. And if the landlord hires cheap labours from elsewhere, he violates the rights of the lower caste members of the village, who will certainly complain by invoking the shared understandings. The lower caste is not totally defenceless.

What if there are discrepancies in the interpretation of shared understandings? Some of the lower caste may be indignant with the unequal distribution of grain. If this were the case, we had to find out the reasons of their indignation. Perhaps there are principles behind these reasons which can be used to criticize the system. Furthermore the hierarchy of meanings may be incoherent, that is, some social meanings may not have been perfectly integrated into the system. For example, the shared understanding of royal power may involve some notion of divine grace, or human talent, or virtue besides noble birth and blood. If the man who sits on the throne is lacking in grace, or talent, or virtue, we may say that the situation is an unjust state of affairs.

Even if the caste system is fully justified by the shared understandings, there is still room for missionary work. A visitor to the village may try to convince the villagers that their system is not good enough, and that he could offer them a better alternative. He might argue that there is no next life, and thus equality should be realized here and now. If he should succeed, some new distributive principles would replace the old ones.

Barry and Walzer are exemplars of the universalist and particularist approaches. Barry is fully aware of the fact that the universal moral principles are based on the common values of a particular culture.⁷⁴ As a philosopher, his task is to extract a coherent set of abstract principles from those values. He will then test them, and modify them if necessary by comparing these principles and their imaginary applications with his intuition. Once a principle goes through the process and an equilibrium is reached, it will be declared valid and universal and can be used to judge any society. Since the truthfulness of the principle is so obvious to Barry, any society that violates it can be coerced to conform to it by criticism, public opinion campaign, or even military intervention. By contrast, Walzer emphasizes the intrinsic worthiness of any existing society. Though we can maintain our own beliefs of justice, it is improper to use them to judge other societies. Although the aspirations to the solidarity of mankind and the concern for other nations' welfare are respectable, they must be conducted on the ground of mutual respect and in an effective way. Walzer thinks that internal criticism is the best way to achieve social change. If internal criticism cannot fulfil our aims, we can

73. *Spheres*, p. 313.

74. Barry has argued that utilitarianism and Rawlsian theory are not totally groundless and speculative. In fact, these theories, as well as Walzer's, are based on some familiar beliefs of their societies. See B. BARRY, *Liberty*, pp. 18-22.

then go as missionaries to convert the local people. Intervention should never be used as a means to change a society's distributive patterns.⁷⁵

B. LIBERTY AND EQUALITY

Equality and justice, for Walzer, are two separate ideas. These two do not have conceptual link. A just society—such as the caste society—is not necessarily an egalitarian one. Justice and equality, Walzer argues, do have a sociological link in a highly differentiated society. In the *Spheres*, he says that when the goods are distributed justly, it will give rise to a kind of complex equality that is “consistent with liberty.”⁷⁶ Later in the *Liberalism and the Art of Separation*, he clarifies that the separation of spheres creates first of all spheres of liberty. Each separation creates a sphere of freedom, and each freedom facilitates a sphere of equality. Liberty goes hand in hand with equality. In fact, Walzer asserts, “a ... society enjoys both freedom and equality when success in one institutional setting isn't convertible into success in another.”⁷⁷

Differentiation creates a multi-dimensional freedom; this is quite conspicuous. So far, no critics disagree with that. But when they come to equality, they express great reservations about Walzer's complex equality. Walzer says that each sphere creates a new dimension of freedom, and a new kind of equality emerges with the freedom. For instance, civil society gives rise to the free market, and that everyone is equally welcome in the market. Equal admission can somehow be said to be a kind of equality, but this equality is so thin that it hardly matches the ideal itself. Almost all egalitarians would be concerned with the equality of bargaining power and the equal distribution of capital. Walzer holds a different opinion. He says that monopoly in the market is all right as long as the advantage gained in this sphere cannot be transferred to other spheres. What kind of equality is this?

1. A reinterpretation of equality

“Equality literally understood is an ideal ripe for betrayal,” says Walzer. It is, as understood by most egalitarians, an unrealistic dream and the self-torture of the obsessed idealists. Whenever people come together to strive for equality, they have to organize themselves. They distribute power, assign positions, and delegate authority in order that equality will be realized. As a result, they become unequal among themselves: some will have more power and some will become superiors. Gradually but surely, a hierarchy will be formed. Now let us imagine another scenario in which money and material goods are distributed evenly among members of a society. In the beginning everyone will have a fair and equal amount of possessions. But sooner or later, those who are smart enough will start

7575. Walzer has argued that the legalist paradigm of non-intervention and self-determination should be accepted as the basic framework of international relations. However, intervention may be allowed under any one of the following conditions: “to assist secessionist movements, to balance the prior interventions of other powers, and to rescue peoples threatened with massacre.” See *Wars*, pp. 86-108.

76. Cf. *Spheres*, pp. xiv, 315.

77. *Liberalism*, pp. 320-321.

creating new goods and exchanges will be carried out among the members. After some time, some people will accumulate more money or material goods than the others. If the society still insists on maintaining its equality, it must legislate strict laws to ban all exchanges and deploy strong force to police the citizens. This would require a powerful central government. Consequently, a few persons will become more powerful than the others.⁷⁸ This policy doubly hurts the society, for it forces people who are not actually the same to look as if they were, and asks the ruling élite to pretend ridiculously that they are ordinary citizens. Such as it is, literal equality is neither feasible nor desirable.

Equality is not merely an empty slogan put forward by ambitious politicians. It has always been a source of inspiration for modern states, and an ideal upheld by many people. In order to make the ideal of equality more feasible, philosophers commonly supplement it with liberty. Their aim is to guarantee every citizens some basic rights while at the same time allowing for social and economic inequalities. For example, in John Rawls's two principles of justice, the first principle affirms an equal right to basic liberty, but the second justifies inequalities on some conditions.⁷⁹ Thus understood, equality consists of an equal right to basic goods, an equality of fair opportunity, and inequalities on the provision that priority has been given to the least fortunate.

This approach, however, is problematic, for it legitimizes inequality by using the ideal of equality. Marxists would naturally be suspicious of the formula. At the very beginning, Marx was critical of the idea of rights. He pointed out that the so-called rights of man and of the citizen are actually the rights of the bourgeoisie; the proletariat is excluded. The declaration of rights is, in fact, a betrayal of equality. Although nowadays the rights have been theoretically extended to include all men and women, not everyone can appropriate and enjoy them. Consider liberty. Most Western countries grant every citizen equal right to liberty. But in reality, not everyone enjoys the same degree of freedom because freedom itself is dependent on one's possession of material goods. If I do not have money, how can I buy vacation in summer? If I do not have some control over the media, how can my speech be known? Liberty depends on capability. Yet this aspect is entirely left out in the language of rights. Therefore, the talk of rights is a deficient tool in the articulation of the fullness of the value of equality. Marx, while expounding on fair distribution in the *Critique of the Gotha Programme*, expresses a similar comment: "This *equal* right [the right to exchange equal amount of labour] is an unequal right for unequal labour."⁸⁰ Because of the differences in capabilities and needs, he moans that this individualistic claim of rights will end up in the same state of inequality as in the bourgeois society. The aspiration to equality has value deeper than the protection of individual rights. It calls for a thicker description of the bonds among people in community. Walzer is not so extreme as Marx as to deny the language of rights. He argues, in *Just and Unjust Wars*, that there are some basic rights of which any violation cannot be legitimized. That means the argument of rights is still appropriate in the domain of international society. However, he contends that the language of rights is so thin that it is inadequate to express a thick historical human relations denoted by the word "equality." He criticizes the liberal theory as an ahistorical speculation. The dilemma of inequality in equality can be taken as a failure to interpret the deep meaning of equality.

In order to discover the deep meaning of equality, Walzer goes back to history. Having studied the major revolutions in the West, he concludes that the revolutionary political thought has a paradigm of "oppression, liberation, social contract, political struggle, new society."⁸¹ He traces the origin of this paradigm to the narrative of the Exodus, from which he develops a "liberation philosophy," or what he

78. *Spheres*, pp. xi-xii.

79. J. RAWLS, *A Theory*, pp. 72.

80. K. MARX, *Critique of the Gotha Programme*, in E. HOBSBAWN *et al.* (eds.), *Collected Works*, Vol. XXIV, London, 1989, 75-99, p. 86.

81. *Exodus*, p. 133.

calls “Exodus politics.” Central to all these revolutions is the idea of equality, though some revolutions have not used the exact word. And equality for the revolutionaries is the aspiration to liberation. “The root meaning of equality is negative”; Walzer states, “egalitarianism in its origins is an abolitionist politics.”⁸² Every struggle has the common appearance of one group dominating the majority, who in turn organize themselves to fight against the domination. The people demand that the domination be abolished. Moreover, this demand is specific: it does not ask for the elimination of all differences but a particular set of differences, such as aristocratic privilege, capitalist wealth, bureaucratic power, racial supremacy. It also varies in different times and spaces, that is, people at a particular moment and in a specific situation may want to abolish a certain difference that they find unbearable.

Opponents of egalitarianism claim that the passions of the Exodus politics are envy and resentment. Walzer agrees that these two will shape the egalitarian politics, but only to some extent. For the passions alone are not strong enough to incite a political movement. Nor can they claim any moral justification. Something more fundamental must lie behind the vision of equality. Walzer observes that “the experience of subordination” is the real motive of abolitionist politics.⁸³ The root of struggle is not so much the fact that there are rich and poor, clever and dumb, powerful and powerless as the fact that the rich and the powerful “grind the faces of the poor (Is 3,15).” The poor are put to shoulder the burdens of the society, but they are denied the reward of their hard work and the enjoyment of life. They groan and plead. But the rich reply like Pharaoh, “for they are idle; therefore they cry ... Let heavier work be laid upon the men ... (Ex 6,8-9, RSV).” All these oppressions awaken the people, sooner or later they will utter, to borrow Edward Schillebeeckx’s words: “This should not and must not go on.”⁸⁴ They start demanding the abolition of some social and political differences. They do not intend to abolish all differences. Nor do they demand a uniform transformation of every individual. Their aim is to build a society free of domination and oppression. Walzer has a beautiful phrase for the lively hope signified by the word *equality*: “no more bowing and scraping, fawning and toadying; no more fearful trembling; no more high-and-mightiness; no more masters, no more slaves.”⁸⁵

In the above passage, I have fused Walzer’s liberation philosophy with liberation theology without apparent strain. It intends to illustrate that Walzer’s historical interpretation of equality is a correct one. His negative interpretation of equality is not well understood in society at large, and thus leads to the misunderstanding of complex equality. In fact, the negative and positive meanings of liberation have been discussed among the Catholic theologians more than a decade before Walzer’s publication. Since their discussion will shed light on our present issue, it is worthwhile to listen to what they have said.

In 1968, Schillebeeckx first voiced the idea that “new situational ethical imperatives or directives” are born out of “contrast-experiences.” Political actions such as protests against war, social injustice, and racial discrimination spring usually (but not exclusively) from the experiences of the atrocities of war, exploitation, oppression, and slavery. “Through these experiences,” Schillebeeckx writes, “man begins to realize that he is living at a level *below* that of his basic potential and that he is kept at this low level precisely by the pressure of existing social structures to which he is subject.” And what is against his basic potential cannot be tolerated; he must protest and abolish the oppressive social structures. Moreover, these contrast-experiences are not merely negative; underneath his anger, there must be some positive values. Schillebeeckx succinctly explains it as follows: “When we analyse these contrast-experiences insofar as they lead to new ethical imperatives, we find that these negative

82. *Spheres*, p. xii.

83. *Spheres*, p. xiii.

84. E. SCHILLEBEECKX, *The Magisterium and the World of Politics*, trans. T. L. WESTOW, in J. B. METZ (ed.), *Faith and the World of Politics. Fundamental Theology* (Concilium, 36), New York, NY, 1968, 19-39, p. 29.

85. *Spheres*, p. xiii.

experiences imply an awareness of values that is veiled, positive, though not yet articulate; that they stir the conscience which begins to protest. Here the absence of ‘what ought to be’ is *experienced* initially, and this leads to a perhaps vague, yet real, perception of ‘what should be done here and now’.”⁸⁶

If we accept Schillebeeckx’s analysis, then equality must likewise contain some veiled positive values. The absence of equality leads to a vague perception of what should be done here and now. In other words, though equality is a positive value, we cannot fully comprehend it. We can accurately articulate it negatively as the absence of domination, but its concretization will be partial and situational. Every positive elucidation of equality is particular and incomplete. It is particular in the sense that the contrast-experience is experienced in a particular community and at a particular time, and it is incomplete because the situational response called for by the aroused moral imperative does not fully represent the imperative itself.

Let us examine the French Revolution. At that time, most Frenchmen were quite aware of the oppressiveness of their social structures. This contrast-experience led them to the realization that “they were living at a level below that of their basic potential.” To liberate themselves, they decided to demolish the *ancien régime*. Anarchy, however, is worse than aristocracy. Hence they had no alternative but to propose a new constitution. In the introduction to the 1789 French Declaration of the Rights of Man and Citizen, it states that the formulation of the declaration in terms of rights is a response to the violation of the integrity of human person: “The representatives of the French people ... considering that ignorance, forgetfulness, or contempt of the rights of man are the sole causes of public misfortunes and of the corruption of governments, have resolved to set forth in a solemn declaration the natural, inalienable, and sacred rights of man...”⁸⁷

It is also noteworthy to see how they forge the rights of man in Articles 1 and 2:⁸⁸

1. Men are born and remain free and equal in rights; social distinctions may be based only upon general usefulness.
2. The aim of every political association is the preservation of the natural and inalienable rights of man; these rights are liberty, property, security, and resistance to oppression.

The idea of equality in the declaration is positively formulated as equality in rights, which are further specified as rights to liberty, property, safety and resistance to oppression. This qualification of equality is emancipatory but not without bias. As it is not possible to discuss the problem in detail, I will only point out one well-known shortcoming, which is, the declaration is exclusive. The rights of man here were not the rights of all human beings, but simply the rights of male; woman was excluded. Moreover, the declaration was only meant to protect the rights of a certain class of men and citizens, namely the bourgeois and the proprietors. Its main concern was the interests of the middle class. The needs of the proletariat had never been taken seriously. We see that the attribution of the cause of social misfortune to the violation of rights is *per se* particular and incomplete, and thus, the elucidation of equality inevitably leans toward the interests of the bourgeoisie. This confirms our view that equality defined negatively as the abolition of oppressive social structures is indisputable, while the positive formulation in the language of rights is partial and situational.

Two years after Walzer’s negative reinterpretation of equality in the *Spheres*, he complements his argument by adding a positive interpretation in *Exodus and Revolution*, where he argues that the negative meaning of liberation is closely tied to its positive meaning:⁸⁹

86. E. SCHILLEBEECKX, *The Magisterium*, pp. 29-30.

87. W. LAQUEUR & B. RUBIN (eds.), *The Human Rights Reader*, revised ed., Markham, 1990, p. 118.

88. W. LAQUEUR & B. RUBIN (eds.), *The Human Rights Reader*, p. 118.

89. *Exodus*, p. 109.

“A kingdom of priests and a holy nation” is the original version, and one of the key sources, of a whole series of revolutionary programs: the Puritan holy commonwealth, the Jacobin republic of virtue, even Lenin’s communist society. None of these is adequately characterized by the negative ideal of nonoppression.... They all require an active and lively participation in religious and/or political life, and they require this not from some of the people but from all of them. The promise of milk and honey involves a kind of negative egalitarianism ... The second promise [the kingdom of priests] aims at positive equality.

Although a concrete definition of positive equality cannot be found in the *Spheres*, it is nonetheless present in Walzer’s separation of spheres. Critics notice that Walzer is using some criteria to regulate the distributions of each sphere, though what these criteria are is never agreed upon. In the light of the quoted text, I would say that the criterion is the positive equality, which can be stated as the active participation in communal life to the effect that every member would gain a sense of self-worth.

2. Simple equality and complex equality

Having defined equality as nonoppression in the *Spheres*, Walzer proceeds to connect this meaning with his theory of goods. The most direct conception of oppression is that a number of men and women organize themselves into a group and oppress the others. Earlier Marx has conceptualized this intuition in his theory of class struggle: a small group of people oppresses a larger group, then the larger group revolts and takes over the government, and then the new ruling class becomes the new oppressor. Human history is then seen as a continuous process of oppression and anti-oppression. The good news that Marx preaches is that the process is not circular; instead it is linear and has a happy ending when everyone will be everyone’s equal. Walzer shares a similar view of world history, but he does not believe in Marx’s teleological hope. He also thinks that Marx’s theory legitimates violence and terror far too recklessly. Oppression and conflict surely exist in every society, and sometimes we may not be able to avoid using violence to fight against oppression. Much as we would like to live in peace, revolutions did break out from time to time.⁹⁰ Now the most important question comes to a social theorist: can the next revolution be prevented, or at least, be delayed indefinitely?

Walzer’s liberation philosophy suggests that it could, if the revolting men and women are implementing the positive equality, that is, they actively participate in local politics. If ordinary men and women fight against injustices piece by piece, they don’t need a drastic revolution. Walzer also does not like the idea of class struggle, for it pillarizes society into classes and makes life harsher than necessary. Social conflict is unavoidable, but we can find ways to moderate it. Marx’s analysis of oppression focuses on class differences. It is true that sustained oppression must be organized as one group against another. But one group cannot oppress another group without possessing beforehand some kind of superiority. Walzer conceptualizes such superiority in terms of goods. Oppression must be mediated by the possession of a good or a set of goods, such as birth and blood, land, capital, education, divine grace, or state power. These goods have served at one time or another as means of domination. If we understand and control the dominant goods, there will be no need, Walzer says, to “stretch or shrink” human beings.⁹¹

90. Marx may suggest that the revolution but not the class struggle be ended by introducing the “dictatorship of the proletariat.” This does not work in reality, for the communist party élites have proved to be oppressors of a different kind. Cf. K. MARX, *Critique of the Gotha Programme*, p. 95.

91. *Spheres*, p. xiii.

When we apply the idea of goods in the analysis of oppression, we discover that in all cases, the oppressors must at least possess one or one set of dominant goods, which can in turn be converted into other important goods. For example, political power is a dominant good. The possession of political power enables its possessors to gain a definite advantage over the control of other goods. In addition to power, politicians commonly have prestige and money, and their children attend the best schools, When one has power, other things easily come in train. These things do not fail to happen to politicians. Political power is a magical good. People who are able to monopolize this dominant good against rival competition form the ruling class.

The monopolizer of one dominant good may compete with the possessor of another, and these two struggle for supremacy. Such struggles have a paradigmatic form: whenever a group wins, they will work out a systematic conversion of the dominant good into all sorts of other goods. Can domination be stopped? Philosophers are positive to this question, and indeed they compete with each other to provide the best answer. Walzer has generalized the solutions in three forms:⁹²

1. The claim that the dominant good, whatever it is, should be redistributed so that it can be equally or at least more widely shared: this amounts to saying that monopoly is unjust.
2. The claim that the way should be opened for the autonomous distribution of all social goods: this amounts to saying that dominance is unjust.
3. The claim that some new good, monopolized by some new group, should replace the currently dominant good: this amounts to saying that the existing pattern of dominance and monopoly is unjust.

The third claim, according to Walzer, is the Marxist model of revolutionary ideology. It presupposes a sequence of class struggles: birth and blood be replaced by landed wealth, landed wealth by talent, talent by money and so on and so forth. Eventually, the means of production will be controlled by all, and the class struggle ends. Walzer does not agree with this Marxist reasoning. He thinks that class war will not propagate endlessly if only the means of production is the naturally dominant good, which indeed Marx believes so. Otherwise, someone may propose another naturally dominant good, and starts the class war again. But there is no naturally dominant good. Dominant good is only human creation. Goods do not have intrinsic values that will make them dominant naturally. Breeding and blood, landed wealth, talent, and money have all become dominant at a certain time and in a certain place, and they can be replaced one with the other. Marx's model does not work.

The first claim is held by most philosophers because it suits their appetite for simplicity. It assumes that there exists a dominant good, and that equality means to break up monopoly by dividing that good equally. Walzer calls this concretization of equality "simple equality." In order to form an egalitarian society, we have first to identify the dominant good, and then to divide it equally. Every member will possess an equal amount of the good, and equality can be realized in other goods through the process of conversion. If money is the dominant good, it should be distributed equally among the members of a society. Then everyone will have the same buying power as everyone else, and become everyone's equal. However, as it happens often enough, everyone will spend his share in a different way: some will save the money, some invest it, and some just waste it. Equality at noon will become inequality in the evening unless every exchange is blocked. But this will render money useless and meaningless. Consequently, another dominant good will emerge and substitute the position of money, which in turn will undergo the process of neutralization and devaluation. Alternatively, we may use a monetary law to redistribute money periodically. In both cases, a strong central government is required to enforce the law. Yet a fundamental problem is that if money or the other dominant good is really dominant, it is questionable whether the government will be able or willing to distribute it equally. Suppose the

92. *Spheres*, p. 13.

government is committed to distribute the dominant good equally, then political power will become the most dominant, this means we have to divide the political power. When democracy renders political power powerless, another good can become dominant. In order to make this system work, we have to mobilize power to check monopoly, while at the same time to check power by some other means. Nevertheless, there is no guarantee that some people in strategic positions will not seize and exploit important social goods in the processes.⁹³

Although the simple egalitarian régime of check and balance is workable, it cannot avoid large-scale conflict and exploitation. Walzer insists that this is not a good solution to fight against oppression. Many people have tried unsuccessfully before to break up monopolies. This fact indicates that monopolizers can always defend state intervention. If the effort to abolish monopoly is not effective, we should focus on the reduction of dominance. The root of oppression is dominance. An oppressor is a person who wants to control a wide range of goods. Since it is (almost) impossible for the oppressor to possess in large quantity of the most important goods, he has to manipulate the idea of one dominant good. It may be the case that many people have already accepted a certain good as dominant. Then, the oppressor can monopolize that good. Or, he can force other people to accept a certain monopolized good as dominant. In both cases, dominance hinges on the idea of one dominant good. In order to abolish dominance, we must guard against the exploitation of the idea of a single dominant good. The best way to do so is to draw the boundaries for various spheres.

Walzer asks us to imagine a differentiated society with various autonomous spheres. Monopoly is allowed in each sphere, but the good in one sphere cannot be converted into goods of the other spheres, that is, monopoly in one sphere cannot be multiplied across the spheres. This will be a society of many local monopolies held by different groups of men and women. Within each group, the people make their own rules governing the distribution of the good. Each group will defend the intrusion of alien distributive criteria so that each good becomes specific and cannot be converted into other goods. Though inequalities exist in each sphere, the monopolizers cannot multiply their dominance through the conversion process. This is a *complex* egalitarian society. It is complex because it has taken into consideration the complexity of personal differences, human relationships, and social structures. It aims to reduce dominance, but at the same time it allows the pursuit of personal ambitions and differences. It also makes more room for people to participate in public affairs directly related to them.⁹⁴

3. Simple inequality and complex inequality

Inequality, equality, simple equality, complex equality—this is the sequence of the development of the idea of equality. Listing the four terms together, one immediately feels the unevenness. For its completion, the series suggests us to add “simple inequality” and “complex inequality.” Though Walzer has not mentioned the two terms in the *Spheres*, what he means by inequality can be taken as simple inequality. The real problem, according to Michael Rustin, is complex inequality. Walzer has overlooked the conceptual possibility of complex inequality, which, Rustin says, “describes by far the most common and probable state of affairs.” Walzer takes simple inequality as the current state of affairs, and then attempts to replace it with complex equality. He thus commits a categorical mistake, and this conceptual hiatus, Rustin argues, impairs his formulation of complex equality.⁹⁵

93. *Spheres*, pp. 13–17.

94. *Spheres*, pp. 17–18.

