Bellamy, Liberalism and Modern Society (Pennsylvania State University Press, 1992).

For Bellamy, liberalism is theoretically and politically bankrupt (p. 2). He means to replace it with something he calls "democratic liberalism." There are a host of difficulties with the book. First, it suffers from a characteristic problem of much political thought, a conceptual looseness which is quite amazing: liberty, freedom, autonomy, democracy are employed with a disregard for any sort of clarity. This allows him to be critical of many writers and then to make us think that his "reconceptualization" is a genuine and plausible alterative. In fact, Bellamy's position is, at best, naively liberal democratic. Second, the way that he thinks of ethical theory, political theory and political sociology allows him to obscure and confound what otherwise is sufficiently clear and well established. It is best to treat these problems together. Bellamy concludes:

> various contemporary theories of liberalism examined above all turn out to be ethical theories. They are based on perfectionist reasoning construing the good life for human beings consisting in an autonomous existence. Far from being of universal application, they advocate an idealized form of a particular historical community essentially the bourgeois utopia of the ethical liberal tradition (p. 248).

With a generous reading, this is probably true. At least it seems true enough of Nozick, Rawls and Dworkin. But first, it is a huge error to discount utterly their differences. They are all "liberals" in that they put a high priority on freedom, among many possible values. (For my account of moral difference between conservatives and liberals, see my Death of the State (1974). There are, of course, many clear moral liberals, many clear moral conservatives, e.g., Plato, St. Augustine, Durkheim (contra Bellamy) and Freud, and many who are hard to classify, e.g., Aristotle, Rousseau and Hegel. Moreover, there are many differences in the ways that they understand freedom, on why it is a primary value (or not), and on how it relates to other values, e.g., human happiness, justice, equality, etc. This is, of course, the main point of ethical theory: to articulate and justify an understanding of the ethical life. Bellamy has the strange notion that ethical theories are meant to provide "a metric" for concrete ethical decision-making. ("What metric do we use to sort out the potential clashes between different sets of conflicting liberties..." (p. 2 and p. 255). See also see, p. 245 where he notices that it is "unlikely that practical reason will be able to resolve all conflicts...in a desired manner." Finally, as if it were decisive against liberals, he notes that "no ethical theory can adequately resolve" questions over conflicting rights (p. 246).) Bellamy confuses causitry with ethical theory and thus makes it seem that a liberal ethical theory has no place for either making judgements or, presumably, even for politics. Nor as Bellamy persistently suggests, need an ethical theory be either "perfectionist" or foundationalist. Dewey is the best case, but others could be mentioned. That is, Bellamy seems to think that a commitment to "objectivity" requires that reason be omnipotent and that the good and right be transparent. Nor does appeal to rights require a dubious metaphysics (p. 255). Thus Aristotelian approaches can be both open and pluralist. Indeed, Bellamy admits as much in his accounts of Finnis and Raz (p. 246). (Here again Dewey is the best case.) Of course, all the contemporary liberal theories are ethical theories, but of course, there can be no political theory without an ethical theory. Bellamy's theory (following Weber) is some sort of Nietzschean theory, but it too thinly sketched to say whether it is closer to Thrasmachus or to the decisionism of Carl Schmidt. But before looking at this, we need to look at some other problems. A red herring, now evidently fashionable, is the idea of autonomy