95. M. RUSTIN, *Equality*, pp. 26–28.

Not quite correct. Walzer does mention a case of complex inequality: a person who possesses all kinds of talents will most probably turn out to be the winner of all spheres. Imagine a person who is well-born and well-bred. Like Alcibiades, he is beautiful and attractive, and charms everyone he meets.⁹⁶ More than that, he has the blessing of intelligence upon his diligence. He has also been taught not by one but many masters who are not inferior to Socrates in learning or in virtue. When he was young, he studied in prestige schools, scored extraordinary high marks in every examination, and made important scientific discoveries. Later a war broke out. He volunteered to join the army, fought bravely and won the highest honours. After the war, he entered business, and became a successful entrepreneur. Now, he is elected as a member of parliament, and he is the most likely candidate for the next presidency. Everybody loves him and respects him. A person like this can easily amass all the important goods without illegitimate conversions. A group of such gifted persons can naturally form a ruling class, and the society will be under their domination. The spheres are autonomous, but this same group wins out in every sphere.⁹⁷ Conversely, we can also think of another group of persons who possess low potential in every sphere. They score low grade in school, and perform poorly at work. They are neither physically distinguished nor morally superior. So they end up in the lowest stratum in every sphere.⁹⁸

The kind of complex inequality in Rustin's mind is none of the above two sorts. He is thinking rather of the present patterns of inequality. In a differentiated liberal society, there certainly exist some relatively autonomous spheres. Walzer idealizes these spheres, and separates them as if they were absolutely autonomous. In reality, different spheres carry different "causal weight" in the determination of the overall structure of society and of the opportunity an individual has in each sphere. It will be difficult to quantify the causal weight of each sphere. Nonetheless, it can be quite sure that relative dominance exists in most societies.⁹⁹ As if to support Rustin's claim, Susan Okin argues that women in all Western democratic countries are discriminated in every sphere. Because women are assigned a subordinate role in the family, they are treated as subordinates in every sphere. She uses the political sphere as an example. The statistics in all Western democracies show that women are disproportionately mis-represented in the parliament, especially in countries where patriarchy is pervading. Since political power is the dominant good, by monopolizing this good, males are able to dominate females in other spheres. Thus women continue to stay in a state of complex inequality.¹⁰⁰ Okin is saying that while family does not seem to be a dominant sphere, its pattern of domination is able to reproduce itself in all other spheres.

In response, Walzer denies that Rustin's case concerns complex inequality. Rather it is a case of simple inequality. A dominant good or a set of dominant goods converts itself into goods of other spheres. Okin's example only confirms that the West is still a patriarchal society, though it pretends that women are now men's equals. The same principle of patriarchy is enacted in every sphere. This is simple inequality. "We have not yet graduated to complexity," Walzer says.¹⁰¹ His spheres of justice is meant to overcome simple inequality. When the spheres are really autonomous, will we still have the problem of complex inequality?

Walzer entertains only the first two kinds of complex inequality. He thinks that it is unlikely to have a person possessing all the good qualities and excelling in all spheres. We have heard of such heroes, but only in fictions and legends created for political purpose. Even if such persons do exist, they will

96. Cf. *Seminar*, p. 220, c. 2.

97. *Spheres*, p. 20.

98. M. WALZER, *Response*, in D. MILLER & M. WALZER (eds.), *Pluralism, Justice, and Equality*, Oxford, 1995, 281-297, pp. 290-291.

99. M. RUSTIN, *Equality*, p. 28.

100. S. M. OKIN, *Politics*.

101. *Response*, p. 291.

be so few in number that it would be hard for them to form a ruling class. Nor will their children be able to inherit their success. Most probably, a person can only become a master in one or a few spheres for a limited period.¹⁰² Likewise, it is also unlikely that a group of people would fail in one sphere after another. The existing lower classes tell us succinctly the patterns of discrimination: the demarcation lines between the subordinate and the superordinate are drawn according to race, culture, and gender. They reveal, Walzer says, “a single systemic decision” rather than “a succession of autonomous decisions.” If spheres really become autonomous, he doubts if any pattern of domination can still sustain or reproduce itself.¹⁰³

Walzer’s argument is in fact a denial of the existence of complex inequality, which may exist as conceptual possibilities, but not in reality. To verify his proposition, we have to wait and see. Will the spheres ever become autonomous? I have no ready answer to this question. Right now, each sphere has different causal weight, so Rustin’s case cannot be dismissed too quickly. It is highly probable that we will have political power and money as the two dominant spheres, with the other spheres relatively autonomous. The socialization of political power has no doubt rendered it less dominant. Walzer suggests that money-power be socialized likewise. But the capitalist system is the foundation of the present world system. To change it, we need a revolution no smaller than the French Revolution. Complex equality seems as difficult to be attained as simple equality. Still, complex equality remains more attractive because of its attention given to the psychological dimension of equality. As a matter of fact advanced society is intrinsically unequal, and as such, equality can only exist as a psychological or mental state of the citizens. Walzer’s formulation of complex equality can be interpreted in this line of thinking. Indeed, he aims to yeast

a kind of self-respect that isn’t dependent on any particular social position, that has to do with one’s general standing in the community and with one’s sense of oneself, not as a person simply but as a person effective in such and such a setting, a full and equal member, an active participant.¹⁰⁴

Spheres of Justice lays down a nonoppressive social structure that facilitates “equality of status.”¹⁰⁵ But a passive structure cannot automatically make men and women into citizens with self-esteem. They have to earn self-respect by themselves and together with their peers. *Exodus and Revolution* tells the second half of that story.

102. *Spheres*, p. 20.

103. *Response*, pp. 290–292.

104. *Spheres*, p. 277.

105. Cf. *Response*, pp. 283–284.

VI. INTERNATIONAL SOCIETY

§1. THE JUST USE OF VIOLENCE

A. BETWEEN REALISM AND PACIFISM

Realism and pacifism hold two extreme views on war. Realists reject the validity of morality in war. They believe not only that war may be used to achieve a political end but also that whatever means may be employed to win a war in the most economical way. Pacifists, on the other hand, cling to the moral ideal of loving one's enemy as oneself. Some radicals among them refuse to kill people, and thus reject war as a means to resolve conflict among states. Realism is a frightening doctrine—it carries with it the omen of death and destruction. The horror and insecurity it provokes become more and more unbearable with the advance of the industrialization of war and the development of increasingly powerful weapons of mass destruction. Radical pacifists propose to dispose of this manufactured risk by abolishing war altogether. By an act of will, they wish to push humanity into a new stage. Perpetual peace, after all, is an age-old hope: swords beaten into ploughs, spears into pruning hooks, and lambs lying beside wolves. The overwhelming majority of people will be more than happy to see its realization. However, war is as imminent in the past as at present. It seems that as long as there are wolves and fools, the wolves can always mobilize the fools to fight. The wolves are, as a matter of fact, beyond human capability to rehabilitate, and the fools, until more extensive and effective education is available, are too numerous. We have wars now, and we will have them in the foreseeable future. Absolute pacifism appears to be a wishful thinking; it can hardly deal with the international political reality. This is why we need rules to regulate war and to limit its scope. I surmise that this is the motive behind Walzer's reintroduction of the just war theory onto the international scene.

Realism has its theoretical defenders. They argue that the nature of the international order is the anarchy of states. Since states are self-interested and equally ambitious, they are forever competing with each other to maximize their own interests. States are thus always in a tension of war. Yet this does not mean that the international society is permanently chaotic. One state can grow in military power to such an extent that it conquers the weaker states and imposes order on them. As to its equals, the superpower can make a deal with them and establish a period of peace. Realist counsellors regard the anarchy of states as an unchangeable truth, and advise politicians not to take moral rules into their deliberation lest they should wrongly estimate the situation and bring disaster upon themselves and their people. Realists do not necessarily deny the existence of moral rules. They only insist that in the vacuum of a sovereign to impose law and order, the talk of morality just makes no sense.

The anarchy of states, though a modern expression, is an ancient concept. In the West, the historian Thucydides is commonly regarded as the first person to give the idea its full expression. Thucydides was probably upset by the devastation caused by the Peloponnesian War: cities were destroyed, men slaughtered, and women and children deported and enslaved. It was incomprehensible that the Greek

cities fought so savagely as if to annihilate each other. The wars could have been less brutal and barbaric, Thucydides believed, if the cities which could not defend themselves against their belligerent counterpart had simply surrendered. It is Thucydides' insight that the leaders of the besieged city are prevented from reaching such a decision not so much by mis-calculating their combative strength or employing the inappropriate strategy as by indulging themselves in the ideas of right and wrong. They do not know that morality has no place in war, and allow morality to enter into their decision-making. The consequence is the unnecessary destruction of lives and properties. Thucydides wrote down this bloody history to warn future politicians not to commit the same error again.

In modern times, Thucydides' teaching is expounded by some political theorists such as Hobbes, Machiavelli, and Bodin. Walzer singles out Hobbes, whom he regards as a collaborator of Thucydides: "Hobbes translated Thucydides' *History of the Peloponnesian War* and then generalized its argument in his own *Leviathan*."¹ In Chapter 13 Of the Naturall Condition of Mankind, as Concerning Their Felicity, and Misery, thus begins Hobbes his argument: "Nature hath made men so equall, in the faculties of body, and mind..." Equality in human nature is a blessing as well as a misfortune of mankind, Hobbes continues to explain. The bestowed equality drives men to compete with one another by force for scarce resources and to extort honour from the others. Violent competition creates insecurity and fear, which in turn fuels man's desire to overpower his competitors. Hence men fall into a perpetual state of war. "To this warre of every man against every man, this also is consequent"; Hobbes infers, "that nothing can be Unjust. The notions of Right and Wrong, Justice and Injustice have there no place. Where there is no common Power, there is no Law: where no Law, no Injustice. Force, and Fraud, are in warre the two Cardinal vertues."² The focus of Hobbes is on the domestic society rather than on the international society. However, the war of men can be translated, by analogy, into the war of sovereigns. Since sovereigns are bigger egos, the competition among states will be more fierce and the tension of war more acute than among individuals.

Force and fraud, Hobbes tells us, are the two cardinal virtues of states. One cannot deny that Hobbes thrust into the limelight some practices of states that people commonly disapprove. We acknowledge their reality, but refuse to accept it as the state of nature. To what extent is Hobbes correct? According to Walzer, "Hobbes gives us an importantly wrong account of political sovereignty; rhetorically inflated and drained of moral distinctions, it nevertheless captures something of the reality of the modern state."³ Force and fraud are certainly at play in the international political arena. But they are not the only currencies in war. Since I have already presented Walzer's argument against Thucydides and Hobbes, I shall not repeat it again. Suffice it to mention that *Just and Unjust Wars* collects plenty of historical cases demonstrating that war involves intrigue and military manoeuvre as well as morality. Right and wrong, justice and injustice have their places in war: they serve to condemn fraud and to regulate the use of force. Neither soldiers nor politicians declare that they are beasts by nature and will fight like beasts. When politicians commit aggression and soldiers atrocities, they always come up with excuses—their hypocrisy is "the tribute that vice pays to virtue." Most noteworthy is the fact that excuses addressed to the public are usually couched, at least partially, in moral language; and that only in the inner circle are Hobbesian wiles propounded, presumably to prepare the accomplices for nasty things.

Walzer has not produced a full-fledged refutation against realism; his aim is to suggest that "the judgment of war and of wartime conduct is a serious enterprise."⁴ *Just and Unjust Wars* certainly has

1. *Wars*, p. 4.

2. T. HOBBS, *Leviathan*. Edited with an introduction by C. B. MACPHERSON, London, 1985, ch. 13.

3. *Critics*, p. 193.

4. *Wars*, p. 4.

accomplished this task. But that is not the whole defence of the book; Walzer actually matches the challenge of realism. The crux of Hobbes's argument rests not so much on the myth of Leviathan as on the hard choice between defeat by evil and perpetrating an evil that politicians often have to make. Hobbes provides politicians with an easy exit by nullifying the moral judgement on evil acts—"where there is no common Power, there is no Law: where no Law, no Injustice." To some extent, his theory releases decision-makers from the mental burden of guilt, and allows them to concentrate on the calculation of utility and proportionality. Walzer recognizes that moral rules have to be overridden on some rare occasions, but nonetheless opines that Hobbes's solution is far too easy in that it does not pay morality its due. What decency requires, in Walzer's view, is to uphold moral rules to the very last minute. Only in supreme emergency can one override the rules and resort to utility and proportionality.

In opposition to the realist dictum of man as beast, radical pacifists assert that all men are "saints" by nature, and that if they are properly cultivated, they can live in peace with each other. Hence they reject the realist view that competition, fear, and violence underlie all human relations; and they reject as well the just war theory, for it inclines to use violence in the settling of disputes, and thus justifies and promotes violence. What the pacifists contemplate is an enduring peace rather than an intermittent one as offered in the just war prospectus. While the aims of the pacifists converge, their attitudes toward violence differ tremendously: they vary from non-resistance to active intervention without excluding the use of force if necessary. In between there are advocates of non-violent resistance, prohibition of weapons of mass destruction, non-intervention, and non-military intervention. The various factions are grouped together despite uncompromising differences because they all take an active stance on establishing peace on earth.

In the West, the origin of pacifism can be traced back to Christianity. The teaching of Jesus, "love thy neighbour as thyself," is the kernel of Christianity; it is taken as the summation and consummation of the laws of Moses and the prophets. "But who is my neighbour?" Luke has a Jewish lawyer ask Jesus. Instead of answering him directly, Jesus tells him the well-known parable of the Good Samaritan (Lk 10,25-37). Walzer has a revealing interpretation of the story: "What precisely they owe one another is by no means clear, but we commonly say of such cases that positive assistance is required if (1) it is needed or urgently needed by one of the parties; and (2) if the risks and costs of giving it are relatively low for the other party. Given these conditions, I ought to stop and help the injured stranger...."⁵ I am quite sure that Walzer is wrong here: though it is not entirely clear what love obliges us to do to strangers, the uncommon parable exhorts us to help strangers even at high risks and at great costs. We have to know that the Samaritan and the injured Jew are enemies because the two countries are hostile to one another. Jesus is actually asking his disciples to love all men, including enemies. The love of enemies *as oneself* entails serious obligation. Matthew further explains what it means: "[Jesus said], Ye have heard that it hath been said, Thou shalt love thy neighbour, and hate thine enemy. But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you (Mt 5,43-44)." Walzer would probably object by saying that loving your enemies is supererogative. Angels may bear it, but mortal humans will be crushed by it. Love is for angels, and justice for men. If that is the case, will Walzer endorse humanitarian intervention? Walzer does advocate humanitarian intervention, and indeed his attitude has gradually changed from permissive to active intervention.⁶ Of course, he justifies it on grounds other than the commandment of Jesus. This creates an unevenness in his treatment of individuals and communities, and it is possible to confute him by means of *reductio ad*

5. *Spheres*, p. 33.

6. Cf. *Wars*, pp. 101-108; *The Politics of Rescue*, in *Social Research* 62 (1995) 53-66; *The Argument of Humanitarian Intervention*, in *Dissent* 49/1 (2002). <http://www.dissentmagazine.org> (access 14.03.2002).

absurdum. But that is not my purpose. Here I only try to shed light on the reason why Walzer insists on the just war theory, whereas many other Western thinkers, noticeably theologians, endeavour to transcend the concept of just war, and to broach the subject of peace.

Through time, the concept of peace in international relations has been gradually developed in the West. During the Middle Ages, in order to override the commandment of love, war was justified by other religious reasons. A crusade could be declared if it was sacred, commanded by God, and its legitimacy was of absolute certainty. Its criteria can be found in the holy war tradition in the Hebrew Bible. Because of its “holiness” and “righteousness,” holy war is the bloodiest war in human history—the whole population in a city can be slaughtered as animals are slaughtered to appease God in a sacrificial rite. This war is brutal, and the image of God bloodthirsty. Massacre does not fit our moral sense, some people naturally want to turn the holy war into a limited war. Walzer has done that by disparaging the holy war tradition, separating *jus ad bellum* (the justice of war) and *jus in bello* (the justice in war), and delineating the limits for each of them.⁷ Such kind of work was in fact initiated by theologians in the thirteenth century. Jurists and philosophers later joined in the discussion. This just war tradition was then developed into international law by Grotius and John Locke in the seventeenth century. The numerous wars that took place throughout the centuries finally cast in doubt its capacity for securing peace. And just before the First World War, French and German theologians attempted to find a new solution, and came together to draft a theory of international peace. Their aim was to leap from the negative peace of the just war theory to positive peace. Unfortunately, their cooperation was shattered by the First World War, during which they split into national partisans and relapsed into using the just war theory to justify their own countries. The unfinished task was resumed by the French and the German in the interbellum period. For some reasons, they could not come to terms with each other, and the project was aborted. It was only after the Second World War that the subject of peace was once again rekindled. The brutality and devastation of the War, especially the area bombing and the explosion of atomic bombs, have strengthened many people’s determination to abandon the just war theory and to develop a theory and praxis of peace. In general, the European intelligentsia is attracted to the vision of peace, but on the other side of the Atlantic, some Americans continue to write about just war theory.

Walzer’s *Just and Unjust Wars* is a defence of just war theory. According to his own account in the Preface, Walzer writes the book out of his experience as a political activist in the anti-Vietnam War movement. He was grateful, at that time, to have a moral language of war on hand. “Aggression,” “atrocities,” “war crimes,” such words were important for him to express his anger and indignation. The moral language was also a crucial means to rally support and to put pressure on the government. Walzer realized that moral language is as indispensable a tool to condemn hypocrisy as a strategy to wage war. Statesmen always need justifications if they want to send soldiers to risk their lives. Usually, their speeches claim to defend partly national interests and partly moral ideals. The most “ingenious” way is to conflate national interests and moral ideals in such a way that to fight for one’s interests amounts to glorifying God or to bestowing benefit on the whole human race. On the other hand, the pervading opinion in the American academia held that moral language was the expression of feelings devoid of objective reference. Walzer disagrees with them, for he discovers a consistent debate on the

7. For Walzer’s discussion of the holy war tradition, see *Exodus 32 and the Theory of Holy War. The History of a Citation*, in *Harvard Theological Review* 61 (1968) 1-14; *The Idea of Holy War in Ancient Israel*, in *The Journal of Religious Ethics* 20 (1992) 215-228; *A Reply to John Yoder*, in *The Journal of Religious Ethics* 20 (1992) 235; and also John Yoder’s response, *Texts That Serve or Texts That Summon? A Response to Michael Walzer*, in *The Journal of Religious Ethics* 20 (1992) 229-234.

morality of war in the just war tradition. He adopts the main structure of the tradition, that is, the distinction between *jus ad bellum* and *jus in bello*, but reduces the use of proportionality to the margin.

Just and Unjust Wars hardly pays attention to the misuse of the just war theory and the pacifistic alternative. In its first edition, the book barely contains a seven-page Afterword on non-violent resistance, in which Walzer argues that non-violent defence appeals to the moral sensitivity of the enemy soldiers, and thus its success depends on the rules of restrained military engagement. This argument is far from adequate. A not-unsympathetic critic Thomas Benson comments: “Throughout the book, Walzer reminds us that military measures are really justified only in the absence of non-violent alternatives. Regrettably, he postpones his discussion of such alternatives to a sketchy and altogether unsatisfying ‘Afterword.’ Here he mistakenly equates non-violence with passive resistance and, just as wrongheadedly, argues that the success of non-violent strategies is wholly dependent on an enemy moral earnest. This dismal caricature of non-violence begs for too many important questions concerning the history, methods and strategic potential of non-violent struggle.”⁸ Another critic Brian Orend charges Walzer of failing to face up to the challenge of pacifism: “While Walzer’s response to ... realism is strong, his response to pacifism is less satisfying. He admits this, conceding that a full response to pacifism ‘would require another book’ whereas his response is a mere six-page ‘Afterword’, a ‘partial and tentative analysis’ ... It is interesting that, since *Wars* first appeared in 1977, Walzer has chosen not to shoulder the burdens of a full response.”⁹ Orend is correct, even though Walzer has attached a slightly longer (thirteen-page) defence as the Preface to the second edition. This time, the subject has changed from non-violence to the criteria of intervention, but the argument is, still, too brief and too general to be convincing. To straighten out the tangles of the just war theory and pacifism would require another dissertation; I shall only point out one of the most serious challenges to Walzer, namely that the devastation and terror of the modern war compel us to seek positive peace. This would require us to transcend the negative peace in the just war theory by limiting the just cause of war to self-defence, imposing more restrictions on the conduct of war, and engaging in active peacemaking. While Walzer may assent to the common goal, I suspect that he may still regard peacemaking as too idealistic, and insist on taking the just war theory as the framework for international relations.

B. FIGHT THE GOOD FIGHT

1. Self-defence

“Why is it wrong to begin a war?” Walzer asks.¹⁰ Because to begin a war is to commit aggression. The common answer names the crime of war, but without giving it substantial reasons. Perhaps, most people assume that the devastating consequences of war are the lost of lives and the waste of land, and that those who start it must be held responsible. This notion is taken as a truth by generals and politicians who believe in Karl von Clausewitz’s theory of absolute war, which conceptualizes war as

8. T. L. BENSON, Review of M. WALZER, *Just and Unjust Wars* ([New York, NY, 1977]), in *The Christian Century*, 25 October 1978, p. 1018.

9. B. OREND, *Michael Walzer on War and Justice* (Political Philosophy Now), Cardiff, 2000, p. 69.

10. *Wars*, p. 22.

an act of violence that may escalate beyond human control. General Eisenhower, in a 1955 press conference, recounted his experience in conformation to von Clausewitz's doctrine: "When you resorted to force ... you didn't know where you were going ... If you got deeper and deeper, there was just no limit except ... the limitations of force itself."¹¹ We say that the aggressor commits the gravest crime by initiating a swirl of violence that will exhaust itself only after devouring everything within its radius.

But Walzer retorts, "No one has ever experienced 'absolute war'."¹² No matter what we resort to, either this kind of brutality, or that sort of violence, it is chosen out of our free will. We deliberate and calculate its effectiveness and its consequences, and then decide whether to use it or not. We can stop a war at any time by negotiating a term, or never begin it by surrendering at the very beginning. War is a social creation. We intend it to be limited—limited in its aim and limited also in its scope. It is the exaggeration of generals and politicians that war is described as "total" or "absolute." They distort the fact that is better known to them than anyone else for their own purpose: to rally the support of the masses, to silence dissenting voices, or to excuse the transgression of limits.

If war is limited, those who initiate a war may not be criminals, at least they cannot be indicted on the charge of perpetrating destruction. This is indeed the case, Walzer argues, when two groups of armed contestants choose to fight with each other on whatever terms they agree upon. The battle is certainly fatal, and may as well be brutal. But the initiator is not a criminal; he is probably entitled to the honour of bravery or praised for the promotion of warrior spirit. Tournaments among the aristocratic young men in Africa, ancient Greece, Japan, and feudal Europe are such examples. The celebrated nineteenth-century English writer John Ruskin wrote about a modern ideal war on this model: "creative or foundational war is that in which the natural restlessness and love of contest are disciplined, by consent, into modes of beautiful—though it may be fatal—play...."¹³ No one would say that the organization of a tournament is a crime. Often people are inspired rather than terrified by the chivalric spirit.

A true contest, Walzer stresses, must be fought between equals "by consent." But war is seldom a sensational game displaying the *élan vital* and played by young aristocrats out of their own choice. People are conscripted, made into soldiers, and sent to battles. They fight by higher order. They are instruments rather than agents of war. They do not make war, and most of them do not desire war; they are compelled to fight by the superior command of the political leaders, whose true motives will never be communicated to them. The number of people dragged into war is unprecedented in modern times. Two forces mobilize them to enlist in the war industry. Nationalism intoxicates them to mistake national glory and interests for their own. For the soberest kind who is immune from the patriotic frenzy, democracy obliges them "to die for the state."¹⁴ Sage as wise as Socrates cannot ignore the public, though unjust order, but willingly drinks the hemlock because he believes in democracy and is obliged to obey the decision generated by democratic procedure. Nationalism and democracy have changed the war strategy. It was difficult to find men to die then; it is easy to claim the lives of men and women now. War was to be avoided in the past; but now it can actively be sought as a political means. Napoleon is the first shrewd politician who exploits patriotism to realize his restless political ambition. He once told Metternich that he could afford to lose 30.000 men a month. Although we cannot verify this saying, it is no exaggeration of Napoleon's strategy. Modern men and women are

11. D. W. EISENHOWER, quoted in *Wars*, p. 23.

12. *Wars*, p. 24.

13. J. RUSKIN, quoted in *Wars*, p. 25.

14. M. WALZER, *The Obligation to Die for the State*, in *Obligations. Essays on Disobedience, War, and Citizenship*, Cambridge, MA - London, 1970 (repr., 1994), 77-98, p. 77.

born with a nationality and a citizenship. They are obliged to defend their own country, and to die if necessary. This modern condition alters the nature of war. When one nation is threatened with war, it is put to it to make hard choices. “The wrong the aggressor commits,” Walzer writes, “is to force men and women to risk their lives for the sake of their rights.” The country under threat can refuse to fight and surrender. However, Walzer says that fighting is always justified, and he opines that “in most cases ... fighting is the morally preferred response.”¹⁵

We have discussed, so far, a general notion of aggression, in which Walzer tries to connect the crime to the violation of individual rights to life and liberty. More has to be said about how aggression is concretized in law. “The comparison of international to civil order is crucial to the theory of aggression,” Walzer points out.¹⁶ Thinkers of the international order resort to the “domestic analogy” to construct the international law. There is the civil society, in which laws have been legislated and a relatively stable order is being maintained. By analogical thinking, we can conceptualize the international society as composed of individual member states. Just as individuals in civil society have rights, states also have rights. When these rights of a state are violated, crime is committed against this state. Aggression is the equivalent of the domestic crime of robbery or murder. Hence we can speak of crime, self-defence, law enforcement, trial, punishment, compensation, and so on in the international society.

Walzer calls the primary form of the theory of aggression the “legalist paradigm,” which “does not necessarily reflect the arguments of the lawyers, but consistently reflects the conventions of law and order.”¹⁷ Underlying the conventions is the cautious attitude to minimize armed conflict both in its frequency and in its magnitude. The legalist paradigm endorses self-defence as the only legitimate cause for the deployment of military forces. This appears to be too restricted to Walzer. He wants to revise it so as to allow some forms of interventions. Nevertheless, self-defence gives the best legitimation and motivation for the use of force.

The legalist paradigm presumes the existence of an international society of states. It only admits states as its members; men and women are represented collectively by their states. There is a law in international society that defines the rights of states, in which political sovereignty and territorial integrity are the most fundamental. Apparently, these two rights are established by extending the individual rights of life and property. A state has the right of self-determination within its own boundary. The crossing of the border is an obvious sign of transgression. Walzer suggests that it is more tenable to think of territorial right in connection with the right of liberty than with the notion of ownership. The ownership of a large piece of land is problematic no matter whether it regards a state or an individual. It is unreasonable for a small population to claim to own a vast uninhabited land and to refuse the people in need to settle in. Territorial right must be related to actual residence and common use. Only then, the infringement of a territory contributes to the violation of independence and self-determination.

Non-intervention is the prime principle in international relations. It is assumed that if each state is left to itself to manage its own affairs, there will be no war between states—though there may be civil war, tribal war, independence war, revolution, or insurgency. This doctrine is not always true, but true enough to merit its observation. Hence a state may violate the two basic rights of its citizens, and yet the legalist paradigm still does not permit intervention by other states. Self-help is the second doctrine that the legalist paradigm prescribes. These two principles sustain an international order of independent states—no state is allowed to interfere with other states by military force. They put restraints on the exchanges among member states, and clear any ambiguity over aggression. When a

15. *Wars*, p. 51.

16. *Wars*, p. 58.

17. *Wars*, p. 61.

state sends its army across a border, it violates the territorial integrity and the political sovereignty of that particular state. Its intention is clear, it has no other excuses, and the act is an aggression. Aggression alone can justify war. Still, only two kinds of violence are legitimized: a war of self-defence by the victim and a war of enforcement by the victim or any other state that comes to the victim's help.

According to Walzer's interpretation, the legalist paradigm is in favour of violent response to aggression, though the victim can, if it chooses to, surrender its rights to save its lives. Appeasement, which may sometimes be justified in utilitarian calculation, is not endorsed by the legalist paradigm, for it promotes aggression and undermines the existing international order. Unlike domestic society, international society does not have a central authority to enforce law or to uphold order. As it is, international society is vulnerable and fragile, and requires each member state to actively participate in law enforcement. Thus it is morally desirable that the victim state repels the aggressor, or even punishes it so as to deter aggression. The willingness of the international society to crack down on aggression can be seen in the overriding of the self-help principle. In case of aggression, the victim state is not presumed to rely on self-defence. It can call upon the help of allies, or other states can arise to see to it that justice is done. Walzer is an advocate of force resistance to aggression. Without dismissing the justifiability of appeasement, he nevertheless affirms that it is *prima facie* worth dying for the values that the aggressor attacks. The legalist paradigm, he reasons, presupposes a pluralist world. It is our wish to live with a plurality of communities that are free to shape their own ways of life without external coercion. That wish is often disrespected by powerful men and women, and we have to defend it in order to show how much we value it.¹⁸

2. Interventions

The defence of rights is the only reason for fighting, hence the legalist paradigm endorses only self-defence and condemns any other kind of war. Walzer definitely agrees with the premise, but at the same time he doubts the accuracy of the legalist interpretation. To him, the morality of war seems to permit some military actions besides self-defence, and the legalist paradigm looks more like a simplification of the moral reality. Thus Walzer tries to revise it so as to make the theory of *jus ad bellum* match with what people commonly accept as the justice of war. The importance of this task would not be overemphasized when we consider the fact that ambiguity often invites exploitation. If ordinary people think that some kinds of war, which the legalist paradigm prohibits, are just, then politicians may happily put aside the international law and wage war on the ground of common causes. Could we trust the moral judgement of politicians? The upshot, I suppose, will be fairer and safer if the interpretation of morality is left in the hand of scholars than that of politicians.

Walzer sees that public opinions recognize at least four kinds of military engagements, namely, pre-emptive strike, assistance of national liberation, counter-intervention in civil war, and humanitarian intervention.¹⁹ Walzer thinks that all these should be incorporated into *jus ad bellum*, and undertakes to revise the legalist paradigm's basic principle of non-intervention. The pre-emptive strike is a logical extension of self-defence. Although its admission constitutes a significant revision of the legalist paradigm, it raises no serious objection, for it is commonly accepted that a state threatened with imminent war can take advantage of the situation by striking the aggressor first. The latter three cases,

18. *Wars*, pp. 59, 62-63, 67-73.

19. The four cases of revision that Walzer tries to make are not exclusive; there are other possible permissive military employments. He plainly states: "I cannot exhaust the range of possible revision, for our moral judgments are enormously subtle and complex." (*Wars*, p. 73.)

which belong to the category of intervention, are of a different nature, and need to be justified on other grounds.

Walzer deals with the issue of intervention from a deontological viewpoint by connecting political sovereignty and territorial integrity with the individual rights of life and liberty, that is, the former hangs on the latter and is granted for the sake of the latter. The state rights of territorial integrity and political sovereignty, Walzer writes, “derive ultimately from the rights of individuals, and from them they take their force.” He quotes the British international lawyer John Westlake to support his claim, who says, “The duties and rights of states are nothing more than the duties and rights of the men who compose them.” He further interprets Westlake as denying the collective view of society: “for whom states are neither *organic wholes* nor *mystical unions*.” The individualist view is assumed by Walzer as self-evident because “when states are attacked, it is their members who are challenged.”²⁰

This standpoint is commonly taken up by Anglo-American philosophers. But it seems a bit odd for a sociologist like Walzer to espouse it. Of course, everything in society can be traced back to individuals. Scientists will refuse to stop the reductive process at the individual level: psychologists would like to explain all things as much as possible in terms of carnal impulses and mental complexes; biologists of cells; chemists of atoms, molecules, and reactions; and physicists of mass, energy, and forces. However, it is the claim of sociologists that society can be studied as a separate entity, and should be treated as such if its non-reducible properties are to be respected. “Organic whole” and “mystical union” are the metaphors they use to justify their claim. These metaphors can be ridiculed because they convey a certain sense of mystery. Perhaps, we can demystify them by saying plainly that society has become a far too complex system that can no longer be explained adequately by simply referring to the individual men and women that compose it, and that it deserves an independent treatment. This idea is not unfamiliar to Walzer. In fact, he applies it to the field of distributive justice when he formulates his spheres of justice. If domestic goods can form spheres of their own, I can’t see why the good of political sovereignty should be denied of its sphere.

One can hardly find any explicit explanation of this uneven treatment between international and domestic societies in Walzer’s works. We may attribute the unevenness to the discontinuity, or more harshly, the inconsistency of Walzer’s theory. Walzer separates international justice from domestic justice. He founds the former on universal human rights and the latter on particular shared understandings. This is a practical arrangement, but unfortunately, a theoretically inconsistent one. In view of the fact that Walzer is basically a moral particularist, there are two possible explanations why he interprets the morality of war from the perspective of universal human rights. The first has to do with the prevalence of war codes. Obviously, Walzer intends his just war theory to be universal. Otherwise, its application would be limited. Walzer’s intention is not without support. Evidence can be found in the common opinions of mankind: it is hard to dispute that aggression is universally wrong or that the killing of innocents is commonly condemned. The second explanation is that Walzer wants to elevate deontological reasoning to the primary and push utilitarianism to the secondary. Life, for him, is invaluable. Its value cannot be weighed quantitatively. Two lives cannot be said to be more valuable than one life. Walzer is ill at ease with the calculus of lives in war. Life must be protected, and deontological thinking pays the due respect to life.

It would be oversimplified to say that Walzer’s just war theory is solely deontological. Walzer always bears communal survival and cultural reproduction in mind. He has attempted, though somewhat clumsily, to balance communal integrity against individual rights to life and liberty. “The rights of states,” he says, “rest on the consent of their members.” Then he immediately qualifies such consent as “of a special sort.” But what is the peculiarity of this consent? Walzer has never

20. *Wars*, p. 53. Italics added.

satisfactorily worked it out. In a few lines, he explains that communal cooperation over a long period of time produces a “common life.” The state has the duties to protect individual life and liberty as well as the common life, and individual lives are sometimes sacrificed to defend the common life if need be.²¹ So common life will sometimes be even more important than individual lives and liberty. Is there any substantial difference between “common life” and “organic whole,” or “mystical union”?

Common life is coercive and “nasty.”²² People are often unhappy with their common life. They want to change it but find themselves powerless to alter anything. Yet it is still none of their neighbours’ business, Walzer argues, to change it. By referring to John Stuart Mill, he writes, “We are to treat states as self-determining communities ... whether or not their internal political arrangements are free, whether or not the citizens choose their government and openly debate the policies carried out in their name. For self-determination and political freedom are not equivalent terms.”²³ Self-determination, for Walzer, is more important than political freedom. States must respect the right to self-determination, and hence the principle of non-intervention. But non-intervention is not absolute. Walzer says that Mill was then contemplating cases in which self-determination will require intervention. Thus, he thinks that it is fairer to formulate Mill’s self-determination in a Kantian style: “*always act so as to recognize and uphold communal autonomy.*”²⁴ National liberation, intervention in civil war, and state crime against humanity are instances that call for intervention to uphold the principle of communal autonomy. Since the basic argument is no different for the three cases, we will focus our discussion on the more controversial humanitarian intervention.

Invoking the nineteenth-century dictum of international lawyers, Walzer states that humanitarian intervention is permitted, and even morally required, in response to acts “that shock the conscience of mankind.”²⁵ If a state violates the basic rights of life and liberty of its citizens on a mass scale, it is destroying the self-determination of its people. And if other states intervene to stop its brutality, they are not violating its self-determination. Or, according to the formula of self-determination, states are actually required to intervene so as not only to stop the crime but also to help the community until it can determine its own affairs free from tyrannical violence. In *Just and Unjust Wars*, Walzer does not appeal to the second argument, though it is a natural deduction from the formula. His reservation probably comes as a result of his adherence to the rule of “in and quickly out.” Community building, however, needs time or trusteeship. In either case, the intervening army has to stay. At first, Walzer did not consider this option. Due to the events in Rwanda, Bosnia, and Kosovo, he now admits that trusteeship is unavoidable if humanitarian aims are to be achieved.²⁶

What are the acts that shock the human conscience? This is an open question; answers may vary. Perhaps, we may never know beforehand until we are at the moment of shock. Walzer first identifies enslavement and massacre as two incidents, and later enlarges the list to include massive deportation, rape, ethnic cleansing, state terrorism, and contemporary versions of “bastard feudalism.”²⁷ He does not bother to define them because what happens in former Pakistani territory of Bangladesh, Cambodia, Bosnia, Kosovo, the Caucasus, Uganda, Rwanda, and Sierra Leone, to name but a few, has already given us graphic descriptions of the crimes. Decency requires us to intervene, to stop the crime and to rebuild the country.

21. *Wars*, p. 54.

22. *Humanitarian Intervention*, § Occasions.

23. *Wars*, p. 87.

24. *Wars*, p. 90.

25. *Wars*, p. 107; *Politics*, p. 55; *Humanitarian Intervention*.

26. *Humanitarian Intervention*, § Endings.

27. *Wars*, p. 90; M. WALZER, *The Moral Standing of States. A Response to Four Critics*, in *Philosophy and Public Affairs* 9 (1980) 209–229, pp. 217–218; *Politics*, pp. 54,60; *Humanitarian Intervention*.

Who is responsible for the intervention? And who authorizes it? No one can stand aside, Walzer asserts, every state is responsible for stopping crime against humanity. Preferably, the neighbouring state is to intervene because it understands better the culture and the situation of the state in trouble. It can even act unilaterally without the permission of the United Nations. Though ideally, the intervening state should first obtain authorization from the UN. But, as is the case, the UN is far from ideal: under the strong influence of the great powers, a moral issue is often turned into a political contest, and the final decision may come too late, if not ended in deadlock. In the event of humanitarian disaster, moral opinions are on the side of the intervening state, and it has no need to wait and let atrocities multiply. Walzer is fully aware of the danger that humanitarian intervention may be used to conceal national interests. In such cases, unilateralism may aggravate the suffering of the people already in misery. “Clear examples of what is called ‘humanitarian intervention,’” Walzer writes, “are very rare. Indeed, I have not found any, but only mixed cases where the humanitarian motive is one among several. States don’t send their soldiers into other states, it seems, only in order to save lives. The lives of foreigners don’t weigh that heavily in the scales of domestic decision-making.”²⁸ States don’t sacrifice the lives of their soldiers solely to save the lives of foreigners. This is a realistic view of politics. If we want to have humanitarian intervention, we have to accept mixed motives. Every humanitarian intervention has to be judged by its own merit. The “in and quickly out” is a rule that can be used to measure humanitarian intervention. In cases that require long-term stay, Walzer suggests a coalition of multinational forces, where the private motives of each involving state may be checked.

Walzer tolerates mixed motives. But a complicated humanitarian intervention has its problems too. Without a gain of national interests in sight, a state will not intervene. If it intervenes, its gains must outweigh its costs. This may have two implications: first, it will fight only against a much weaker state, and second, it tends to breach, as much as possible, the rules of war in order to minimize casualties on its own side under the covers of a just cause and public sympathy. Military superiority combines with the principle of maximizing utility may result in heavy civilian casualties, the destruction of vital infrastructures, and the slaughtering of enemy soldiers. The results shock the conscience of mankind as well. All these have happened, and Walzer has criticized them. For a politics-informed ethicist such as Walzer, the revision is a bold move. On the whole, the four amendments are morally sound. Pacifists may not agree with them, but are shy away from producing contradictory argument.

3. Global versus local

To Walzer’s surprise, it is the interventionists who criticize him for his political conservatism. On the one hand, Walzer wants to uphold the principle of self-determination. On the other, he finds that intervention on behalf of individual citizens is on some occasions morally desirable. The two aims sometimes compete with each other and create a tension between the collective and the individual. The line may not be difficult to draw, but the theoretical justification is a tricky task, which Walzer has obviously not accomplished. Gerald Doppelt exploits the tension between communal integrity and individual rights, and warns that “the language of collective rights furnishes a rhetoric of morality in international relations which places the rights of de facto states above those of individuals.” To him, the former is doing a disservice to mankind: “The concepts of a ‘common life’ and ‘community’ are obscure and have often been employed to mask a multitude of sins.”²⁹ Walzer is wrong to use these

28. *Wars*, pp. 101–102.

29. G. DOPPELT, *Walzer’s Theory of Morality in International Relations*, in *Philosophy and Public Affairs* 8 (1978) 3–26, pp. 19, 26.

concepts to limit the rights of life and liberty to enslavement and massacre. The two rights, commonly understood in the liberal-democratic tradition, have broader meaning and diverse implications. Doppelt argues that if political sovereignty is based on the rights of men and women, a state will lose its sovereignty whenever it violates those rights, and any state that intervenes for the purpose of restoring the inherent rights commits no aggression.

Both Doppelt and Walzer permit intervention, and it appears that the crux lies in the scope of intervention allowed. The disagreement in fact goes deeper. Richard Wasserstrom pins down the disagreement to methodology. He is uneasy with Walzer's preference of the deontological approach to the traditional consequentialism. "At a number of places," Wasserstrom writes, imitating Walzer's mannerism, "I find the recourse to a theory of rights unconvincing and unilluminating; at others I find the conclusions suspect and unattractive." He opines that a "utilitarianism of rights," that is, "a determination of whether the net enjoyment of those rights would be increased by intervention," should be used to determine whether a war is just or not.³⁰ Charles Beitz and David Luban locate the difference in the conception of international relations. They point out that Walzer's mentality still remains in the society of states. Better than the Hobbesians, he preaches the morality of states. But this idea is old-fashioned and cannot cope with the present-day international relations. To say the least, the morality of states is fragile; it slides easily into the anarchy of states, especially at the time of war. Indeed, the anarchy of states is always present in the morality of states—a fact that Walzer admits and wrestles to accommodate in his theory of just war. Moreover, the sovereignty of states protects rogue régimes and impedes international distributive justice. A more imaginative conception is needed. Beitz and Luban plead for a "cosmopolitan" mentality. "The effect of shifting from a statist to a cosmopolitan point of view," Beitz writes, "is to open up the state to external moral assessment (and, perhaps, political interference) and to understand persons, rather than states, as the ultimate subjects of international morality."³¹ With the conviction in the universality of basic human rights, Luban speaks in a firmer voice: "[Basic rights] are no respecters of political boundaries, and require a universalist politics to implement them, even when this means breaching the wall of state sovereignty."³²

In an article, *The Moral Standing of States: A Response to Four Critics*, Walzer fends off the above-mentioned four critics in a single stroke. This is an ambitious attempt, but in my judgement, an unsuccessful one. His propositions look just right, but his arguments are miserable. The article as a whole is inconsistent, and at some points, terribly conflated and self-contradictory. Walzer simply has not thought through the problem. It is, indeed, a work of poorer quality, if not the poorest, among Walzer's writings. Perhaps, it is due to the heat of the fray and the stress of immediate response. Or maybe, Walzer was still young when he got caught up in the euphoria of having completed a masterpiece.

The first main point Walzer tries to make is that all the rights of a state are derived from and dependent on the rights of the individuals that compose the political community. In *Just and Unjust Wars*, states appear to have some rights independent of individual rights, which is in contradiction with the claim that political sovereignty and territorial integrity are ultimately based on the rights of life and liberty. Luban explains this contradiction as a confusion on Walzer's part that mixes up the horizontal contract with the vertical contract. When people come to live together and develop an intimate

30. R. WASSERSTROM, Review of M. WALZER, *Just and Unjust Wars* (New York, NY, 1977), in *Harvard Law Review* 92 (1978) 536-545, pp. 537, 544.

31. C. R. BEITZ, *Bounded Morality. Justice and the State in World Politics*, in *International Organization* 33 (1979) 405-424, p. 409.

32. D. LUBAN, *The Romance of the Nation-State*, in *Philosophy and Public Affairs* 9 (1980) 392-397, p. 392. This statement, though formulated in response to Walzer's defence, may as well be taken as the summary of Luban's former article *Just War and Human Rights*.

relationship, Luban says, they initiate tacitly with each other a horizontal contract, and form a nation. When they elect a government to govern their national life, they, by ceding some communal rights, establish with the governing body a vertical contract. The nation is not the same as the government. Governments change hands rapidly, but nations endure. If a government violates the basic human rights of its subjects, it nullifies the contract and renders itself illegitimate. An attack on an illegitimate government is not an attack on the nation, and thus does not constitute an aggression. Walzer confuses this distinction, and wrongly identifies the benevolent interventionists with the aggressors.³³ Walzer denies this charge. He says explicitly that “there is no ‘vertical’ or governmental contract,” and that the horizontal contract “constitutes the only form of political obligation.”³⁴ If this is the case, how then is he going to explain why tyrannical governments that tramp on the rights of its citizens should be respected?

Two ideas seem to have formed the basis of Walzer’s argument. The first is the Burkeian concept of community. Walzer briefly states that “community rests most deeply on a contract, Burkeian in character, among ‘the living, the dead, and those who are yet to be born.’” The second is the right of culture: “The idea of communal integrity derives its moral and political force from the rights of contemporary men and women to live as members of a historic community and to express their inherited culture through political forms worked out among themselves (the forms are never entirely worked out in a single generation).”³⁵ Both ideas are problematic within Walzer’s theory. But before giving any comment, let me first present his argument as consistently as possible.

“The state,” Walzer clarifies, “is constituted by the union of people and government, and it is the state the claims against all other states the twin rights of territorial integrity and political sovereignty.” In other words, the government can be distinguished but not separated from the people. Since foreigners do not have adequate knowledge of the state and direct experience of its internal life, they are in no position to judge the union between the government and the people. Hence they must take “a morally necessary presumption: that there exists a certain ‘fit’ between the community and its government and that the state is ‘legitimate.’” This presumption is to be doubted and rebutted only by “the rules of disregard” as laid down in *Just and Unjust Wars*. The second presumption that foreigners have to make is that the members of the state are inclined to resist military intervention. It implies that if a substantial number of citizens are prepared to fight, any invasion will constitute an aggression (because it forces the loyal citizens to risk their lives).³⁶

Following from the two presumptions, Walzer proposes two kinds of legitimacy for states. “First, then, a state is legitimate or not depending upon the ‘fit’ of government and community.” This is the intrinsic legitimacy of states. A government is elected to forward the cultural life of the historical community. When it fulfils this function, the union of the government and the people can be said to be genuine, and the state legitimate. When it fails, the state becomes illegitimate. Walzer emphasizes that anyone can put forward arguments against illegitimate governments, “but only subjects or citizens can act on them.” For only members have “the right to rebel.” This “right of revolution,” Walzer says, derives from “the tyranny of established governments.” If foreigners intervene to abolish a tyrant or tyrannical government, they violate the people’s right of revolution.³⁷ This is not a very sound reasoning. It would be better to say that the right of culture gives rise to the right of revolution, and that foreigners, who, by definition, do not share that right of culture, have no right to trump revolution

33. D. LUBAN, *Just War and Human Rights*, in *Philosophy and Public Affairs* 9 (1980) 160-181, pp. 167-169.

34. *States*, p. 211.

35. *States*, p. 211.

36. *States*, pp. 212-213.

37. *States*, pp. 214-215.

by intervention. Second, a state is simply presumed to be legitimate in international society. Foreigners “are not to intervene unless the absence of ‘fit’ between the government and community is radically apparent.” This “presumptive legitimacy,” Walzer admits, “suggests a Hobbesian theory of legitimacy: any Leviathan state that is stable, that manages successfully to control its own people, is therefore legitimate.” He thinks that states should accept this argument. But he does not recommend it to the citizens. Since there are two kinds of audiences—members and foreigners, we must distinguish two kinds of legitimacy and make two kinds of arguments. “The confusion of these two kinds of legitimacy, or the denial of the distinction between them,” Walzer charges, “is the fundamental error of these four writers.”³⁸

Although I am sympathetic to Walzer’s thesis, I must nonetheless say that the components of his argument are not well connected and that some of them are even contradictory. I will only discuss those that fall on the main line. To begin with, the statement that foreigners are in no position to judge apparently contradicts with the latter statement that anyone can make arguments. They can be rendered into consistency by arguing that foreigners have no right to make judgement, or that their judgement is speculative and inaccurate. But neither case is convincing. The first case Walzer himself has ruled out, for anyone can make judgement about anything. The second case is more plausible: if someone does not thoroughly understand something, he should not advocate his opinion, especially in the matter concerning the life and death of a large number of people. But the distinction that Walzer makes between authoritative and unauthoritative persons is only partially based on knowledge and experience. The crucial qualification is membership. Only members know; non-members know perhaps, but never for certain. This statement is statistically correct. If we randomly select an equal number of members and non-members and quiz them about the relationship between the government and the people of that particular state, members will most probably score a higher mark. However, this may not be true on an individual basis. A foreigner who has studied the local culture and resided in the country for a long period of time may know better than many members. Such a person is in a position to make judgement, to give advice, or at least to weigh the diverse opinions of the locals. He may not have the right or duty to initiate an intervention; but if a revolution does break out, he will certainly do the historical community a favour by rallying other states to help the side that is more culturally correct. If he is prevented from doing so, it is solely because he is not a member of that state.

Why do members have the exclusive right to determine their future and the exclusive duty to realize it by themselves? It seems that Walzer justifies the right and the duty by referring to the metaphorical contract of “the living, the dead, and those who are yet to be born.” The metaphorical contract derives the right of culture, obliges members to change their government by themselves, and forbids foreigners to intervene, even for the basic welfare of the people or for the sake of the local culture. The rights to culture and rebellion are complex rights, which presuppose a combination of some basic rights, and thus cannot be ranked before the basic rights. Walzer would deny the existence of basic rights as he has denied the existence of basic goods in the *Spheres of Justice*.³⁹ The rationality of his denial is, however, difficult to grasp. A contract of “the living, the dead, and those who are yet to be born” sounds quite mystical. Walzer himself resists accepting any mystical notion about community. To “de-metaphorize” the present-past-and-yet-to-be contract, I can only think of cultural tradition. For the liberals, tradition is non-binding, hence the two kinds of legitimacy are theoretically unfounded. Walzer arbitrarily divides one legitimacy into two, and arbitrarily fixes the rules of disregard. At least three of the four critics refute Walzer’s explanation. Beitz argues that Walzer’s communal integrity has

38. *States*, pp. 214–216.

39. *Spheres*, p. 8.

nothing to do with non-intervention.⁴⁰ Doppelt calls his theory “a statism without foundations.”⁴¹ Luban accuses Walzer of being intoxicated with “the Romance of the Nation-State” and leaving suffering people in the cold.⁴²

At the end of our discussion, I must say that I agree with Wasserstrom that Walzer’s recourse to a theory of rights is “unconvincing” and “unilluminating” in his treatment of intervention. (Though it is better than the utilitarianism of rights in *jus in bellum*.) The curious thing is that I don’t find Walzer’s conclusions “suspect” or “unattractive”; on the contrary, I find them prudent and attractive. I find the four revisions appropriate. I agree that states should be left alone to manage their internal affairs. I accept that the common life is a continual project, and that only members are entitled to shape it. I even contemplate a bit the mystical union of “the living, the dead, and those who are yet to be born.” I think one of the root problems of modern men is the refusal to admit the connection. So, Doppelt is inaccurate to dub Walzer’s theory “a statism without foundations.” There are communities, membership, and cultural traditions. There are members who want to live in an enclosure relatively free from external intervention. These are the social *res* on which Walzer’s theory grounds.

Luban’s charge is unfair and his expression is extravagant. Walzer is not a defender of absolute self-determination. Just the opposite, he advocates intervention. The question is how to draw the line. Precisely because he does not perceive the world with an *a priori* romantic ideal, does he try to balance communal integrity with the benefits that intervention may bring. Walzer is realistic in acknowledging that states intervene for mixed motives. He is also realistic to recognize that international society is an association of nation-states (mostly) without a central government. The UN is not yet the governing head. States, for good reason, do not want a higher authority right now. Philosophers may be correct to say that basic human rights are universal. But their enforcement, Walzer points out, requires a local authority. “It is not the case,” he writes, “that one can simply proclaim a list of rights and then look around for armed men to enforce it.”⁴³ Where to find the men and how to organize them are big problems. At present, violence is centralized in the hands of state governments, who are also the only ones responsible for enforcing human rights. Because of their self-interest, it is best, except on some special occasions, to confine a state to act only within its own territory in its enforcement of law. A global authority, which could transcend the self-interest of nation-states, is yet to come. And as long as there is no cosmopolitan authority, Beitz and Luban’s cosmopolitan moral theories remain impractical. It seems to me that Beitz and Luban are more romantic in following Kant’s idealistic conception of international society.

The problem of Walzer’s theory of aggression lies in his grounding of territorial integrity and political sovereignty on the concept of human rights. His attempt to hold the particular and the universal in balance, and the line he draws are prudent. But once the universal is introduced, it would be difficult to stop it at a particular point. Walzer recognizes this problem, and he struggles to check, but unsuccessfully, the rights of life and property by articulating the rights of culture and revolution. Consequently, his theory becomes inconsistent. Nevertheless, there is a way out of this difficulty hidden in Walzer’s arguments.

The first step is to declare that international society has formed a separate sphere independent of the domestic society, despite the fact that the rights of states are derived theoretically from the rights of individuals. Walzer has already hinted at this: “The international standing of governments derives only

40. C. R. BEITZ, *Nonintervention and Communal Integrity*, in *Philosophy and Public Affairs* 9 (1980) 385-391.

41. G. DOPPELT, *Statism without Foundations*, in *Philosophy and Public Affairs* 9 (1980) 398-403, p. 403.

42. D. LUBAN, *The Romance of the Nation-State*.

43. *States*, p. 226.

indirectly from their standing with their own citizens. The derivation is complex because it is mediated by foreigners and because foreigners are not confronted (as citizens are) by a naked government, but by a state.”⁴⁴ To be more exact, the foreigners are not benevolent philosophers or ordinary people; they are high officials of governments, and powerful men and women. They concern themselves mainly with stability and the balance of power than with the issue of human rights. We really cannot expect the international rules they make would fit in comfortably with a theory of human rights. The morality of the international society is not ideal, just as that of any domestic society is not ideal. We have to accept it as such, and then seek ways to improve it.

Self-determination and non-intervention are the two primary principles of international society. But they are not absolute. Sometimes it is necessary to override them. The rules of disregard cannot be grounded on the rights of life and liberty. Perhaps, they can be grounded on acts “that shock the conscience of mankind.” We respect the sovereignty of a state, and presume the legitimacy of its government, until the government does something that shocks our moral conscience. The decision-making is chasmal rather than continual. After a certain point, we will refuse to accept the legitimacy of a government and permit intervention. Acts that shock the conscience of mankind are intuitive perception, but in no way vague. Human history has given us an overwhelming record of acts that we as decent human beings abhor and would unite together to fight against. Walzer’s use of the casuistic method to locate them is correct. He lays down some cases in his writings. The total number of such acts is of course open to discussion. But it is not Walzer’s intention to give an extensive list of those acts. Thus far, I have outlined a possible theoretical justification of humanitarian intervention. As for national liberation and counter-intervention, along with their rules of engagement, I believe appropriate solutions can be deduced from the principle of self-determination.

C. FIGHTING WELL

The application of deontological thinking in *jus in bello* is one of Walzer’s major achievements in *Just and Unjust Wars*. In comparison with proportionality, it gives more consideration and protection to non-combatants. It is a good thing that the lives of innocent civilians should take precedence over military necessity. Most ethicists would agree with that. Maybe this is the reason why few critics have criticized Walzer in the area of *jus in bello*.⁴⁵ Brian Orend is one of the few exceptions. Even then, he praises Walzer’s defence of non-combatant immunity as “eloquent and formidable.”⁴⁶ Nevertheless, he is uncomfortable with an absolute separation of the two justice of war. He finds Walzer’s arguments questionable and fears that their implications are morally problematic. In a few pages, Orend rebuts every argument that Walzer has made on behalf of the soldiers for their innocence of aggression, and concludes that not only should politicians be held accountable, but some soldiers should also bear the responsibility for the aggressive war they have participated.⁴⁷ His argument is concise and to the point. There seems no need to reiterate the weaknesses of Walzer on that subject. Instead, I will shift the focus from the tension between *jus ad bellum* and *jus in bello* to the tension between collectivity and

44. *States*, p. 212.

45. I follow Walzer’s division in putting supreme emergency and nuclear deterrence, which are very controversial, outside the category of *jus in bello*.

46. B. OREND, *Michael Walzer*, p. 134.

47. B. OREND, *Michael Walzer*, pp. 112-115.

individuality—a tension which Walzer endeavours to balance but fails to formulate consistently in his theory.

1. The moral equality of soldiers

It will not be overemphasized to stress the importance of the separation of the rules of war into two categories: *jus ad bellum* and *jus in bello*. A just war must be fought with just means, even an unjust one must also be fought with just means. The first case is understandable, whereas the second seems somewhat strange. Why should an aggressor, who first commits the crime of war, be obliged to the rules of war? The answer has to do with the recognition of other people as fellow humans and of a certain civilized way of cohabitation. The society of nations may have quarrel, fighting, aggression, oppression, and even killing among us, but we do not want to make a permanent enemy, least of all to annihilate one another. To live in such a civilized way requires us to fight well regardless of the kind of war we are fighting, be it just or unjust.

Walzer follows accordingly the traditional wisdom in upholding the two sets of war morality. *Jus ad bellum* is for the decision-makers, and *jus in bello* for the soldiers. Soldiers should not be held responsible for the unjust war they have fought, but they are held accountable for the acts they have done in the war. These principles are widely accepted and have thus been written into the international law. There seems nothing in dispute. Problems emerge however, when Walzer introduces a new legitimation for the war convention. The division of responsibility was first made not on behalf of the soldiers but on behalf of their leaders. Sovereigns were then thought to have the right to make war. Soldiers had no right to question the legitimacy of superior order. They had the duty to follow order and the right to fight. This reasoning, Walzer points out, is outdated. Since World War I, war-making has been legally banned. On the other hand, the rules of fighting have not been abolished but expanded. Walzer thinks that this is the right direction. Although a war cannot be just on both sides, soldiers on either side can be just if they fight by the rules of engagement. Hence he proposes that soldiers are “moral equals” in fighting a war that is not their volition.⁴⁸

Walzer emphatically makes a strong claim that soldiers should not mistreat enemy soldiers. His reason is not so much that they are fellow men as that these fellow men are not criminals. They are caught in a battle that they would choose to avoid if they could. They are pawns in a tragedy:⁴⁹

“Armed, he is an enemy; but he isn’t *my* enemy in any specific sense; the war itself isn’t a relation between persons but between political entities and their human instruments. These human instruments are not comrades-in-arms in the old style ... they are ‘poor sods, just like me,’ trapped in a war they didn’t make. I find in them my moral equals.”

From this point of view, all soldiers are victims of war, and as victims, they should treat each other sensibly by fighting strictly according to the rules.

If the sense of tragedy is real in the trenches and a reflection on it leads to the exercise of restraint in fighting, why doesn’t a deeper reflection result in the refusal of entering into the tragedy of war—that is, why don’t soldiers refuse to fight an unjust war? They can avoid playing their part in the tragedy if they oppose an unjust war and refuse to take part in it. Walzer’s answer is general and self-contradictory. His first response is that soldiers as ordinary folks are “pawns of war.” They are incapable of deciding whether a war is just or unjust, and will follow whatever their political leaders

48. *Wars*, pp. 36, 40–41.

49. *Wars*, p. 36.

tell them to do because of “their routine habits of law-abidingness, their fear, their patriotism, their moral investment in the state,” or because “they are so terribly young when the disciplinary system of the state catches them up and sends them into war that they can hardly be said to make a moral decision at all.”⁵⁰ Such position seems to deny the moral freedom of ordinary people. But this is not what Walzer intends—he only wants to free them from the responsibility of aggression. So he immediately adds:⁵¹

Soldiers are not, however, entirely without volition. Their will is independent and effective only within a limited sphere, and for most of them that sphere is narrow.

What does that limited sphere comprise? The moral knowledge of killing prisoners and innocent people, of raping and looting, in brief, the rules of fighting, but not the rules of making war, thus delimits Walzer. Yet this separation of volition looks too neat and tidy, as if soldiers had lost their sobriety at home but suddenly came to their senses on the battlefield. It is unconvincing, and indeed entirely arbitrary. In most cases, I suspect, ordinary people can distinguish a just war from an unjust one. The examples that Walzer cites to rebut realism, in Chapter I of the *Wars*, bear witness to the fact that the Greek generals and the people in the assembly of Athens knew that they were prosecuting unjust wars.

“The pawns of war” is not an entirely unappealing idea. For people living in undemocratic countries, they have few options but to comply with the enlistment. Walzer gives a better argument by quoting a soldier in Shakespeare’s *Henry V*: “We know enough if we know we are the king’s men. Our obedience to the king wipes the crime of it out of us.”⁵² This is the belief of ordinary soldiers; their training and profession cultivate it. If soldiers are bound to an authoritarian ruler or government, it is unreasonable to blame them for their obedience to the superior order. In many cases, I would agree with Walzer at this point. However, many countries nowadays have a democratic system. Soldiers are citizens, and they have a say in the making of war. They are not subjects of a sovereign but free men and free women. Could Shakespeare’s plea be applicable to them?

Walzer does not entertain this challenge immediately. At the end of his book, he says that democratic citizens are still bound men—they are bound to the democratic system because of their patriotism. As citizens, they are responsible for the decision they make. Nonetheless, we should not blame them for their participation in the war as soldiers. “Why aren’t they responsible as soldiers?” Walzer asks himself in a footnote. “If they are morally bound to vote against the war, why aren’t they also bound to refuse to fight?” “The answer is,” he says,⁵³

that they vote as individuals, each one deciding for himself, but they fight as members of the political community, the collective decision having already been made, subject to all the moral and material pressures [that are mentioned above] ... They act very well if they refuse to fight ... That doesn’t mean, however, that the others can be called criminals. Patriotism may be the last refuge of scoundrels, but it is also the ordinary refuge of ordinary men and women...

Democratic citizens are obligated to fight as soldiers regardless of what options they have chosen. It implies that democracy is not a voluntary association, but a coercive system. Citizens of a democratic society have the right to express their opinions and to cast their votes. But once the majority opinion is confirmed through the established procedure, they have to obey that decision. On the one hand, Walzer praises those who refuse to take part in an unjust war, and argues that democratic society should

50. *Wars*, pp. 39–40.

51. *Wars*, p. 40.

52. W. SHAKESPEARE, quoted in *Wars*, p. 39.

53. *Wars*, pp. 299–300, n.

tolerate conscientious objectors.⁵⁴ On the other hand, we should not blame those who do take part because patriotism explains everything. Soldiers of a democratic society, to paraphrase the words of the Shakespearean soldier, would say: “We know enough if we know we are the citizens of a democratic society. Our obedience to democracy wipes the crime of it out of us.”

Walzer equates obedience with patriotism, this is both dangerous and misleading. It is dangerous because it endorses, if not promotes, blind loyalty. An example may best illustrate what I mean. Suppose my country called for a general assembly to decide upon a resolution proposing to invade a neighbouring state and to reduce its citizens to subordinate subjects. The resolution was passed by the majority despite my voting against it. So I went along with the decision, fought and won the battle. As a result, my neighbour was suppressed and exploited. I, however, was not responsible for their misery because I fought strictly according to the rules and I did not take part in the suppression or exploitation. I don't know what Walzer's response would be to this case. I don't think I could have a clear conscience, nor would my neighbour consider me blameless. The equation is also misleading because it assumes that patriotism is blind. For the love of one's country, one has to do whatever it commands even though one knows that it is wrong. This is a misunderstanding of love. True love requires one to denounce injustice, especially the injustice done by one's beloved country, rather than to become an accomplice. I suppose Walzer would probably agree with this, for in his *Company of Critics*, he has endeavoured to demonstrate that love is an indispensable quality in the enterprise of social criticism.

Patriotism should not be put up as a refuge for wrongdoing. The argument that Walzer puts forward may better be called constitutional integrity. An advanced society is organized on principles. (For simplicity's sake, let us assume that the society has only one principle.) Its members and its institutions are held together by the principle. In order to maintain the integrity of the society, this principle is taught to the younger generation, repeatedly elucidated in the public, consecrated as a creed, and protected by law. Although the principle is crucial to the coherence of the society, it does not give us a perfect society. When it comes into conflict with other ideas of justice or goodness, we sometimes have to give preference to the principle for the sake of the society as a whole. (Walzer's spheres of justice looks like a remedy, but in fact, it is governed by the principles of separation and democracy.) Socrates gives us a classic example here. After he was convicted of some unjust accusations by the juries and sentenced to death, Socrates was put in jail where he waited for the execution. As a last effort to save him, his friend Crito came to the jail in the hope of persuading him to accept a plan of escape. Socrates gratefully refused it. The main reason he gave was that his escape would break the constitution of Athens and harm everybody. He was condemned through a democratic procedure, an ideal he had long espoused and defended. If he did not accept now the consequence of democracy, he would violate his own belief, and undermine the integrity of Athens. Hence Socrates chose to drink the hemlock instead of breaking the constitution.⁵⁵ Perhaps Socrates should be praised for his principled heroism. Nevertheless, I do not think that constitutional integrity should be protected at any cost and in any case. If a wrong is done to me, it is all right for me to accept it for the common good. But if the wrong is done to the others, I would have great reservation in using the constitutional integrity to justify my compliance, especially in the case of an aggression. But this is not what Walzer opines. He argues that soldiers are always innocent of aggression, and that this principle holds even for Hitler's generals.

54. Cf. M. WALZER, *Conscientious Objection*, in *Obligations. Essays on Disobedience, War, and Citizenship*, Cambridge, MA - London, 1970 (repr., 1994), 120-145.

55. PLATO, *Crito*.

Erwin Rommel, who was one of Hitler's generals, is renowned for his chivalry in WWII. "He fought a bad war well," Walzer comments, "not only militarily but also morally." Rommel is particularly remembered for his courage in insulting Hitler's vicious order. "It was Rommel," a biographer writes, "who burned the Commando Order issued by Hitler on 28 October 1942, which laid down that all enemy soldiers encountered behind the German line were to be killed at once...." Biographer after biographer praises him for his good conduct in war. Walzer interprets these compliments as the verdict of Rommel's innocence: "It would be very odd to praise Rommel for not killing prisoners unless we simultaneously refused to blame him for Hitler's aggressive wars." Why? "For otherwise he is simply a criminal, and all the fighting he does is murder or attempted murder...." "But we don't view Rommel that way: why not?" Walzer continues. "The reason has to do with the distinction of *jus ad bellum* and *jus in bello*."⁵⁶ Walzer is right that Rommel is not a murderer, but he is wrong that Rommel is thus not a criminal. Precisely because there are two laws of war, Rommel has to be judged twice. He is innocent in the measure of *jus in bello*, but he may or may not be a criminal of aggression. His case is complicated, and it is not my purpose here to reach a conclusion. Judging by his intelligence and high ranking in the hierarchy, he probably knew that he was fighting an aggressive war, and that Hitler was prosecuting an evil plan. His participation in the war as a general compromises him in Hitler's conspiracy. Walzer acknowledges this principle when he writes: "We should expect opponents of the war to refuse to become officers or officials, even if they feel bound to share combat risks with their countrymen."⁵⁷ Rommel is not a murderer, but he may be a criminal of aggression.

Constitutional integrity is not a moral refuge for aggression. Walzer provides an argument for it based on the fact that international law grants soldiers immunity from aggression. But international law is not the totality of morality. A person who is legally blameless may not be morally blameless. Hence to grant moral equality to every soldier is theoretically unsound. It also does not match our moral sense. Sometimes we are certain that the enemy soldiers are criminals—they commit the crime of aggression. I fight according to the rules and refuse to kill prisoners not because they are "poor sods, just like me," but because they are humans, just like me. My goodness restrains my natural tendency to retaliate. Christians call it "the love of God," while Confucians name it "the way of heaven." This understanding may appear to Walzer as supererogative: it is a nature of angels perhaps, but too heavy to be a virtue for men. He attempts to explain the consequence of love in terms of justice—an attempt that is bound to fail. In some cases, my enemies are my moral equals. In others, they are aggressors. But moral equals, and aggressors alike, are to be treated according to the rules. We have no right to punish aggressors privately, just as we have no right to lynch domestic criminals.

Before thorough investigation and formal conviction, soldiers of the aggressive side are only war crime suspects. Justice requires us to judge each and every soldier on an individual basis. Evidence must be brought forward if a charge beyond reasonable doubt is to be established. A summary judgement on the whole invading army is mercilessly unfair. In the battlefield, while the guilt of a soldier is still to be proved, he should have the benefit of doubt, and be assumed innocent. It would be too naïve to call the soldiers of an aggressive army my moral equals. By the same token, it would be crude to label them criminals. The soldiers' innocence must be assumed unless proved otherwise. But when ambiguity hangs on the status of soldiers in the battlefield, how could they fight justly?

56. *Wars*, p. 38.

57. *Wars*, p. 300, n.

2. Legitimate targets

The war convention is the most useful guide. We have inherited a war convention that stipulates the right acts of fighting. We find in it the general conception of war, which is “a combat between combatants” where the specifications of engagement are arbitrary and inconsistent.⁵⁸ In order to form a consistent moral view, these rules of fighting must be subject to revision. Soldiers and generals, statesmen and lawyers, all attempt to interpret and alter them. Philosophers are eager to join in the discussion, and they virtually regard themselves as the mentors of the other participants. They think that they can give the best account of the war convention, and can instruct the others to make the hard choice under duress. Actually the theologians are the traditional teachers of warfare morality, and the reasoning they devise is a combination of double effect and proportionate reasoning. Modern English philosophers take over the Scholastic methodology and modify it into their utilitarianism. The result is an ethical (or rather pseud-ethical) reasoning flexible enough to accommodate politics and to cope with modernity’s demand for novelty. Walzer, however, does not appreciate the utilitarian flexibility in the morality of war: “With regard to the rules of war, utilitarianism lacks creative power.”⁵⁹

How can a flexible way of thinking that opens traditional morality to novelty be uncreative? Walzer’s answer is that it is so flexible or permissive that it tells us nothing about the moral restraint on fighting except the economy of force. He quotes Henry Sidgwick, who is said to be the most sensitive utilitarian, as an example: “In the conduct of hostilities, it is not permissible to do ‘any mischief which does not tend materially to the end [of victory], nor any mischief of which the conduciveness to the end is slight in comparison with the amount of the mischief.’”⁶⁰ Sidgwick’s two prohibitions can be translated into the following positive principles:

1. a legitimate military action is one that contributes towards the final victory;
2. its effectiveness to the victory must outweigh its harm inflicted on mankind.

The first principle is far too lax: almost any planned act of force can be called legitimate. The second principle intends to impose a restraint on the first, but in practice, it proves difficult to measure the destruction of war, or to compare it with its effectiveness. The overall moral restriction it prescribes is minimal—it prohibits aimless, ineffective, and excessive employment of force. In the end, there is not much difference between the utilitarian ethic of war and military strategy. Indeed, any tactics instructor will teach his cadets to aim at their targets as accurately as possible and to carry out the action in the most effective way. The utilitarian argument can in no way help us understand the complex rules that we have imposed to limit the violence of war. Not only that, it “sets the interests of individuals and of mankind at a lesser value than the victory that is being sought,” Walzer charges.⁶¹

Although the indictment is stated without comprehensive argumentation, I think Walzer is right. The value of life is fundamental to the Judeo-Christian culture. “Thou shalt not kill” is the first principle that we have to observe. Sometimes we have to kill people, but only for the protection of life. Moreover, we can only kill the persons who are directly related to the crime. In the case of war, we may not be able to avoid harming innocent people, but we are responsible to reduce their risk. The utilitarian formulae concern more about victory and the effectiveness of war than the lives of innocent people. To correct its mistake, Walzer re-emphasizes the value of innocent life by defining the legitimate targets in detail. Here we will only extract some general principles instead of going into the complication.

58. *Wars*, p. 42.

59. *Wars*, p. 133.

60. H. SIDGWICK, quoted in *Wars*, p. 129.

61. *Wars*, p. 129.

The war convention divides people into two main categories: soldiers and civilians. Soldiers are legitimate military targets, whereas civilians are not. Bearing arms and intending to harm, soldiers are dangerous persons. It will not be wrong to shoot at such hostile men as a kind of self-defence. When soldiers are captured and disarmed, or wounded, their dangerousness is neutralized, and thus they are granted immunity from attack. Now, Walzer wants to extend the last rule to include soldiers who are not in the state of fighting. He cites war memoirs to show that it is wrong to shoot at unalert enemy soldiers. Soldiers testify that killing an enemy soldier not in a state of inflicting harm is like committing murder. The reason is that soldiers are first and foremost human beings who happen to become fighters, often unwillingly. They take up the role of soldiers, but they never give up their humanity. If they do not intend to harm me, it is wrong for me to kill them. This is a high standard. It is not an option, though. Walzer argues that it is a moral duty of soldiers to observe this rule.

Modern warfare has extended the attack on soldiers to civilians. This trend has become almost impossible to reverse because of the industrialization of war. Today's military operations depend heavily on the production lines, which provide them with munitions and other supplies. If these lines are cut off, a battle can be won and ended quickly. Those who work in factories producing weapons, ammunition, equipment, and subsistence necessities are mainly civilians. An attack on these production sites or transportation routes will inevitably harm these civilian workers. Is this not a violation of the civilian immunity principle? Walzer makes a compromise by further dividing civilians into two groups. In a modern state, the various sectors of the society is highly integrated. When the state goes into war, the government can direct the whole society to work for the war effort. So everyone who contributes to the fighting can be counted as a legitimate target. Consequently, the whole working population becomes a military target. If this is the case, then every war will be a total war. In order to limit the destruction of war, Walzer distinguishes those who make weapons for the soldiers from those who feed their bellies. "When it is militarily necessary," he says, "workers in a tank factory can be attacked and killed, but not workers in a food processing plant."⁶² The former group manufactures weapons that make the soldiers dangerous. They are "munitions workers," and "partially assimilated" into the army. They are liable to attack when they are working in the factory. But when they leave the factory, they become ordinary civilians again and they regain their immunity. The latter group produces necessities that keep the soldiers alive but not dangerous. Though they work for the army, they are simply civilians, and should not be intentionally aimed at.

3. Double effect and due care

Innocent civilians die in war even if every precaution has been taken. I drop a bomb on a munitions factory. The factory is destroyed, together with its production workers, administrative staff, cleaning teams, kitchen helpers, and other subordinate workers. My aim is to destroy the factory that produces munitions; the production workers and the administrative staff put their own lives at risk, and it is not my fault to have them killed. But how about the other workers in the factory? Their activities are not directly related to the production of munitions, and they should be counted as ordinary civilians. They die also, innocently, as I bomb the factory. The munitions workers' relatives are harmed as well as a consequence of my destructive act: parents lose their sons and daughters, women become widows, husband widowers, and children are deprived of parents. They mourn, some of them may plunge into

62. *Wars*, p. 146.

starvation, and some may even die prematurely. All these miseries are the direct and indirect consequences of my act. Could I be innocent of their suffering?

Traditionally, double effect is the method used to justify the unintended physical evil caused by an act. Thomas Aquinas is believed to be the first one to formulate this moral principle. In the *Summa Theologiae*, Thomas asks himself: Is it legitimate for a man to kill another in self-defence? His answer is affirmative, and he defends his position using the principle of double effect. His argument consists of a general principle, a particular application, and a proviso:⁶³

- (1) For every action, there may be two effects, of which one is intended, and the other is beyond intention. As far as morality is concerned, only the intended effect should be taken into consideration, since the unintended effect is merely an accident.
- (2) In a self-defence, it may happen to have a double effect: the preservation of one's own life, and the killing of the assailant. If the defender intends on the good effect according to his natural instinct—to preserve his life, he is not guilty of killing the assailant.
- (3) However, an good intended act can be rendered unlawful if it is not proportionate to the end (*si non sit proportionatus fini*). For instance, if the defender uses more violence to defend himself than is necessary, his defence is unlawful.

Good intention alone can become a licence for recklessness. To check its misuse and to insure that decision is made with due deliberation, Thomas introduces the idea of proportionality. Although I am not morally responsible for each of the side-effects, I am the cause of them, and thus responsible for them as a whole. When I choose an act as a means to my end, I must make sure that the means must be proportionate to the end. At first sight, the principle of double effect looks like a neat formula for making moral decisions that involve multiple effects. However, we have to be careful and not be misled by its simplicity. Double effect is in reality quite difficult to apply to complicated cases, especially to the fighting of modern wars, where a mass of innocent people will be harmed as unintended side-effects. The trickiest part of the principle is the *actus proportionatus fini* clause. It is unclear what “proportionate” should mean in the text. People have given different explanations for it. In effect, proportionality only asks for a “commensurate reason,” and imposes an unqualified limitation on the means employed.⁶⁴

Despite its ambiguity, Walzer opines that the double effect is a better moral principle than the utilitarian one. He would prefer to use this principle to resolve the moral issue of non-combatants killed in an attack. He interprets and reformulates it into four rules.⁶⁵ The first three are in compliance with the Catholic tradition, but the last one is quite unconventional. Walzer interprets the proportionate clause in line of utilitarian thinking, and equates the fourth rule exactly as the two utilitarian principles given by Sidgwick. He then reasons that the proportionality principle does not guarantee that “due care” will be given to the innocent people affected by the side-effects. “The principle of double effect, then, stands in need of correction,” Walzer says. And he proposes as thus:⁶⁶

The intention of the actor is good, that is, he aims narrowly at the acceptable effect; the evil effect is not one of his ends, nor is it a means to his ends, and, aware of the evil involved, he seeks to minimize it, accepting costs to himself.

63. T. AQUINAS, *Summa Theologiae*, IIa IIae, q. 64, a. 7 in corp.

64. P. KNAUER, *The Hermeneutic Function of the Principle of Double Effect*, in C. E. CURRAN & R. A. MCCORMICK (eds.), *Readings in Moral Theology No. 1. Moral Norms and Catholic Tradition*, New York, NY - Ramsey, NY - Toronto, 1979, 1-39, p. 5. The article was first published in *Natural Law Forum* 12 (1967).

65. Cf. *Wars*, p. 153.

66. *Wars*, p. 155.

The proposal is a good one, though “correction” is probably overstated. Walzer’s argument is that since there is a double effect, there must be a double intention. The actor intends the good effect, and foreseeing the evil effect, he has to intend to minimize it. The second intention is not a new proposal. It is already in the mind of Thomas when he puts forward the constraining principle of proportionality. That principle is meant to minimize the evil effect, though it is not clearly articulated. The principle of proportionality as formulated by Thomas is ambiguous. Later theologians have to interpret and reformulate it. Walzer’s “correction” is one among them. It would be more appropriate to call his proposal a clarification or qualification. The new contribution that Walzer actually makes is the proviso “accepting costs to himself.” It stipulates that the actor must minimize the evil effect in such a way that he has to shoulder a certain amount of risks himself. Exactly how much risks should he take? Walzer cannot specify, though it is sure that soldiers cannot take all of them. Otherwise, they cannot fight. It is equally sure that “due care” must be taken to avoid harming innocent civilians, and that it must be incorporated into the military tactics. There is no better indication of one’s intention of care than taking on some risks oneself.

D. FIGHTING UGLILY

1. Supreme emergency

The war convention delimits the conduct of fighting. Soldiers and politicians sometimes argue that the convention must not be strictly applied. It is said that under the duress of war, or in the event of “surprising military developments,” it will become necessary to disregard the rules and to choose whatever course required to defeat the enemy. Walzer takes this argument seriously and devotes a larger part of *Just and Unjust Wars* to dealing with this issue. After a careful study of some typical cases, he draws a line between the necessity of victory and supreme emergency. When generals or politicians speak of necessity, they actually speak hyperbolically about the necessity of victory. Not only that they have to win, but also that they have to win in the least costly way. The necessity of victory forces them to set aside the rules and to transfer their due risk and cost of war to the enemy or to a third party. Bethmann Hollweg, the then German Chancellor, expressed this idea frankly in the speech to the Reichstag after the invasion of Belgium in August 1914: “Gentlemen, we are now in a state of necessity, and necessity knows no law. Our troops have already entered Belgian territory.”⁶⁷

Walzer does not recognize the necessity of victory as a necessity at all. In the first place, fighting does not entail winning, and in the second, it is always wrong to put efficiency before innocent lives. Nevertheless, Walzer does recognize some extreme circumstances which impel the use of extreme measures. He borrows the words “supreme emergency” from Winston Churchill to name such situations. In a debate over the Norwegian neutrality in the early Second World War, Churchill told the Cabinet: “The letter of the law must not in supreme emergency obstruct those who are charged with its protection and enforcement.” Churchill sees Britain as the defender of law and the Nazi Germany as the cunning offender who violates one set of laws and shelters behind another set of laws. Since the victory of the Nazis would mean disaster to both Britain and other European countries, the war against Nazism is a supreme emergency. In supreme emergency, people on the right side, Churchill says, “have

67. B. HOLLWEG, quoted in *Wars*, p. 240.

a right, indeed are bound in duty, to abrogate for a space some of the conventions of the very laws [they] seek to consolidate and reaffirm.”⁶⁸

The “moral necessity” to defeat the Nazis, Walzer opines, is clear, but Britain was not in supreme emergency when it breached the neutrality of Norway.⁶⁹ Churchill at that time was still confident of the Royal Navy—perhaps he drags the Norwegians into war because the Norwegian waters offer the Navy an ideal terrain to beat the Germans. What constitutes a supreme emergency, according to Walzer, must satisfy two criteria: first, the danger is imminent, and second, its outcome would be unbearable. “Close but not serious, serious but not close—neither one makes for a supreme emergency.” Imminence and seriousness, however, are two qualities seldom agreed upon. Walzer defines imminence as a pressing threat that cannot be diverted without resorting to prohibited means, and seriousness as a kind of “unusual and horrifying” threat to humanity. He pinpoints Nazism at “the outer limits of exigency” and describes it as “evil objectified in the world.” While fighting against the evil, we can use whatever means available, even the killing of innocent lives. Besides the objectified evil, Walzer also circumscribes the “threat of enslavement or extermination” of a nation within the boundary of supreme emergency.⁷⁰

Nazism was a serious threat to the European nations, but its danger was not imminent in 1939 and early 1940. Britain was then not in a state of supreme emergency. Churchill’s plea was only a political rhetoric. That rhetoric, according to Walzer, became palpable by the summer of 1940: the Nazi army was triumphant, and the British forces felt themselves incapable of hindering its rapid advancement. It seemed that Britain would lose the war if it continued to employ conventional strategy. Britain did not have effective measures to harm the German army, but it had more than enough power to destroy the German civilian population. In November 1940, the Bomber Command was ordered to drop bombs in the centres of German cities. To demoralize the civilians, working-class residential areas instead of munitions factories were designated as the prime targets. This area-bombing strategy was carried out up to the end of the war. As a result, some 300.000 Germans were killed and 780.000 seriously wounded. What is more, the British policy of terror bombing brings further grim consequences: “it was the crucial precedent,” Walzer observes, “for the fire-bombing of Tokyo and other Japanese cities and then for Harry Truman’s decision to drop atomic bombs on Hiroshima and Nagasaki.”⁷¹ Though accusing the British of committing heinous crimes, Walzer grants them at the same time the right to do so. They are both right and wrong. They are right because they were in supreme emergency and should use the extreme measure to defeat the Nazis.⁷² They are wrong because they killed innocent people. They are right in *jus ad bellum*, but wrong in *jus in bello*. The right cannot right the wrong, and the wrong cannot corrupt the right. This is, Walzer says, a dilemma of war.

2. Utilitarianism of extremity

Walzer lists four different ways to deal with the dilemma of supreme emergency:⁷³

- 1) the war convention is simply set aside (derided as “asinine ethics”) under the pressure of utilitarian argument;

68. W. CHURCHILL, quoted in *Wars*, p. 245.

69. *Wars*, p. 248.

70. *Wars*, pp. 252–254.

71. *Wars*, p. 255.

72. Walzer points out that after 1942, the Russian and the American forces in the allies “rendered other possibilities open.” (*Wars*, p. 261.) That means Britain was not in supreme emergency from the summer of 1942 onwards.

73. *Wars*, pp. 231–232.

- 2) the convention yields slowly to the moral urgency of the cause: the rights of the righteous are enhanced, and those of their enemies devalued;
- 3) the convention holds and rights are strictly respected, whatever the consequences; and
- 4) the convention is overridden, but only in the face of an imminent catastrophe.

These four approaches can be called, respectively, extreme utilitarianism, sliding-scale utilitarianism, moral absolutism, and utilitarianism of extremity. Sliding-scale utilitarianism and utilitarianism of extremity, Walzer says, are “the most interesting and the most important” because “they explain how it is that morally serious men and women, who have some sense of what rights are, come nevertheless to violate the rules of war, escalate its brutality and extend its tyranny.”⁷⁴ Why is it so? Because it concerns Walzer’s disposition to place morality in the framework of politics. Morality purged of politics is the idealists’ dream, while politics devoid of morality is the misconception of the realists. Walzer claims his argument to be a correction of “the traditional philosophical dislike for politics,” and a rebuttal of the common political insensitivity toward morality.⁷⁵

The not so interesting and not so important extreme utilitarianism is a thinking insensitive to morality. Mao Tse-tung, Walzer opines, was a practical man who despised those who honoured war conventions. Winning and efficiency, for Chairman Mao, are the realities of war. When you go into a war, you mean to win it, and the only rule of fighting is efficiency. This is a familiar argument, but it is not a moral one. To add moral force to it, the war has to be said to be a struggle against evil, and so, in comparison with the reign of evil, the atrocity of war can become negligible. In contrast to Chairman Mao, Walzer cites an ancient Sinaean ruler, Duke Hsiang of Sung. The Duke of Sung had the ambition to revive the past glory of his dynasty, and injudiciously went into war with one of the most powerful states Chu. It was an unbalanced fight. The small Sung fought with the great Chu. Even then, Duke Hsiang decided to keep to the rules of his ancestors. Acting against the advice of his general, he twice refused to attack the army of Chu at the critical moment when it had not yet formed its battle lines. Sung lost the battle, and Duke Hsiang was wounded. The people and the ministers blamed the Duke for the defeat. To defend the decision he had made, the Duke of Sung said, “The superior man does not inflict a second wound, and does not take prisoner anyone of grey hairs. When the ancients had their armies in the field, they would not attack an enemy when he was in a defile; and though I am but the poor representative of a fallen dynasty, I will not sound my drums to attack an unformed host.”⁷⁶ Chairman Mao derided the ancient teaching as “asinine ethics,” but Walzer insists that the rules of war cannot be lightly pushed aside, for their essence concerns the rights of innocent people.⁷⁷ Right is not an category in ancient China. The people of China have another word for it: *yen* (which can be partially translated as love). Chairman Mao might dismiss *yen* as a useless idealist idea. Apparently, he was right: the Duke of Sung lost the battle and died a few months later, but Chairman Mao ruled up till the very end of his life. Yet history is still waiting to unfold the full impact of the disasters that the people of China will have to suffer.

Moral absolutism might stand for “the traditional philosophical dislike for politics.” Walzer has only a few words against it. Perhaps moral absolutism is too naïve to have any influence among the men and women in politics. Or perhaps Walzer has some sympathy with the absolutists. He simply says, “*Fiat justitia ruat coelum*, do justice even if the heavens fall, is not for most people a plausible moral doctrine.” “The Duke of Sung was right not to break the warrior code for the sake of his dynasty. But if what is being defended is the state itself and the political community it protects and the

74. *Wars*, p. 232.

75. *States*, p. 228.

76. *The Chinese Classics*, Vol. V: *The Ch'un Ts'ew with The Tso Chuen*, trans. and ed. J. LEGGE, Oxford, 1893, p. 183. (Duke Hi 22 winter.)

77. *Wars*, pp. 226, 228.

lives and liberties of the members of that community....”⁷⁸ The Battle of the River Hung, so it was called, is not as simple as Walzer has it. Duke Hsiang himself is a controversial figure. It is true that the Duke of Sung is fighting for the glory of his dynasty, but his act cannot be justified in the Sinaean context either. His ministers, in fact, stand in the position where Walzer would approve—that is, they stand on the side of the people and charge the Duke of recklessly putting the lives of the people at risk. The Duke answers that he cannot break the principle of *yen* even for the sake of his own people. In reality, the Duke has already broken the principle of *yen* by first going into war. Nonetheless, Walzer is right to remind us that *fiat justicia ruat coelum* is not a plausible moral doctrine for most of the Sung people.

What can ethicists do then, if people are not willing to do justice when the heavens fall? Either they could leave them and let the politicians make up some justifications to rationalize their atrocities. Or, they could find a compromise that is better than the politicians’ justification to lead the people through the hard time. Walzer chooses the second position, and thus sliding-scale utilitarianism and the utilitarianism of extremity would appear to him to be the most interesting and the most important.

Sliding-scale utilitarianism, according to Walzer, is not the right way of mixing morality with politics. Its basic tenet is that the side in the right should be given more chance to win. To improve the chance of winning, it has the right to use some means that the side in the wrong is not permitted to use. “The more justice, the more right,” as Walzer puts it.⁷⁹ Walzer suspects that John Rawls has this idea in mind when he says:⁸⁰

Even in a just war, certain forms of violence are strictly inadmissible; and when a country’s right to war is questionable and uncertain, the constraints on the means it can use are all the more severe. Acts permissible in a war of legitimate self-defense, when these are necessary, may be flatly excluded in a more doubtful situation.

Walzer immediately interprets these lines as: “The greater the justice of my cause, the more rules I can violate for the sake of the cause—though some rules are always inviolable.” It seems Walzer is saying that Rawls is an advocate of sliding-scale utilitarianism. Although Walzer later explains that “Rawls might be taken to mean that borderline cases should be decided systematically against that country whose ‘right to war is questionable...,’” his overall portrait of Rawls is ambiguous and quite misleading.⁸¹

Walzer is more convincing when he accuses Churchill of using sliding-scale argument during the Second World War. This is clear in one of Churchill’s speeches:⁸²

We are fighting to re-establish the reign of law and to protect the liberties of small countries. Our defeat would mean an age of barbaric violence, and would be fatal, not only to ourselves, but to the independent life of every small country in Europe. Acting in the name of the Covenant, and as virtual mandatories of the League and all it stands for, we have a right, indeed are bound in duty, to abrogate for a space some of the conventions of the very laws we seek to consolidate and reaffirm. Small nations must not tie our hands when we are fighting for their rights and freedom. The letter of the law must not in supreme emergency obstruct those who are charged with its protection and enforcement. It would not be right or rational that the aggressive Power should gain one set of advantages by tearing up all laws, and another set by sheltering behind the innate respect for law of its opponents. Humanity, rather than legality, must be our guide.

78. *Wars*, p. 230.

79. *Wars*, p. 229.

80. J. RAWLS, quoted in *Wars*, p. 229.

81. *Wars*, p. 229.

82. W. CHURCHILL, quoted in *Wars*, p. 245.

Churchill's argument, Walzer admits, is powerful. Being taken out of context and given a positive interpretation, the argument appears to me to be even more convincing than Walzer's. Walzer, however, interprets the speech within its context. Britain at that moment was not in supreme emergency, Norway was not the enemy of Britain, and the occupation of Norway did not constitute an immediate factor that would contribute to the defeat of the Nazis. These three facts lead us to the conclusion that Churchill is thinking in terms of sliding-scale utilitarianism. He thinks that Britain is in the right, and that Britain, being the "virtual mandatory" of the League of Nations, has a right, and even a duty, to bring the Norwegians, violating the rule of neutrality if necessary, into line with the Allies.

The main reason that Walzer rejects the sliding-scale utilitarianism is that it annuls some rights which the war conventions intend to protect. "The more justice, the more right" is not a plausible principle for Walzer. It is radically unclear how much justice you have, and how far the scale should slide. The erosion of the war conventions is a serious matter because they are not merely conventions but are laws meant to protect the rights of innocent people. Churchill said that Britain had a right to use the Norwegian waters. That right is a licence to violate neutrality. It may not appear to be so serious in respect of the cause that Britain claimed to defend. But if we look deeper into the matter, that right entails the killing of Norwegian soldiers who go to defend their own country, and the putting of innocent Norwegian civilians into grave jeopardy. Britain has no right to sacrifice the Norwegians to defeat the Germans. The surplus of justice cannot simply be converted into a currency to buy the rights of innocent people.

If the rights of innocent people cannot be eroded, where is the space for political manoeuvre? To achieve this, Walzer suggests that we may abrogate *all* the conventions "in the face of an imminent catastrophe." His maxim is: "do justice unless the heavens are (really) about to fall."⁸³ It means that we are by volition moral absolutists, but in supreme emergency, we are forced to become extreme utilitarians. Walzer prefers the chasmal argument to the sliding scale because the former refrains from eroding the rights of innocent people until the very last moment. He further emphasizes that the war conventions cannot be eroded but only "overridden." Erosion voids the conventions, whereas overriding acknowledges them. The rules are still there, inviolable. We override them only in the face of looming disaster.

In one important respect, Walzer's utilitarianism of extremity is more extreme than the sliding-scale utilitarianism. Rawls speaks of "certain forms of violence are strictly inadmissible," and Churchill only asks, at least on paper, "to abrogate ... some of the conventions." But Walzer proposes that in supreme emergency, "the only restraints upon military action are those of usefulness and proportionality."⁸⁴ I am not sure whether area bombing is inadmissible for Rawls. But if indiscriminate bombing on a massive scale is admissible, I cannot imagine what other kind of violence is inadmissible. However, Walzer endorses the bombing of German cities before 1942. For him, the massacre of innocent people is less unbearable than the triumph of objectified evil. The Bomber Command does right to bomb the German cities, Walzer says. Yet, the decision-maker or the soldier "must be prepared to accept the moral consequences and the burden of guilt that his action entails."⁸⁵

It is curious to note that only the statesmen and soldiers directly involved in the actions are held responsible. They commit unavoidable crimes for the common good, and they have to bear the burden themselves, alone. Is it fair? Walzer replies that it is the price of their office. Not a satisfactory answer. To compensate for the unsatisfactoriness perhaps, Walzer unduly exempts the perpetrators from any legal responsibility: "There is obviously no question here of legal punishment, but of some other way

83. *Wars*, p. 231.

84. *Wars*, p. 231.

85. *Wars*, p. 231.

of assigning and enforcing blame.” “What way,” he immediately adds, “however, is radically unclear.”⁸⁶ One thing though he knows for sure: that way would be very problematic. The case of the British area bombing will show us the nature of the problem.

Arthur Harris was the commander of the Bomber Command from 1942 to the end of the war. He was named by a British historian as “a giant among the leaders of men.”⁸⁷ After the war, he turned out to be a figure of shame and a man of resentment. Churchill distanced himself from Harris, and let the blame of terrorism fall on Harris and his crew. All his other peers, except himself, received noble titles. At that time not to honour amounts to dishonour. Harris was dishonoured for the ugly service he did for his country. On the one hand, this policy, Walzer writes, “has moral significance and value.” It acknowledges in an equivocal way the wrong Britain has done and its intention to restore the order of law. On the other hand, the policy is “cruel.” Walzer states it as follows: “that a nation fighting a just war, when it is desperate and survival itself is at risk, must use unscrupulous or morally ignorant soldiers; and as soon as their usefulness is past, it must disown them.”⁸⁸ The statement is an inaccurate interpretation of Churchill’s policy. The two clauses “... desperate and survival ...” must be crossed out because when Harris took charge of the terror campaign in 1942, Britain was not in supreme emergency. Even if we take Walzer’s statement as it is, the policy is still immoral. Walzer too is uneasy with that policy. He suggests that Churchill might have better ways to defeat the Nazis, or perhaps, Churchill had better told his countrymen plainly the price they had paid for survival. Walzer’s suggestion could not be a plausible one. If Britain had admitted their crimes, how could it have escaped the trial at Nuremberg? Nor is his statement a good one. The policy piles injustices upon injustices, and its architect is a selfish and cunning man.

3. Two problems in breaking the rule

At the beginning of his critique on Walzer’s doctrine of supreme emergency, Brian Orend writes, it “is one of the most difficult and controversial aspects of his just war theory.”⁸⁹ I would take out “one of” from the sentence, and add that it is the most daring and damaging aspect of Walzer’s just war theory. Two criticisms will substantiate my opinion. The first concerns the aftermath of committing extreme inhuman violence, and the second the internal reasoning and implications of Walzer’s chasmal argument.

As we have discussed above, the dishonouring of Arthur Harris is not a proper example of judgement on war crimes perpetrated out of necessity. Walzer says that from the summer of 1942 until the end of the war, Britain was not in supreme emergency. For him, Britain was only in desperation between late 1940 to mid 1942. Now, the critic Stephen Lammers tries to prove that even in this earlier period Britain could not be said to be in a state of supreme emergency as Walzer defines it. He holds that Walzer’s reconstruction of the event is “inaccurate.” First, he points out, Britain at that time had sufficient air defence against the German bomber offensive. The Italian military theorist General Douhet may argue that bombers can always get through an air defence. But by the mere fact that heavy losses have been inflicted on the German bombers by the Fighter Command, Douhet’s argument is proved to be wrong. Britain had power to defend itself against the invasion of Germany. Second, Britain had control over its waters. The German submarine programme could hardly undermine the

86. *Wars*, p. 323.

87. *Wars*, p. 323.

88. *Wars*, pp. 324–325.

89. B. OREND, *Michael Walzer*, p. 127.

Royal Navy. It was unlikely that German soldiers could cross the Channel in any significant quantity. Furthermore, ever since Germany invaded Russia in the summer of 1941, it had to commit a large number of troops to the Russian front. All in all, Britain would not be occupied, or defeated on its own soil.⁹⁰

If Lammers's information is correct, the British terror bombing of German cities cannot be used as a real case to substantiate Walzer's idea of supreme emergency. We have thus to take his theory of necessity as purely theoretical. Walzer proposes that in supreme emergency, the politician should think without the hindrance of rules, and if need be, order the murder of innocent people, even on a massive scale. Here the politician is both right and wrong. He is right with regard to the requirement of his office, and wrong with regard to the breaking of rules. Consequently, he must do something to rectify the wrongs done. What has to be done, for Walzer, is "radically unclear." Now my question comes: if the restitution is radically unclear, is it not irresponsible for an ethicist to advocate the murder of a multitude of innocent people? As an ethical theory, Walzer's supreme emergency is dangerously incomplete. It gives politicians permission to break all rules without laying down their obligation to right the wrongs they are going to commit.

It is true that Walzer has said something about the restoration of the values violated. He says that the politician can confess to the people the crimes he has done on behalf of them, or that the politician can disown the soldiers who has followed superior order and thus dirtied their hands. The first action alone is insufficient to restore the damaged international relationship. The second will do more harm than good: it does another injustice to cover an earlier one. Lammers criticizes that the dishonouring of soldiers is unfair. He complains that soldiers are used thrice: they are used to fight a war, they are used to murder innocent people, and they are used as sacrifices to redeem the atrocities. This mischievous craftiness, Lammers warns, will impair the trust between politicians and soldiers.⁹¹ Maybe soldiers should not simply trust their superiors. This, however, is not my concern here. I am more concerned with the responsibility of the highest command—the one who gives the final permission.

Why can the craftsman of atrocities assign blame to others except himself? This is unreasonable and unfair. I think Walzer himself would not give this licence to politicians. He might be describing what Churchill did, which he might not assent to. Indeed, he suggests that it would be better for Churchill to explain to the British people the injustice that has been done to the innocent Germans. If so, Churchill has to lay some blame on himself. Blame, for Walzer, is the maximum responsibility for politicians and soldiers who act wrongly for good. He dismisses legal responsibility straight out of hand: "there is obviously no question here of legal punishment." What is obvious to him is obvious to me in the sense that there should be legal punishment. Walzer has treated the consequences of using extreme measures too lightly. The lawbreaker does not need to answer the accusations of the victims. He does not need to put the disrupted international and social order right. He murders innocent people and inflicts suffering on their relatives, but he is exempted from legal punishment and compensation. He introduces a brutal "social practice" into the international society, but he does not need to extinguish it. Lammers clearly shows that what Walzer calls "determinate evil" is in fact "indeterminate." An extreme military action is not an act whose evil cannot be determined, but a process of violence. And that process will become a social practice, which will continue long after the war. "It is nearly impossible," Lammers writes, "to return to a boundary in a conflict, once that boundary has been violated. I do not know of an instance in modern warfare where a weapons system, once introduced, was withdrawn solely because of moral considerations."⁹² Assigning blame cannot

90. S. E. LAMMERS, *Area Bombing in World War II. The Argument of Michael Walzer*, in *The Journal of Religious Ethics* 11 (1983) 96-113, pp. 101-102.

91. S. E. LAMMERS, *Area Bombing*, p. 107.

92. S. E. LAMMERS, *Area Bombing*, pp. 104-105.

stop brutal social practice, nor silence the rancour of the victims. A legal proceeding is the first step that may lead to the reaffirmation of the values violated and the restitution of international and social order.

In the discussion of double effect, Walzer shows his sympathy toward civilians by arguing that soldiers should shoulder some risks of fighting. Such fairness and sensitivity disappear in the case of supreme emergency. Why do the evildoers of the defeated side be put on trial in the international war crime tribunal whereas those of the defeating side are exempt? Is the blood of the victors redder than the blood of the losers? Soldiers should, within reason, not be tried, but the chiefs of atrocities cannot be allowed to sweep their responsibility under the carpet. Walzer says that politicians are required to break the rules if necessity arises. Since he has not shown us a written constitution, I assume that the dirty hands are only his ideal politicians. He requires politicians to dirty their hands. Why doesn't he require them to cleanse their hands as well by taking up the full moral responsibility? Walzer says that the politician who breaks the war conventions in supreme emergency is both right and wrong. Right, because he does something good for his people (or humanity?). Wrong, because he murders innocent people. Walzer refuses to adopt the kind of utilitarian thinking through which the good can cancel the evil out. He insists on separating two spheres: the politician is right in one sphere but wrong in another. According to this reasoning, the politician should be honoured by his people, but punished by the victims or by the international society. Walzer should not easily absolve the dirty hand and exempt him from the court of international justice. If a politician dares to dirty his hand with innocent blood, he should have the matching courage to punish himself. Cowardly, Walzer's dirty hand is hard on others but soft on himself.

I have followed the argument of Walzer's supreme emergency, and attempted to argue that the one who breaks the rules should take up maximum responsibility. However, I do not accept the murder of innocent people as a means either to defeat an "evil" enemy or to save one's nation. We may violate some war conventions in supreme emergency, but the lives of innocent people are inviolable. If this basic principle is violated, I will argue that the whole moral world will be shaken to its foundation.

We have discussed at some length Walzer's supreme emergency without examining his definition. Now, it becomes necessary to picture a more precise meaning. Apparently, Walzer speaks of two cases of supreme emergency: to defeat evil and to avoid the "enslavement or extermination" of a nation. Basically, humanity and the survival of a nation are two different categories. But in Walzer's account, these two eventually converge. Walzer takes Nazism as the "evil objectified in the world," and locates it at "the outer limits of exigency." Nazism as such justifies the use of extreme measures to defeat it. "In the text," Lammers rightly remarks, Walzer "tends to conflate the avoidance of defeat and the achievement of victory."⁹³ At times, Walzer says that Britain has to defeat the Nazis by any means, and at others he says that Britain is forced to use extreme measures in order to avoid defeat by the Nazis. The defeat of the Nazis and the avoidance of the defeat by the Nazis, Lammers points out, are not the same case. The former concerns with the welfare of mankind, whereas the latter the fate of a nation. Walzer is so equivocal here that we are left wondering about which of the two or if in fact both cases can justify the overriding of war conventions. The first case is more difficult to justify. Even if Nazism is evil objectified in the world, it is not convincing that we have to use the evil's means to triumph over the evil when the evil cannot reign over us. Perhaps, for that reason, Walzer uses quasi-religious language, which he usually ridicules, to describe Nazism, such as "an ultimate threat to everything decent in our lives," "immeasurably awful," and "evil objectified in the world."⁹⁴ The use of such language is dangerous—it prepares the heart of the soldiers for atrocities. It is also short-sighted—it

93. S. E. LAMMERS, *Area Bombing*, p. 102.

94. *Wars*, p. 253.

loses sight of the causes of the rise of Nazism. If we refuse to accept the quasi-religious language, then Walzer's argument for the first case is very weak. Lammers is right that Walzer's argument can only justify the breaking of war conventions in the avoidance of defeat by a brutal enemy. That conclusion converges with the second criterion of national enslavement or extermination. It seems that what Walzer's supreme emergency boils down to is a matter of national survival.

How can a nation murder innocent people to save itself from its oppressors? Walzer knows that the domestic analogy cannot apply here. A person should not intentionally kill an innocent person in order to save himself. We will not endorse the policeman in supreme emergency to take human shield, or shoot at human shields used by robbers in a fire exchange. Nonetheless, Walzer insists that "communities, in emergencies, seem to have different and larger prerogatives." Why does a community have the privilege to sacrifice the individuals of another community? To this question, Walzer admits that he cannot give a satisfactory answer. Despite this, he tries hard to suggest some reasons to appease his readers. The first is that community is infinitely greater than individuals. Yet Walzer himself does not believe in the transcendence of community. Another one is the utilitarian calculus. It is good to save a nation by killing a smaller number of people. This again falls short of Walzer's expectation because then a large nation will have larger prerogatives than a small nation. The better reason, according to Walzer, is the extinction of nations. "It is possible to live in a world where individuals are sometimes murdered," he writes, "but a world where entire peoples are enslaved or massacred is literally unbearable."⁹⁵ This reason appears not much better either. The first clause confirms the murder of innocent people in case of supreme emergency in domestic society. While the second clause is true, it does not entail Walzer's scapegoat argument. Murdering a large number of innocent people is also unbearable, and living under the shadow of a brutal social practice is unbearable too. An anticipated "unbearability" does not give one sufficient reason to commit an unbearable act with indeterminate unbearable consequences.

Conversely, if international society accepts Walzer's scapegoat argument, the morality of domestic society would be severely damaged. If a nation can find scapegoats in supreme emergency, why can't a person do the same thing in his struggle for personal survival? Walzer will surely bar such analogy. But his ban may not be effective. In the matter of morality, people commonly reason by analogy. And they particularly like to follow persons of high standing. Walzer may try to differentiate the two by saying that a politician occupies an office and has a duty to ensure the well-being of the community. Since he cannot decide for the others in the matter of life and death, his duty requires him to find some scapegoats. An individual makes decision only for himself, and he is thus required to risk his life for the ideal. By analogy, this argument can be used to show that a person also has the right to find a scapegoat. The person may claim that he is not a separated individual: he has family, relatives, friends, and employees (if he is a boss) who depend on him for a living. If he dies, his associates may fall into difficult situations. He knows that some of his associates are selfish and do not want him to die. So for the sake of them, he has a duty to find a scapegoat in case of personal danger. Then it follows that when a man has more responsibilities, he has more rights to find a scapegoat. Walzer proposes to give politicians a licence to become dirty hands in revolution and crafty murderers in supreme emergency. This is a dangerous proposal that undermines the foundation of morality.

95. *Wars*, p. 254.

4. Is moral absolutism impractical?

I have the impression that Walzer is an honest social critic. “Why does that just man,” to adapt de Beauvoir’s criticism on Camus, “become unjust at the moment of national survival?” Walzer, like Camus, has an intense love for his nation. Perhaps his chasmal argument is his own way of balancing justice with love. Anyway this is not how he explains himself. He says that he is trying to mix morality with politics, and that some people are uneasy with that. The mixing of morality with politics is not Walzer’s invention. Modern English politicians are the craftsmen of this art, and utilitarianism is the vehicle to express and justify their political deliberations. Walzer is uneasy with their utilitarian expression because politicians often argue in favour of their own sides and erode the rights of ordinary people. He insists on the inviolability of the rights of civilians and soldiers, and permits the override of the rights only in supreme emergency. Walzer’s argument, I admit, is better than utilitarianism. It is more sincere, and it respects, in “normal times,” the rights written in the war conventions. Walzer believes that his proposal is the right one for the modern epoch. Moral absolutism may be good for the ancient times, when society was relatively simple and the chivalric spirit was prevailing among the ruling classes. Look at our contemporary world: we form democratic societies, and fight with brutality that greatly exceeds our ancestors. To prevent ourselves from being wiped out from the face of the earth, we have to stock enough weapons of mass destruction to wipe out our enemies first. Is there now any place for moral absolutism? I believe there is, provided we want to make our world better, instead of letting it go worse ... and worse.

One serious consequence of breaking the rules is the deterioration of civilization. A brutal act of massacre is not what Walzer calls a “determinate” act with foreseeable effect. Such violence lives on and assumes the form of an evil “social practice.” When it manifests itself, many people will be destroyed or harmed. When it is latent, it exists as a potential, which has an adverse influence on individuals’ mentality and behaviour. It is not surprising that Lammers, being a Christian ethicist, notices the indeterminate nature of an evil act. His idea of an evil social practice is not new; the ancient Israelites knew it already, and they wrote it down in the form of a myth. In the Jewish holy book Genesis, we are told that Adam and Eve are the first human beings made in the image of God. After God has created the heavens and the earth, he puts Adam and Eve in the beautiful Garden of Eden. They are allowed to eat the fruits of all trees except those on the tree of life. However, they disobey God’s command and eat the forbidden fruit. Immediately, they undergo some psychological changes, and sin enters the social world. The story does not stop there—sin is contagious. Adam and Eve bear two sons Cain and Abel. Cain murders his brother Abel out of jealousy. Fratricide is the first human crime, and it is done out of competition for recognition. The rest of Genesis is a record of escalating human crimes.

Supreme emergency does not come out of the blue; it is the consequence of a spiral of conflicts and intrigue. Could it be prevented? Walzer has not entertained this question. He asserts the existence of supreme emergency and wrongly reconstructs the area bombing as a real case to substantiate his claim. There is an inconsistency in his thinking. He first resists the realist logic of military necessity, but in the end he yields to the thinking of historical necessity. Walzer’s view of international relations is quite pessimistic: not that he anticipates the possibility of supreme emergency, but that he proposes an immoral response at the final stage. In my opinion, it would be more responsible for an ethicist to prevent supreme emergency from happening rather than to justify an immoral reaction. Walzer has quoted the *Spring and Autumn Annals* and reminded the people of China the importance of holding fast to moral principles. However, he has missed the most important point of that history book, that is, its author, Confucius, is a moral absolutist, and his book is first and foremost a critique of military

necessity and supreme emergency arguments. China in the Spring and Autumn period was similar to the modern world. It had a central government which controlled the various states. But the central government at that time was weak, and the ambitious states tried to conquer the other states. Wars broke out all over the places. When the fighting escalated, the states fought with little regard to the established conventions and moral principles. In this chaotic time, Confucius went from one country to another and tried to persuade the rulers to keep the rules. They respected Confucius, but they refused his plea on the ground of necessity. Confucius' mission was unsuccessful, and he had to return home. Nevertheless, he did not give up his conviction. Instead he wrote the *Spring and Autumn Annals* as a criticism of his times. Perhaps, his criticism is still applicable to us nowadays.

Summer, in the fifth month (of the Zhou calendar), Zheng Bo overcame Duan at Yan.

This incident happened in the first year of Duke Yin of Lu (722 B.C.), and was chronicled by Confucius at the beginning of his *Spring and Autumn Annals*. It is the intention of Confucius to use the history of the Spring and Autumn period to illustrate the prime principles of morality that he teaches throughout his life. "Remarking lightly on great principles" is what he said. Confucius is a social critic, but he speaks harsh thing genteelly. His words are so genteel and spare that not only us but also his contemporary found them difficult to comprehend. In order to understand the great principles behind this statement, I have to rely on the parallel record in Zuo's *Spring and Autumn Annals*.

"Zheng Bo overcame Duan" is not as simple a sentence as its structure might suggest. Every word in the sentence is inappropriate. To begin with, Zheng Bo and Duan were brothers. Zheng was actually the name of a feudal state, and Bo is a word traditionally used to denote the eldest brother. In ancient China, the first son of a feudal lord had the right of succession. Zheng and Bo, taken together, mean the ruler of Zheng. And it signifies recognition. The appellation on its own has nothing abnormal in it. The problem here is the unevenness in the naming of Duan. If Zheng is called Bo, then his younger brother Duan should also be called Shu, which will immediately tell the readers that Duan is the third brother. So the correct sentence should be: Zheng Bo overcame Shu Duan. The designation of family members is a serious matter in China. Confucius says that the relationship between father and son, and between elder and younger brothers are the foundation of all human relations. Why does he now make a mistake in such a serious historical record?

Confucius has made no mistake; the omission of "Shu" is his genteel criticism of Duan. Against the convention of succession, Shu Duan had always wanted to snatch the entitlement to Duke Zhuang, which should be the official title of Zheng Bo. At the same time, their mother had been unceasingly begging the old duke to pass the throne to Shu Duan. We are not told whether Shu Duan has ever asked their mother to stop her shameful intrigue, but his ill-will towards Zheng Bo showed up after their father's death. When Duke Zhuang came to power, their mother asked him to give Shu Duan the mountain city of Zhi, with the intention of staging a revolt later on. Duke Zhuang refused her demand, and instead gave his brother Jing, a prosperous land with no natural defence, and the title Great Shu of Jing. Ignoring the regulations governing the size of cities, Great Shu built a great city in Jing—even greater than the capital of Zheng. Shortly after, Great Shu issued orders to the people in the regions west and north of Jing. Seeing no sign of objection from Duke Zhuang, he annexed the two regions. Then Great Shu started to occupy himself with fortifying the cities, stockpiling food, building up armour and weapons, and training soldiers and charioteers in preparation for a coup d'état. When everything was ready, he made an arrangement with the queen mother to open the city gates from the inside. Shu Duan conspires against his own brother. He intends to rob his brother of his throne, and murder him if necessary. Shu Duan does not behave like a younger brother, which he should, and is thus deprived of the first word in what should have been his proper designation.

The usage of the words “Zheng Bo” and “overcame” makes a mockery of Duke Zhuang. “Overcome” is used to describe the contest between two rival rulers. If Zheng Bo and Duan are brothers, they should not overcome each other. Conversely, if Zheng Bo overcomes Duan, they should not be brothers. The name Zheng Bo is to remind us that Duke Zhuang, who has not a single intention to prevent a final duel, fails to behave properly as an elder brother. In fact, “overcome” is not a correct description of the event. Shu Duan was not defeated at Yan; he was merely forced to flee from Yan to another state. Instead of narrating a fact, “overcome” describes the intention of Duke Zhuang. From the very beginning, Duke Zhuang knew that his mother had always wanted Shu Duan to succeed the throne. He knew Shu Duan’s ambition. He also knew his manoeuvres. At every stage of the escalation, ministers had come forward and urged him to take action. For instance, when Great Shu tested Duke Zhuang’s will by extending his dominance outside his territory of Jing, a high official, Gongzi Lu, came before the Duke and said: “A state cannot put up with two sovereigns. What do you intend to do, my Lord? If you wish to give the sovereignty to Great Shu, please let me go and serve him. If not, please remove him before people turn to him.” Duke Zhuang was not a bit disturbed by the news. He simply said, “Never mind, he will destroy himself.”⁹⁶ Secretly he spied on his mother and brother, and contrived his own plot to defeat them. Duke Zhuang refrained from doing anything because the situation had already been calculated to precipitate a final armed conflict.

Thus far, I have explained the genteel remark. But what are the great principles? Obviously, Confucius is speaking about the proper relationships of parents and children (paternity) and of brothers and sisters (fraternity). Paternity and fraternity are the foundation of human relationships. If a man cannot love his family and treat them properly, how can he love other people or treat them justly? Zheng Bo, Shu Duan, and their mother all failed terribly. The record is not merely a criticism of a court intrigue or family fight—it has a social dimension. The royal family is a miniature of the society as a whole. Its disorder and deterioration symbolize the disorder and deterioration of the society. Spring and Autumn was such a period of social chaos. Confucius puts the story of Zheng Bo and Duan at the beginning of his *Spring and Autumn Annals* to highlight the problem of the times. It signals that something has to be done, otherwise the society will deteriorates into chaos.

Finding a solution to the chaotic society leads us to the second great principle. A Confucian social analysis focuses on the person. A person is assumed to make decision on his own and act accordingly. But behind his freedom of choice, he is in fact severely constrained by various factors, both personal and impersonal, such as personality, ability, knowledge, social networks, material possessions, and circumstances. The ancient people of China classify these factors into two categories: fate and contingency. Everything that a person cannot change, such as time, family, and talent, belongs to the category of fate. Everything that can be changed, such as knowledge, relationship, and social milieu, belongs to the domain of contingency. A person is being acted upon by both fate and contingency during his lifetime. He cannot change fate, but he can change contingency. And the art is to act rightly at each step so that he will not fall into an awkward predicament. The way of acting rightly in a complicated contingent world, according to Confucius, is to act by the principle of *yen*. Only then, can a person escape from the iron hand of fate and contingency.

Duke Zhuang, Shu Duan, and their mother Jiang are each of them controlled by their own fate and contingency. Jiang loved Shu Duan but hated Duke Zhuang because when Duke Zhuang was born, his feet came out first, and this scared his mother. The experience haunted Jiang and she became partial to Shu Duan. The victimized son, in turn, was filled with resentment against her and her darling son Duan. Duke Zhuang allowed his resentment to seek revenge. When his mother and brother conspired

96. *Chunqiu Zuozuan*, Duke Yin 1, summer. My translation.

to overthrow him, he craftily aided them to dig their own graves. If only one of them had acted by the principle of *yen*, this tragedy would never have happened.

However, one might ask, is it possible for Duke Zhuang, Jiang, or Shu Duan to act otherwise? Confucius' affirmative is loud and firm. After Duke Zhuang overcame Shu Duan, he exiled Jiang to the city of Ying, and swore solemnly: "Not until we reach the Yellow Springs [the nether world] shall we meet again." Soon after, Duke Zhuang regretted what he had said, but could find no reason to break his vow. A minor official on the border close to Ying, whose name was Ying Kaoshu (*kaoshu* means a man of filial piety), heard of the broken relationship between the mother and the son. He went to see Duke Zhuang on the pretext of presenting him some gifts. As was the custom, the Duke arranged a banquet for him. At the feast, Ying Kaoshu left all the meat without touching it. This aroused the Duke's curiosity, and he inquired the reason for it. Ying Kaoshu replied, "Your servant has a mother, who has tasted everything I can provide. But she has never tried the delicious meat served in my lord's table. May I ask my lord's permission to bring her some?" The Duke was greatly touched by these words. He told Ying Kaoshu that whilst he had a mother, he could never see her again because of his vow. Ying Kaoshu immediately suggested, "My lord, there is nothing to worry about. An underground tunnel can be dug until it hits the water table. There then can you see your mother again. Nobody can say that you break your vow."

I don't mean to deny the possibility of a supreme emergency. What I want to say is, a supreme emergency does not appear all of a sudden. There must be a series of events that lead to its approach. It is not a fate. It is merely a contingency. We can change the contingent factors to prevent it from happening. Walzer suggests us to deal with a predicament at its terminal stage, and his chasmal argument is a pathological ethic. It is like a moral counsellor busying himself with the problem of fratricide in supreme emergency when Zheng Bo is preparing to smite his brother. Is his practice practical? Our time is pathological. This is already unbearable; we should bear no more pessimism. Even if we are in supreme emergency, we should not kill innocent people for our own sake. Confucius said, "A man of conviction, or a man of *yen* will not for the sake of his life violate the principle of *yen*, rather he will sacrifice his life for the sake of *yen*."⁹⁷ A point that the teacher of the crafty prince Machiavelli agrees: "Very rarely will there be found a good man ready to use bad methods in order to make himself prince, though with a good end in view."⁹⁸ One may agree with Walzer that "the survival and freedom of political communities are the highest values of international society."⁹⁹ But even these values cannot justify the killing of innocent people. There are other ways to protect and uphold them. By means of his supreme emergency, Walzer reminds us that international society should act in advance of the precipitation of a horrific tragic homicide.

97. *The Analects* 15,8. My translation.

98. N. MACHIAVELLI, *The Discourses*. Edited with an Introduction by B. CRICK, Harmondsworth, 1970 (repr., 1978), I,18.

99. *Wars*, p. 254.

§2. THE BALANCE OF POWER

In his conclusion to the chapter on Walzer's international justice, Orend writes, "While Walzer does not ignore questions of international justice in general, it is clear that he does not devote much attention to them. Just war theory remains his overwhelming focus in international affairs."¹⁰⁰ I do not share the same clear vision that Orend has. I think he has overlooked two latest works on this subject. The first is the small book *On Toleration*, which was published in 1997, and the other is the short article *International Society: What Is the Best We Can Do?* appeared in a 1999 issue of *Ethical Perspectives*. Orend has in fact cited *On Toleration* twice in his endnotes. Both citations do not show his appreciation of the book. As for the article, it may have appeared just after Orend's book has gone to the press. The volume of *Just and Unjust Wars*, no doubt, greatly exceeds that of the latest two combined together. Quantity, of course, is an important criterion, but quality is also a crucial factor. Judging on the merits of the latter two works, I would say that Walzer has devoted a certain amount of time to the questions of peace-making and international distributive justice, and has given some insights into the world system. The works are written in the most mature Walzerian style. What is regrettable in *On Toleration* is that historical cases are substantially reduced in comparison with either *Just and Unjust Wars* or *Spheres of Justice*. This may be due to the author's other responsibilities or his tiredness. Nevertheless, *On Toleration* and *International Society* lay down the framework of Walzer's thinking on the world system.

1. Toleration

The international society, as Walzer conceives it, is a weak association of nation-states. The members of this society are regulated by the international laws established and enforced by the Western powers. Walzer has made a considerable effort to show that the war conventions are founded on the common ideas of life and liberty. On the one hand, Walzer is praised for his achievement. On the other, he is criticized as being conventional and conservative. Nation-states, according to the "advanced" thinker, are the cause of war and the obstacle that prevents the enforcement of universal human rights, the global redistribution of wealth, and the establishment of a perpetual peace. They can only be transcended by instituting a new global governance.

Walzer does not think that a global government is a plausible solution. It is impossible to ask a nation-state to give up its sovereignty without waging a war against it. Perhaps, one or several superpowers can form a bloc, conquers the rest of the world, and imposes a central authority. But neither the process nor the peace established would seem attractive to most people. Alternatively, Walzer proposes to make peace by moderating the hostility between states. He gets his inspiration from the religious wars in the sixteenth and seventeenth centuries. After fighting for more than a century, the various sects finally settled into peaceful coexistence by tolerating each other. In lieu of religious toleration, what we need now is cultural and political toleration.¹⁰¹

In the book *On Toleration*, Walzer makes a distinction between tolerance and toleration. He says that tolerance is the attitude whereas toleration is the practice. The former can take shape in various

100. B. OREND, *Michael Walzer*, p. 178.

101. Cf. M. WALZER, *The Reform of the International System*, in Ø. ØSTERUD (ed.), *Studies of War and Peace*, Oslo, 1986, 227-250, p. 232.

states of mind while the latter can be realized through different political arrangements.¹⁰² The first form of tolerance is “resignation.” This was how people felt after the long period of religious wars. Each sect still proclaimed its creed to be the only true one. But since they were tired of crusading, they nonetheless resigned to the others’ existence. The second attitude is “indifference.” People accept the others as a matter of fact: “It takes all kinds to make a world.” The others’ presence does not constitute a threat to me. I am not interested in them. I do not even notice their existence. This is mostly how we treat foreigners on the street. The third is a kind of “moral stoicism.” I may not like their way of life, their dressing, their manner, or whatsoever, but I have to tolerate them because they have the right to live the life of their choosing. The fourth is “curiosity.” It expresses an openness to the others. It begins with curiosity, then passes into respect, and then a willingness to learn. The last is “enthusiasm.” The enthusiasts of pluralism see cultural difference either as a wonder of the natural world or as a necessary condition for human bloom. They endorse and are eager to preserve cultural differences.¹⁰³

Toleration can also appear in different arrangements. Walzer makes an important point by commenting that toleration can function effectively independent of any form of tolerance. He says that “it is a feature of any successful regime of toleration that it does not depend on a particular form of this virtue,” and that “political success doesn’t depend on good personal relations in any of them.”¹⁰⁴ The implication of this observation is crucial: it implies that if we have a good régime of toleration, we do not need to cultivate tolerance; or conversely if we do not have a régime of toleration, tolerance can easily slide into intolerance, and then to hatred, and then to persecution. Former Yugoslavia offers us a vivid example. Before the federal republic fell apart, the Serbs, the Croats, and the Muslims mingled freely and peacefully with each other; some even married members of other ethnic groups. Then all of a sudden, they started to annihilate one another as if they had gone mad. What happened? Walzer points out that it is due to the change of political structure. Yugoslavia was changing from an empire into a few nation-states. The new political milieu could no longer provide security to the peoples. Instead politicians exploited the fear and the hatred of the peoples to secure their own political status and power. An empire may hold several ethnic groups together, but a nation-state may not do that. Political structure is crucial to peaceful cohabitation because it defines relationships both within an ethnic group and among various ethnic groups.

The first régime of toleration on Walzer’s list is the multinational empire. It is the oldest arrangement of cultural and racial toleration. It permits the presence of autonomous or semi-autonomous communities, and imposes peaceful coexistence among them. Under the imperial rule, the peoples will develop certain attitudes of tolerance. But the crucial point is that the survival of different communities depends only on official toleration and not on the tolerance of the peoples. “Imperial rule,” Walzer writes, “is historically the most successful way of incorporating difference and facilitating peaceful coexistence.” It is autocratic, but it rules more even-handedly than any local prince or tyrant or local majority is likely to do. The millet system of the Ottomans illustrates how an imperial régime of toleration functions. The Ottomans divided its administration into different millets. A millet was an autonomous religious community. It was headed by its own religious leader, and governed by its own laws and tradition. The imperial ruler recognized each of the religious leaders as the representative of their respective communities. In this way the leader became the point of contact between a millet and the empire, and the empire in turn became the point of connection among the millets. The policy of “divide and rule” forces the members of each community to attach to a single cultural or religious identity. Intermarriage, religious conversion, and cross-cultural friendship are not encouraged. Toleration of individuals is not practised. Dissidents, heretics, and intermarried couples

102. M. WALZER, *On Toleration*, New Haven, CT - London, 1997, p. xi.

103. *On Toleration*, pp. 10-12

104. *On Toleration*, p. 12.

are not tolerated in their communities. Usually they have to leave, and find refuge in large cities such as the imperial capital, where they are tolerated as individual residents.¹⁰⁵

The international society tolerates group difference even greater than the multinational empire. In fact, it is the weakest in terms of organization among Walzer's five régime, and thus it allows the greatest communal autonomy. Whenever a group successfully organizes itself and gains sufficient recognition, it will be accepted as a member of the international society. As a member state, its sovereignty over its own territory is acknowledged. Its members have the right to organize their internal affairs and the liberty to cultivate the way of life as they see fit. Member states have to tolerate, if not respect, each other. They should concentrate their energy in keeping their own houses and refrain from interfering in other people's business. Nonetheless, toleration has its limit; not every practice should be tolerated by the international society. We have now a wide consensus that crimes against humanity should not be tolerated. "Acts or practices that 'shock the conscience of humankind,'" Walzer suggests, "are, in principle, not tolerated." In principle, a government who shocks our conscience entails humanitarian intervention. The international society has the moral obligation and the right to put the wrong practice right, or to replace the tyrannical régime with an accountable one. In practice, the international society often finds itself either unable or unwilling to fulfil that duty. Raising an army and fighting a war involve high cost, both in terms of economy and human life. Few member states are prepared to sacrifice themselves for the cause of humanity. Since the international society is a weak régime, it cannot push forward what is in principle necessary but in practice unattractive. Consequently, the international society is more tolerant than it should be.¹⁰⁶

The consociation is a régime which comprises of two or more ethnic or religious groups. It may be called a binational or trinational state. Belgium, Switzerland, Cyprus, Lebanon, and the stillborn Bosnia are some examples that give us an idea of what a consociation is like. Two or three communities freely come together and form a state. In reality, it is the élites of the groups who negotiate among themselves; ordinary people just live comfortably within their confinement without the need to adjust themselves to accommodate their consociates. Their leaders draw up a constitution, share offices, and meet regularly to make political compromises that concern the interests of their own communities. Yet why on earth would people like to take the trouble to form a consociation? Is it not much simpler to form several nation-states? The formation of a consociation is largely determined by its past history: it is often the successor of a multinational empire. When the empire loses control of a multi-ethnic region, its peoples may see it good to form a common state. "Consociationalism is a heroic program," Walzer remarks, "because it aims to maintain imperial coexistence without the imperial bureaucrats and without the distance that made those bureaucrats more or less impartial rulers." It needs at least a fair judicial system and politicians with sophisticated political skill. We have more or less successful examples like Belgium and Switzerland. Nonetheless, a consociation is not a stable institution: a shift in the balance of population, or a rise in the fervour of religion or nationalism will easily fracture the consociation.¹⁰⁷

Nation-states are the majority in the international society. This does not mean that the nature of nation-state is best known. In fact, the name itself is quite misleading. The Oxford Dictionary defines a nation as "an extensive aggregate of persons, so closely associated with each other by common descent, language, or history, as to form a distinct race or people, usually organized as a separate political state and occupying a definite territory."¹⁰⁸ The nation-state defined as such is a homogeneous historical community who takes control of its political life. Such a nation-state is a myth. Politicians

105. *On Toleration*, pp. 14-19.

106. *On Toleration*, pp. 19-22.

107. *On Toleration*, pp. 22-24.

108. *Nation*, in *Oxford English Dictionary*, 1992. CD-ROM.

may want its citizens to believe in it. But such nation-states are rarely found in the international society. Most of the existing nation-states are not homogeneous, whether nationally, or ethnically, or religiously. In reality, a nation-state, as Walzer rightly points out, means “a single dominant group organizes the common life in a way that reflects its own history and culture and, if things go as intended, carries the history forward and sustains the culture.” With respect to culture, a nation-state is never neutral. It uses the political apparatus to shape its national symbols, education, and calendar—so that a national emblem will be imprinted on its citizens. Multinational empires, consociations, and international society allow cultural pluralism, which nation-states are unlikely to promote. Nation-states are also reluctant to grant autonomy or semi-autonomy to a minority for fear that its citizens in that region may become the minority. Nation-states, however, do tolerate minorities. Liberal and democratic states tolerate the members of a minority as individual citizens. As a citizen, he can choose to become a member of a minority. As long as the community does not exercise coercion on its members and behaves like a voluntary association, the state will not interfere. Under these policies, minorities will usually die out, and their members will assimilate into the dominant culture.¹⁰⁹

The last régime of toleration is the immigrant society. When people leave their homeland behind and come to settle permanently in a new land individually or with families, they become immigrants. If they conquer the aborigines and form a country of their own, the country they form is an immigrant society. The immigrant society differs from a colony. The colonists come with the intention to transplant their culture to the new land. They do not wish to make a new world; they just move the old world to another location. In contrast, immigrants do not come in groups, nor are they organized. They go to the new world for economic or political reasons. Few of them come with a cultural mission. The immigrants first arrive at a port of reception, and then disperse throughout the country. They may cluster to form a community, but their population is seldom large enough to gain autonomy. Even if their number is sufficient and their community well organized, the central government will not just grant them autonomy for obvious reasons. The political power is initially in the hand of the first group of immigrants. They build the country as if it were a nation-state in the image of their old cultural and political tradition. This pretension, however, cannot be sustained for long. Political power will gradually be distributed among different groups of immigrants. The state then has to be, in principle, impartial to every group, and neutral to their cultures. It has to be equally tolerant of them all. Unlike the nation-state, the immigrant society does not aim to reproduce the identity of any group. If any group wants to preserve its own culture, it must carry it out by itself. Toleration in the immigrant society is “radically decentralized.” There does not exist a majority who tolerate the minorities. Everyone is tolerated as an individual, and everyone has to tolerate everyone else. The immigrant society will thus create identity crisis. It does not sustain cultural or religious communities. In the nation-state, only the minorities encounter this problem. In the immigrant society, no group can avoid it.¹¹⁰

Walzer gives us not only five régimes of toleration but also four more complicated cases which are mixtures of the five simple régimes. His account is sketchy and inexhaustive. He tells us only the history of the West. There are Asian, African, and other tolerant arrangements, which Walzer has not described. I will not find out and write down an exhaustive list, nor will I recount Walzer’s four complicated cases. The five simple régimes are sufficient to make my point. Walzer arranges the five régimes in a certain order, but not from the least tolerant to the most tolerant, nor vice versa. He says that it is not possible to give such ranking as there are two, not one, sorts of toleration, and they are of different nature. One is group toleration, and the other individual toleration. These two kinds of

109. *On Toleration*, pp. 24–30.

110. *On Toleration*, pp. 30–35.

toleration are different, and pull in different directions. If we tolerate more group autonomy, we will tolerate less individual freedom. Conversely, if we tolerate more individual freedom, we will tolerate less group autonomy.

With the two kinds of toleration in mind, it is really difficult to say which régime is better. The multinational empire is commonly regarded as an authoritarian, exploitative, or tyrannical régime. These remarks are certainly true. However, the empire is the most tolerant of group autonomy. It imposes an order of coexistence and peace through its iron hand. It is not the liberal and democratic nation-state that is the most tolerant; on the contrary, it is the least tolerant in respect of the minorities within its territory. Since the nation-state is organized by the idea of nation, the majority and the government have to promote the “national culture.” When they perceive the cultural expression of the minority as a threat to internal cohesion or national unity, they will often act against their libertarian principle and suppress the public manifestation of minority culture. This policy is in fact embedded in the liberal political theory. The eighteenth-century French spokesman Clermont-Tonnerre, in a debate over the emancipation of the Jews, clearly articulated the incongruous liberal nation-state politics: “One must refuse everything to the Jews as a nation, and give everything to the Jews as individuals.”¹¹¹ This statement may as well be generalized and applied to the minority in general.

Liberals and cosmopolitans may thus conclude that the nation-state is not the desirable régime of toleration. The immigrant society comes closer to their ideal. If the state boundaries are abolished, the globe will resemble an immigrant society. This is not an imagination. Cosmopolitans believe that globalization is moving the world towards this direction. In an immigrant society, everyone is a stranger, and the necessary principle of toleration is individualistic. Every group is then viewed as a free association of individuals. A person can take several ethnic, cultural, or religious identities without assimilating or committing himself to any one of them. In fact, people living in cosmopolises, such as Paris, New York, and Los Angeles, are experimenting with this mode of life. Could this be the postmodern project of toleration? Walzer asks. If it really becomes a postmodern condition and spreads across the whole globe, it is bound to create problems for us. Walzer predicts that it will produce “shallow individuals and a radically diminished cultural life.”¹¹² Will we then have enough profound men and women to keep the world in order? We may reasonably doubt it, for it is responsibility, not freedom, that makes a person mature. Cultural or religious communities are the bases of personality formation. Traditional groups are indispensable in immigrant societies. A balance has to be made between group autonomy and individual freedom, and between personal commitment and estrangement.

I have highlighted two kinds of toleration with five political arrangements accommodating them in different ways. Except for the international society, the other four are domestic régimes. It seems that most of our discussion bear no direct relation to international peace-making. This is certainly incorrect. The hostility between states is partially dependent on misunderstanding or ideological distortion. Demagogues stir people’s fear by exploiting differences, whether ideological, political, cultural, religious, or racial. They tell us that because the other state has certain differences, it is our natural enemy; or that because another state has certain similarities, it is our natural friend, and that natural friends should bundle together to fight against natural enemies. We already had an ideological cold war. We may now have a cultural war in the making. An appreciation of the various possibilities to accommodate differences will promote cultural and political toleration. Our indifference to other people’s way of life or our stoical respect may be assured. We may even breed a curiosity for the other cultures, and a willingness to learn.

111. *On Toleration*, p. 39.

112. *On Toleration*, p. 91.

2. The reform of the world system

The international equivalent of religious toleration may reduce hostility between states. But prejudice and intolerance are not the only sources of conflict. The control over trade and resources, and the competition for dominance are the root causes that fuel the international ideological wars, and the development and deployment of expensive weapon systems. Although Walzer seldom mentions them in the international forum, he is not ignorant of the international climate. “Who indeed would say,” he once wrote, “that this world, scarred by injustice and threatened with mass destruction, is the best of imaginable worlds?” Why does he then affirm the sovereignty of states and resist the reform of the cosmopolitans? It is because the reformers’ proposals are “wildly impractical.”¹¹³ Their reform is a reform of the states. They are asking the states to act against themselves. Their demand is moral and rational, but too few politicians at present have the moral strength to answer it. Walzer has another proposal that does not need to wait upon the goodwill of politicians. Would his be less impractical?

a. *The first argument*

In a short article, *The Reform of the International System*, published in 1986, Walzer makes his first attempt to address the problems of the world system. Wars, injustice, environmental pollution and depletion are the pressing issues of the modern world. Walzer recommends two sorts of reform: completion and complication of the international system. By completion, he means the complete realization of the state system, that is, every group, if it so wishes, will have its own state, or at least, will be allowed to have autonomy. Whereas complication is the formation of a network of international unions by independent states. “But neither of these,” Walzer admits, “addresses the greatest danger posed by the sovereign state.” His proposal can only “help to diminish these threats.”¹¹⁴ Why he does not tackle the problems directly has something to do with the present international system and the current of modern feeling.

The international society is a system of individual states with two superpowers, the Soviet Union and the United States. (This analysis refers only to the state of affairs in 1986.) The superpowers are quite content with their greatness and dominance. It is nearly impossible to reform the world system without their approval and leadership, and it would almost be in vain to ask them to give up their sphere of dominance and bow before a world council. Even if the two superpowers can struck an agreement to form a world federation, other smaller states will hardly surrender their independence and the peoples who are fighting for their own states will certainly not stop their struggle. The multiplication of states after World War II speaks unequivocally the popular yearning for national independence. It is entirely unlikely that the cosmopolitan reform, which refuses to pay attention to these two forces, will have any chance of success. A plausible reform, if that is not initiated by either of the superpowers, must at least accommodate both the resistance to give up sovereignty and the struggle for autonomy. Walzer’s proposed reform takes into consideration these two factors. Completion works on the latter, and complication on the former. His reform, simply put, is a balance of power, which involves the processes of decentralization, alliance, and détente.

Decentralization is the division of power: one power centre splits into a constellation of smaller centres. In the state system, political power is located in the governments of the states. The weakness of such system is that a sovereign state can make a unilateral decision that may severely affect the rest

113. *Reform*, p. 227.

114. *Reform*, p. 234.

of the world, or in the extreme case, destroy the world. The magnitude of the danger depends on the power the state possesses. The greater the state, the greater the power of destruction, and the more difficult to counter with. A small state, on the other hand, has less power of destruction, and is easier to check. A dispersion of sovereignty will significantly weaken the power of some states, and the world will become a safer place. This is a projected consequence of decentralization, but not the argument given by Walzer. Walzer's argument for national liberation is ethical.

If some groups can form their own states, other groups should also have the same right. Every group who wants to form a state should be given the chance to do so. Walzer revamps the nineteenth-century Wilsonian argument to justify his claim.¹¹⁵ First, the best guarantee for the survival and reproduction of a historical community is state sovereignty. Second, every historical community has a right to express itself in its way of life. That expression is not confined to the sphere of culture. It inevitably enters into the arenas of economy and politics. Besides the multinational empire, the state is the only alternative régime where a historical community can fully express itself. Third, a secure and culturally satisfied people have no incentive to war. Throughout the modern times, the discontent of the stateless people is one of the chief causes for wars and for great powers' intervention. Peace will follow if peoples are happily settled in their own states.¹¹⁶

Decentralization, in its ultimate form, is the splitting of land and sovereignty, and the creation of new states. Walzer argues that the state system must be completed before a new world system can emerge. But he also realizes that the process will encounter difficulties. Sometimes the central government is so powerful and well-organized that the minority cannot break away. Or the natural resources are so important to all the people that a fair division of them is virtually impossible. Or the minority share some identification with the majority, and do not want a complete separation. In such cases, regional autonomy is a more sensible choice than independence. Devolution is decentralization at work within the state. Power is delegated from the central government to the regional government. Devolution will weaken the central government, and complicate its exercise of power. But it might help to make a safer world.

The process of national liberation will generate a reverse process of alliance. Because of the emergence of many states, smaller states tend to form federations or economic unions, and transfer some power to the central bodies. It may sound strange at first, but alliance is a sure consequence of an uneven development of the state system. National liberation will reshape the international terrain. There will be more nation-states in the future, and these states are not equally powerful. Walzer predicts that the Soviet Union is easily prone to disintegration. To maintain a balance of power, he pleads that the status quo of the Soviet Union should not be toppled. Under the bipolar world system, smaller states have to form alliances so that they may be in a better position either to defend themselves or to bargain with the superpowers, or other unions. Alliance, on the one hand, strengthens the international standing of the states, but on the other, it imposes some constraints on them. Allied states must institute some central organizations, and transfer some of their state power to these institutions. This will in turn further weaken the states and subject them to a higher authority. The result is that it will be more unlikely for them to make unilateral decisions. Alliance is a complicated process: it weakens the states internally, but at the same time, it strengthens them internationally to check the superpowers. Both tendencies are good for international peace and distributive justice.

Besides the sovereign states, Walzer mentions another way that could curb the great powers' decision-making: international and domestic civil rights activists expose government policies to public scrutiny. Politicians would normally want to keep their plans in secret, but democracy, mass politics,

115. Cf. *Reform*, p. 240.

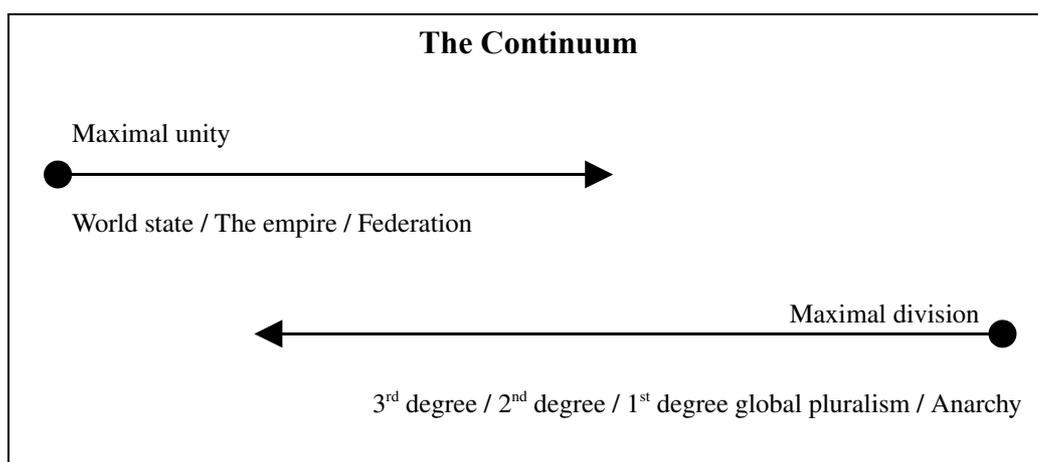
116. *Reform*, pp. 228-230.

and the free press make their conspiracies or atrocities more or less known to the world. Social criticism is a form of powerful political pressure that helps shape domestic politics, especially in democratic states. Although at this moment it does not have any significant impact on international affairs, Walzer still believes that it could play a more important role in the future.¹¹⁷

The balance of power builds up tension and brews hostility between rival powers. Ideologists take advantage of the tension, and work out different versions of inimical ideologies. They describe the rivalry as a conflict between world views, or even as the final war between good and evil. Their purpose is to divide the world into two mutually exclusive worlds. Here, the ideologists are doubly wrong: their ideologies are inaccurate, and more seriously, they mistake the balance of power as the clash of power. Walzer refuses to accept their ideologies. He prefers a balance of power to a victory over the rival. To mediate the conflict, Walzer advocates the strategy of *détente*. Negotiation and communication are both useful in neutralizing difference and hostility. Though the difference in world view may not be eliminated, conflicts over specific matters can be resolved. Walzer insists that a series of successes in negotiations would lead to a kind of “peace-in-pieces.” Communication, such as diplomatic routines, cultural exchanges, tourism, and trade, Walzer opines, is “a good thing.” However, he is not as optimistic as some reformers who think that such activities would completely bridge the differences.¹¹⁸

b. *The second argument*

Some thirteen years later, Walzer published another short article on the world system, titled *International Society: What Is the Best We Can Do?* His basic conception of the world system and his solutions to its problems remain, more or less, the same. But his argument is a new formulation; it is no more a patchwork of Wilson, Mazzini, and others. The structure of the argument is geometrical: it consists of a continuum of centralization with seven marked points on it.



The continuum runs from total centralization on its left to anarchy on its right. At the left end stands the global state, and at the right the anarchy of states. Between them are the global empire, the

117. *Reform*, p. 237.

118. *Reform*, p. 236.

federation of states, and the third, the second, and the first degree of global pluralism. Situated in the middle of the list, the third degree of global pluralism is not the centre of the continuum. In fact, except for the two extremities, we do not know the exact positions of the in-between points. All we know are two sets of relative relationships. Since a good diagram saves many words, I reproduce and adapt the one from a French version of Walzer's article.¹¹⁹

The five intermediate régimes are not marked on the line because their exact positions are uncertain. Starting from the maximal unity of the world state, the empire moves one step further from unity, and the federation moves still further away. And from the maximal division of anarchy, the first degree global pluralism stands further from total division, followed by the second, and then the third degree global pluralism. Whether the two progressions of régimes overlap with each other is entirely unclear in Walzer's presentation. (The diagram shows as if they overlap.) The question of overlapping is not crucial in Walzer's consideration, for he does not assume that the best régime lies at the centre. Walzer plots the seven régimes on the line of centralization only as a convenient way to locate the best régime. To measure each régime, he has four criteria: peace, distributive justice, cultural pluralism, and individual freedom.

At the far left of the continuum lies the global state. Kant has contemplated this kind of unified régime, and called it "the world republic." It consists of a government, a single citizenship, and a set of universal human rights equally applicable to every man and woman. The boundaries of states are abolished, and every citizen of the global state is directly connected to a single centre. This is the maximal imaginable centralization. The form of the government is insignificant: whether monarchic, or oligarchic, or democratic, it will not diminish the centripetal force of the government. What matters is the division of race, culture, and religion. If these classes are recognized and absorbed into the state system, centralization will be weakened and the régime will move a step towards the right. In the first argument, Walzer dismisses the global state as "wildly impractical." This time, he passes his moral judgement. The global state has the capacity to redistribute resources. It may be in a better position to tackle some global problems such as poverty, uneven development, and ecological degeneration. War, as we know it, will not exist in the global state. All group differences and group interests are disregarded by the global government. Men and women in the state are treated as individual citizens. They are free to plan their own life as long as they observe the criminal codes. Everyone may follow the cultural or religious tradition of his choice. But public expression of group identity will be repressed, and so will the demand for autonomy or independence. Walzer uses strong words to criticize the global state of tending towards "terrifying despotism," and "tyranny."¹²⁰

A step away from the left of the continuum stands the global multinational empire. Instead of individuals, the basic units in the empire are states or groups. A superpower connects all the other states to itself by imposing hegemony over them. It resembles *pax Romana*. Being a citizen of the state that has the potential to secure world hegemony, Walzer declares that he is not an advocate of *pax Americana*, "nor [does he] really think that it's possible." Nonetheless, he won't deny the advantages that a global empire may bring. Most importantly, the empire tolerates cultural pluralism, and its political arrangements, Walzer writes, "represent the most stable regime of toleration known in world history." The empire promotes peace, though the peace is established by repression, and rebellions break out from time to time. The well-known vice of an empire is inequality. The empire imposes an

119. M. WALZER, *De l'anarchie à l'ordre mondial. Sept modèles pour penser les relations internationales*, in *Esprit* 274/5 (2001) 142-157, p. 153.

120. M. WALZER, *International Society. What Is the Best We Can Do?*, in *Ethical Perspectives* 6 (1999) 201-210, pp. 201-204.

inferior status on all peoples except its own citizens. Other inequalities multiply under the canopy of superior citizenship. Walzer also worries that the empire does not protect individual liberty.¹²¹

Further along the continuum from the left is the federation of nation-states. A global federation of states can be formed if all the states agree to give up their sovereignty to the federal government. In return, individual states are guaranteed, in the form of a constitution, that they can retain certain power to manage their own affairs. The United Nations in its present capacity is not a federal government. If, however, it incorporates the World Court and the World Bank, and is given sufficient power to enforce its resolutions on individual states, it will then function as a global federal government. A re-instituted United Nations, it seems to me, is a more viable plan, and the best régime from the left. Walzer does not favour this model. He predicts that there will be two opposite developments in the UN and the member states; both of them are worrying. In the federal government, the form of power distribution will be oligarchic if the distribution of resources among states remains unchanged. Similar to the European Parliament, a few states of the federation possess the majority of votes, and become the virtual policy-makers in the United Nations. A centralized global government makes global redistribution easier. We can expect a better address to poverty than now. But we cannot expect too much, since the oligarchs will allocate the bulk of the pie to the states they favour. Among the member states, their governments will become “uniformly democratic.” Besides the constitution, the federal government will draft a list of social and political rights. If a citizen sees that his rights are not respected by a state, he can appeal to the World Court. In the long run, every state will be in compliance with the global rights and the Court’s interpretations of the rights. Political and cultural pluralism will be undermined in the federation of states.¹²²

Walzer’s ideal régime is to be found not from the left to the right, but from the right to the left. At the far right is the anarchy of states or the international anarchy. The name of the régime literally means an absence of régime, and implies a chaotic state of the world. “This phrase,” Walzer corrects, “describes what is in fact a highly organized world, but one that is radically decentred.”¹²³ The states are highly organized, but they refuse to share their sovereignty for whatever purpose. Neither will they cede power to a central authority. Any binding principle will likewise not be honoured. The states make treaties according to their interests, and break them also for the same reason. The anarchy of states is inevitably war-inflicted, for ultimately every state has to resort to threat and violence to resolve any dispute. The absence of rule in the world is obviously undesirable. In the absence of authority, war, poverty, and environmental problems will have no remedy.

To introduce some authority over the states, we can establish some international organizations, such as the United Nations, the World Court, the World Bank, and the International Monetary Fund. This is the first degree global pluralism. All these international organizations are weak and only partially effective. In addition to them, we need some other international associations, or the so-called NGOs. International associations as a whole form an international version of domestic civil society. International civil society trains and empowers citizens of any state to act for the common good. It also strengthens the international organizations in their dealings with the sovereign states. This is the second degree global pluralism. Even then, small states are still in a disadvantageous position in terms of security and trade. The solution is to set up regional unions, for example, the European Union. This is the third degree global pluralism. A collection of sovereign states, mediated by international organizations, international civil society, and regional unions, Walzer thinks, is the best régime that “may well offer the largest number of opportunities for political action on behalf of peace, justice,

121. *International Society*, pp. 204–205.

122. *International Society*, pp. 206–208.

123. *International Society*, p. 202, c. 1.

cultural difference, and individual rights,” and that “may pose ... the smallest risks of global tyranny.”¹²⁴ Walzer reminds us that the present international society is a first degree global pluralism. Although there are international associations and regional unions, they still have much to do before they can make their full impact upon the international society.

c. *Some remarks on Walzer's proposal*

The political structure of signification

“The bulk of his work on the general structure of international society is neither revelatory nor as reformist as Walzer would have us believe.” Orend concludes at the end of his chapter on international justice, “It essentially describes and endorses the fundamental lineaments of the current world order.”¹²⁵ Although Orend's book appears later than Walzer's second argument on international society, it shows no sign of the latter's existence, and we may reasonably assume that Orend has not read Walzer's article. The comment he gives is thus directed at Walzer's first argument. Nonetheless, it can also be applied to the second. The third degree global pluralism, except for the name itself, sounds nothing new to us. The three sorts of supra-state organizations have been in existence for some years. What Walzer proposes is their endorsement and full development. His strategy is named by sociologists as “radicalization.” He radicalizes the state system and the supra-state system. He radicalizes both division and unity. We may interpret his reasoning as a radicalization of pluralism. Walzer's pluralism is a complex pluralism—it accommodates unity. What he rejects is a single centre of unity. For him, multiple centres of unity, which may overlap with each other, would make for a better world than uniformity.

Orend is right that Walzer's proposal is neither “revelatory” nor “reformist”—in the sense of creating a drastic change. He thus concludes that he has to look elsewhere for inspiration. It is true that the merit of Walzer's second argument is not its power of inspiration. Its usefulness in fact lies in providing us with a political structure of signification against which we can better understand the nature of a régime and weigh the pros and cons.

Personally, being a citizen of a former apocalyptic Marxist state and an ordinary man in the world, I lack Orend's enthusiasm for revelation and reform. A cautious advancement from “the fundamental lineaments of the current world order” seems to me exactly right. Among the seven régimes, two of them look more plausible. One is the federation of states, the other the third degree global pluralism. A federation allows for plurality, and has a simpler structure. Since I see political participation as a duty more than a virtue, and prefer harmony to cacophony, the federation of states appeals more to me. However, for the formation and the proper functioning of the global federation, the leaders of the federal government must measure up to high ideals. In the current political culture, which emphasizes procedure and capability rather than virtue, I'm afraid few political figures would qualify as global leaders. Under such circumstances, Walzer's third degree global pluralism looks like a more viable option.

The new unilateralism

Recent international political development is in the making of a new régime, which may be provisionally called “unilateralism.” As a matter of fact, unilateralism is not a new concept; it might

124. *International Society*, p. 208, c. 1.

125. B. OREND, *Michael Walzer*, p. 176.

have appeared as early as the 1920s. Its original meaning— unilateral disarmament—arose in the British political context. Unilateralism was then a political position that advocated unilateral disarmament, particularly the disarmament of nuclear weapons, regardless whether other states took the corresponding action or not. In this sense, unilateralism is very positive. One renounces the possession of weapons of mass destruction on the sole consideration of one's moral conviction. In the 1960s, the word unilateralism took up another meaning in the United States. Now, unilateral disarmament was generalized to include any foreign policy. Unilateralism referred to a state who made its own foreign policy without consulting its allies or trading partners. The term was often used in the complaints of the United States's unilateral foreign trade policy. It is worth noting that the new usage has changed the connotation of the word from a positive to a negative one. Unilateral disarmament is a moral act; but unilateral foreign policy, even if not immoral, conveys clearly a strong sense of disapproval.

In the 1990s, unilateralism has undergone another drastic change in its meaning. At the moment, it speaks of a state that determines its domestic and foreign affairs unilaterally, and imposes them on all other weaker states, either by persuasion, or bargaining, or threat, or sanction, or even force if necessary. Underneath this unilateralism is the unipolar world view that a superstate should determine for all the others the main patterns of economic system, political arrangement, and the way of life. According to the American neo-conservatists, the two salient characteristics of the new unilateralism are "the American freedom of action" and "the primacy of American national interests." The most dramatic demonstrations of the new unilateralism are the abolishment of the 1972 Anti-Ballistic Missile Treaty, the Bush administration's out-of-hand rejection of the Kyoto protocol on global warming, and the restructuring of Iraq without the approval of the United Nations. These three cases show that the American unilateralists are no respecters of either mutual agreements, or treaties, or morality, or international law. They assert their freedom of action to such an alarming degree that the rest of the world can no longer afford to ignore their new unilateralism. How should we assess this régime?

"Unilateralism" may be used by the neo-conservatists as a euphemism for imperialism, or it may in fact be a precursor of imperialism. If, however, the present and foreseeable global milieu is unfavourable to the formation of a global empire, then unilateralism may perhaps become the final goal of the superstate instead of an intermediate strategy. If so, unilateralism will be a new régime that Walzer has not anticipated and that we have no experience of. Nevertheless, his political structure of signification can be applied to understand it.

I think the régime of unilateralism should be located from the left on the line of centralization since it centralizes the crucial decisions in one superstate. It probably situates somewhere between the empire and the federation of states. To begin with, we can imagine it as a minimal empire. The primary ambition of the superstate is to establish its primacy, that is, it wants to be the sole decision-maker in global affairs. Once it has determined a policy, other states have no alternative but to accept and implement it, otherwise they will face serious consequences. Apart from that, the plebeian states are free to manage their own affairs. The superstate connects all other states directly to itself, through bilateral agreements perhaps. At the same time it permits them to form interconnections, most probably under close surveillance. It will also continue to sanction the existence of the United Nations, other global organizations, or regional unions provided they fulfil three conditions. First, these associations have to be, at least partly, the auxiliary mechanisms that help implement its policy. Second, the governmental organizations are still welcome to make laws and regulations and enforce them among the member states, but they should not expect the superstate to honour such rules. They

should know that the superstate is above the law. Third, they are allowed to develop their potentials so long as they cannot challenge its hegemony either militarily or economically.

What kind of régime is unilateralism if we weigh it by Walzer's four criteria? Unilateralism can no doubt impose a kind of peaceful coexistence on the states, though regional rebellion may still break out from time to time and terrorism will probably increase. Cultural diversity will not enjoy the same degree of protection in the unilateralist régime as in the empire, which promotes cultural enclosure as a means to its rule. The superstate, in contrast, will advertise itself as the embodiment of the supreme culture in order to legitimize its superiority and to bind the individuals of all states to the central governing establishments. People everywhere are free to express their culture, but they will constantly be allured to admire and to adopt the supreme culture. The prospects of distributive justice and human rights are not optimistic either. Unilateralism is unlikely to be a régime that cares about international distributive justice. On the contrary, its nature is to amass wealth for itself at the expense of other states. In order to maintain its supremacy, it will shape the world in such a way that potential rival states will be systematically contained. Because of the implementation of a systemic strategy, some regions are made very rich and some are kept underdeveloped. Worse still, it may wreck the internal distributive justice of other states by installing or supporting corrupt but obedient governments. Likewise, unilateralism is unlikely to truly respect human rights, especially outside of the superstate. Under the pretext of anti-terrorism or some other so-called security measures, the superstate can order other states to suppress their citizens who dare to oppose the decrees of the unilateralist régime or the régime itself. The rights of the dissidents will be violated, and those in the corrupt, unscrupulous states will naturally receive very bad treatment. All in all, the best that unilateralism could provide is a coerced peace. At this moment, it may still be immature to speak of a federation of states. But a third degree of global pluralism that can manage to keep the peace is entirely within our capacity. We deserve something more than what the régime of unilateralism could deliver.

CONCLUSION

Michael Walzer is a true connected social critic, who writes consistently from a Jewish-American perspective. He succeeds not only in criticizing social injustices but also in articulating the deeper aspirations of the people by connecting high-modernity with tradition. He measures up to the critical criteria he himself lays down. Walzer is gifted with a critical power to penetrate social realities. He sees through the mainstream ideas, recognizes some persistent traditional elements in society, and thus tries to incorporate them into the liberal theories. Maybe the liberals recognize these elements too. But they often regard them as relics of the past epoch either to be overcome or to be ignored as meaningless remnants of evolution. This liberal conviction may not be correct. After centuries of extensive demolition programmes, some traditional elements still survive. We have good reason to believe that they are here to stay. Walzer takes them seriously, and attempts to rediscover their values and to delineate their proper functions in a liberal society. His attitude is not nostalgic or conservative. On the contrary, Walzer is more realistic and mature. For he realizes that the liberal ideals cannot be totally implemented. Even if they could, the world would not be made a better world. Liberal society needs communities as the important training grounds for connected and responsible citizens.

Besides reviving the spirit of prophetic criticism, Walzer displays in his style of writing another remarkable Jewish characteristic. Walzer does not write systematically, nor does he intend his theory to be valid for many generations. His argument aims to provoke thought rather than to knockdown his opponents. By forgoing comprehensiveness and eternity, he allows (and invites) others to contribute their own views. Walzer calls this Jewish intellectual practice “the virtue of incompleteness.” He is a genuine practitioner of this virtue, and hence he chooses a non-foundational approach to ethics. This does not mean, however, that he does not have a consistent view of the moral world. It is only that he does not draw the whole picture. Actually he has sketched some important parts and plotted points on the contour. My endeavour is to reveal the overall picture by connecting the parts and points. I have also tried to polish the picture. Enough has been said in all those previous chapters, and there is little need to repeat it, save to highlight two points.

The role of intellectuals

The true intellectual is the conscience of humanity. He is a person haunted by the spark of conscience. The spark inside him is so fierce that he comes to realize that he is in love with the world. Indeed, he loves the world so much that he is grieving over oppression and injustices in the world. He devotes himself to changing the world even to the point of sacrificing his life. He has compassion for the oppressed. However, his compassion may be directed only to his people and translated into zealous nationalism. To avoid falling into the extreme position, some intellectuals choose absolute impartiality.

They refuse to give public support to the group they belong, even when their own group is doing justly. Some of them, like the Sartrean absolute oppositionists, go so far as to point their aims of criticism always and only at their own side. In the judgement of Julien Benda, both of them are extremists. They are intoxicated by passion—the former by the passion of nationalism, and the latter by the passion of impartiality. Deliberately shunning passion, Benda treads the path of ascetic monasticism in the hope of gazing and criticizing the world from a transcendent plane. Presumably, his would be the most accurate and just judgement. Walzer, however, raises his objection, for he cannot see any transcendent plane on earth. Benda himself has not transcended his passion for France. Herbert Marcuse and Michel Foucault did cut themselves loose, but their criticisms are merely curses that can neither change the world nor touch the hearts of the people. It seems that they have not reached the transcendent plane yet, if there is any at all. In the Western tradition, Walzer singles out the Israelite prophets as the model social critics. These prophets are connected both to the place and to the people. To Walzer, *topos* rather than transcendence is the prerequisite for social criticism. The intellectual is a nationalist and a patriot, who sides with the people but at the same time retreats to the margin, from whence he criticizes the power centre. What is required of the social critic is a very short distance from the mainstream.

The prophets are not merely self-motivated social critics; they claim to be the spokesmen of God, and their proclamations contain some transcendent element. Walzer uses the argument of the sage to invalidate the transcendent element of prophecy. One thing we have to note, however, is that while the rabbis maintain a distinction between the prophet and the sage—some modern rabbis even expect the return of the prophet, Walzer conflates the two roles. In the course of so doing, he collapses the tension between transcendence and *topos*. His liberal reinterpretation of prophecy, to some theologians, will depreciate prophecy and diminish the sharpness and the fairness of social criticism. Tyler Roberts counteracts Walzer by formulating his argument as cross-cultural social criticism. He argues that religious communities are vital constituents of a liberal society. These communities are sources of human values. If a local critic uses the experience and history of his religious community to criticize the liberal society, he will be able to create a longer critical distance than that of Walzer's national-popular critic. A connected critic with a longer distance will probably criticize society more justly, if not understand its problems better.

Roberts has formulated a forceful argument. In contrast, Walzer's response is ambiguous. On the one hand, Walzer does not deny Roberts's cross-cultural criticism, on the other, he insists that his national-popular criticism is an adequate model, and that effective criticism must be couched in the popular language. Perhaps Walzer is right: the national-popular criticism is an adequate model. But he is inconsistent in his practice. For instance, Walzer's ideal critic George Orwell is doubly connected. He criticizes the English class system and the totalitarian socialism, and both criticisms contain cross-cultural elements. Moreover, Walzer himself is a cross-cultural social critic; his critical works manifest unmistakable Jewish tendencies. In reality, Walzer is doing what Roberts says, but he does not conceptualize this practice in his own theory of social criticism.

The omission of the cross-cultural dimension in the theoretical formulation of the social critic makes Walzer's *topic* intellectual look more nationalistic than he could be. One may question if the *topic* intellectual would ultimately become an extreme nationalist who weighs his national interests before anything else. Obviously, Walzer is not a self-aggrandizing national intellectual. His theory of supreme emergency nonetheless betrays his nationalist baseline: in most cases, he would consider other nations fairly, but in supreme emergency, when he feels that national survival is being threatened, he will permit the sacrifice of innocent people. Another manifestation of Walzer's nationalist tendency can be found in his early writings, where he emphasizes the morality of war in international relations but disregards the potential of international organizations such as the United Nations, the World Bank,

international courts, and NGOs. It is not until recently that he mentions the names of these international organizations and gives his appreciation and recommendation.

In the current development of the world system, Walzer advocates three dimensions of global pluralism. In order for these international organizations to be successfully organized and to function properly, it is necessary that their leaders or activists should transcend their own national interests. One would query if the *topic* intellectual could have a role to play in these three international planes. It seems to me that the national-popular standpoint is insufficient to match up to the increasingly complicated international relations. It would be a definite advantage if the intellectual could stand on a transcendent plane. Is there really no transcendent plane on earth as Walzer would have retorted? While it is difficult to pinpoint the physical location of transcendence on earth, it is also not easy to deny its presence in some communities. Christianity, Buddhism, Kant's philosophy, Confucianism and so forth, all these preach a universal love of humanity. This kind of communities may foster a general love for every man and woman. An intellectual brought up in any of these traditions might possess a certain degree of transcendence, and he is in a better position to act in the international arena. If the international society is taken into consideration, Roberts's bi-communal model will have an advantage over Walzer's national-popular model, for it is able to erect the two poles of *topos* and transcendence and to create a tension between them. The ideal intellectual can thus be at once transcendent and *topic*, and if he can balance the tension well, he may become a good international and domestic social critic.

The art of social criticism

Some modern intellectuals, in their self-understanding, are a new species detached from the rest of humanity. "They are," in Walzer's words, "not only modern but also modernist: self-conscious, oppositional, and alienated." Their ambition is to transform their ethic into a self-created, rational framework with universal pretensions. They are especially hostile towards tradition which they deem to be decadent and irrational, and which they regard as the very fetter that prevents humanity from developing to its full potential. Hence they strive to demolish the tower of tradition and the traditional society, and to rebuild a better new world. In the course of reforming the old world, they take inspiration from natural science. If the scientists can reform the physical world with a formula, why can't they also reform the social world with a formula? They then proceed to look for the formula. The German finds it in the categorical imperative, while the Englishman identifies it as the utilitarian calculus. Each of the formulae is then used by its advocates as a universal corrective to reform all kinds of societies.

The modern intellectuals have overcome the traditional ones, and become the helmsman of society. Their achievements in social reform are noticeable. No one can deny their contribution. Nonetheless, the reform has also brought adverse effects on modern men and women: deracination, romanticization of progress, and one-sided conception of reality. These characters have corrupted modernization. An obvious example is the Marxist social reform. Because of deracination, the Marxist intellectuals were unable to develop a concrete social programme, hence they gave free rein to their romanticism and pursued in vain a utopia. The consequence is disastrous. The liberal project is more successful. This is due partly to the restrained strategy the liberals have taken: they do not aim to change the world instantly or entirely; they only fight for the kinds of liberty they desire. Their strategy has proved to be a prudent one, and the liberals have become the master of the modern world. But the world they help fashion is infected with pressing problems: social disintegration, pollution, depletion of environment, North-South disparities, racial and cultural conflict, to name a few. Although these problems are

serious, modern society has the resources to put them under control. The question is: do the deracinated, shallow, individualistic, liberal selves have the determination, strength, quality, and wisdom to tackle them?

We may reasonably doubt it. Walzer is one of those profound thinkers who dare to challenge the liberal project. The liberals, or more broadly the modern intellectuals, are immature in his eyes. They claim to offer an alternative personality, but in reality their construction is not as special as they would like it to be. The ancient Israelite prophets were also self-conscious, oppositional, independent-minded social reformers, whose social criticism was more successful than their modern counterparts. If the social critics want to improve their art, they have to study and learn from the prophets. In general, a society is a continuous project, impossible to be completed in a single or even in a few generations' time. Our ideas, customs, habits, and social institutions are (almost without exception) in one way or another connected with the past. If we want to find out the best reform now, we have to look back first into the past. Thus we need interpretation more than discovery or invention. The three temporal interpretive principles, which I have systematically formulated, provide a useful means to understand the big picture of the present situation in a continuum. The deficiency of this temporal interpretive methodology is its determinacy. So we have to supplement it by adding tradition reflexivity as the fourth principle. These four interpretive principles can help analyse the moral culture, but they do not dictate the position we should take in response to the mainstream culture. We are at liberty to choose the kind of response we deem fit.

There are three common approaches to cultural confrontation. The first is self-assertion. People who take this position are called traditionalists or conservatists. Their reaction is defensive. They see other cultures as an intrusion, and aim to conserve their traditional way of life in the face of foreign influence. In order to achieve this aim, they assert their own traditional values and exploit the weaknesses of other cultures. The second approach is inculturalization. The word "inculturalization" in its broadest sense means the mixing of two or more cultures. Cultural amalgamation is a neutral process. No nation on earth can avoid foreign cultural influence. However, inculturalization here is not meant to describe this natural process. Rather it refers to a conscientious grand project intended to implant one culture into another in such a way that the receiver nation will widely accept the resultant culture as their own. The usual way to achieve this is to extract the kernel from the giver culture and implant it in the host culture. As a result, the inculturalized culture may become significantly different from the giver culture. Successful examples can be found in the inculturalization of Christianity in the ancient Greek world, liberation theology in Latin America, or Buddhism in China. The third approach is what Walzer is doing, we may call it connected reinterpretation. This approach recognizes that the mainstream culture by its nature is recalcitrant to inculturalization. As it is, it would be better to reinterpret culture by choosing the tendencies closest to one's communal ideals and elaborating them into a new culture. This method may seem to be more natural and less disruptive, and it can bring about radical change. Walzer's argument for the transition from liberalism to democratic socialism has shown us how radical reinterpretation can be. Moreover, since modern culture is at least partly a disconnected reinterpretation of the Western society, a connected reinterpretation may provide the timely corrections that are badly needed by modern society. This methodology has hardly been exploited by theologians, though it can be used to connect modern society with tradition. Theologians are connected intellectuals, and they profess a genuine concern for the well-being of humanity. If they employ their expertise to the construction of social theory, they may make some fresh contributions to the ongoing discussion of building a better society.

In a multicultural liberal setting, partisans of the three approaches often quarrel with each other. One group attacks the other groups by disparaging their methods as inadequate or ineffective. Each

argues as if its own approach were the only viable means to cope with the undesirable consequences of modernization. It seems to me, however, that this is not an either-or issue, for no one can deal with the problems alone. Liberalism has created in society a tension between individuals and communities. Some people like to become free floating individuals and enjoy maximum freedom, while some aspire to a substantial communal life. A liberal society permits both choices, and it is a good thing that people could have the freedom to choose their own way of life. Under the liberal setting, we have to guarantee individual rights as well as the survival of communities. Liberalism protects individuals, and communal values safeguard communities. Perhaps it is for practical reason that the three groups need to defend their positions assertively, to maintain internal cohesion or to recruit adherents, for example. In reality, the three approaches do not necessarily counteract each other. On the contrary, they may even complement one another's work and make the liberal society function more healthily. Self-assertion strengthens a community and gives its weaker members identity and confidence; inculturalization allows the more ambitious members to spread communal influence in the society; reinterpretation offers a practical way of active participation in the mainstream society. Each of them functions differently, and each of them draws its own like-minded followers. Maybe in some situations we have to lay more emphasis on a particular approach, but really it is unnecessary and indeed harmful to exalt one at the expense of the others.

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