and its relation to contemporary industrialized society. The term is Kantian, of course, and (following etymology), it properly refers to the idea that one gives law to oneself. R.P.Wolfe argued years ago, that this was inconsistent with any form of association. But since laws had to be made and enforced, there could not be "legitimate" state. One alternative, suggested by Rousseau, of course, was that people could give laws to themselves collectively. The Greeks called this democracy. I return to this. A meaning closely related to the Kantian notion was given by Rawls, very late in his *Theory of Justice*. For him, "acting autonomously is acting from principles that we would consent to as free and equal rational beings, and that we are to understand in this way" (p. 516). Plainly, this was the intention of the original position. For Rawls (although he is sometimes careless), autonomy and freedom are not the same thing. In the context of the original position, "free" means only uncoerced (voluntary) and fully informed. In the context of everyday life, however, Rawls recognized that freedom was a power, a capacity to do what one wills and that there were both negative and positive conditions for this. That is, one could be prevented from doing something one wants to do by threat of coercion or, e.g., because one lacks money. Bellamy conflates freedom and autonomy, and in addition, he remains stuck with a version of Berlin's wrongheaded conception of negative and positive freedom. Bellamy sees that constraints can be both "external" and "internal" but seems to think that "internal" constraints include things like agoraphobia and "mass hypnosis of custom or organized propaganda." First, while agoraphobia (like compulsive desires, headaches, ignorance) are properly "internal constraints," it is hardly clear how "mass hypnosis of custom" or "organized propaganda can count? It is especially striking in this regard that Bellamy confused, probably, by his commitment to autonomy, assumes an extremely rationalist posture as regards "internal constraints." Thus, for him the forces of modern society: complexity, the division of labor, experts, professional bureaucracies, mass media, "have progressively weakened the individual's capacity for autonomous rational action and choice" (p. 251). For a writer who criticizes liberal thinkers for being politically and socially naive (p. 217), the implied notion of "autonomous" is stunningly naive. Presumably, one would need to satisfy Habermasian conditions of communicative discourse for "autonomous rational action and choice." But even in our complex society, subject as it is to propaganda and expertise, I can still make autonomous rational choices. Indeed, where this not generally true, there could be no human society. The text shows also the confusion wrought by confusing autonomy with freedom. No one, I think, including Durkheim or Weber, would deny that in modern societies freedom for almost everybody has been considerably enlarged. Thus, peasant life was profoundly constrained, and potentialities and choices were few. As writers of the early modern period new, "city life made one free."(This originates in the German, but I have forgotten the exact expression which ends "...macht frei.")Second, Bellamy confuses "internal" constraints with "positive" constraints. As Feinberg (1973) has argued, if freedom is defined as a triadic relation: X is from Y to do or have Z, then there are four categories: internal positive constraints, such as compulsive desires, internal negative constraints such as ignorance, external positive constraints, e.g., locked doors and guns, and external negative constraints , e.g., lack of money or resources necessary to do or have Z. It is easy to show, then, that liberal thinkers have failed utterly to conceptualize external negative constraints. The deepest problem with liberal political philosophy is just this: It is not, contrary to Bellamy, its moral commitment to freedom. (But for a critique of some the more dubious assumptions and arguments offered by liberals on this score, see Roberto Mangebeira Unger,). But there is nothing in the concept of freedom which implies that all claims to it (usually in the form of rights) are valid. Surely, X ought not to be free to harm Y so that he can be rich. Similarly, it is perfectly clear that no one either has or could have absolute freedom. We have to put aside "constraints"

which are not produced by social arrangements: For example, our incapacity to fly like a bird is not a pertinent unfreedom. The liberal moral ideal aims to maximize freedom. The problem with liberal political philosophy has been its tendency (with some exceptions) to assume that capitalist institutions provide the optimal conditions for realizing freedom. This follows directly, of course, by restricting "constraints" to those generated by the state. Similarly, once done, there will be an inconsistency between freedom and equality. This is obscured, for the most part, by making the further assumption that where there are equal rights, people are equally free. Perhaps this is just carelessness (as it might be in the case of Held, quoted on p. 254), but one suspects a more fundamental confusion. Held writes: "Persons should enjoy equal rights (and accordingly, equal obligations) in a framework which generates and limits the opportunities available to them; that is, they should be free and equal in the determination of the conditions of their lives, so long as they do not deploy this framework to negate the rights of others (quoted from Bellamy, p. 254). The "that is" is entirely inappropriate. This text defends, at best, equality of opportunity, not equal freedom. Nor certainly does equal rights entail equality in the determination of the conditions of their lives, a condition which is a very strong form of democracy. But plainly, with the triadic conception there is no inconsistency between freedom and equality. Putting aside inequalities in powers which are not produced by social arrangements, e.g., native abilities, it is easy it is easy to imagine a society where there was equal freedom, where all had not only equal rights and opportunities (still lacking in liberal societies), but equal resources: where all were subject to identical constraints, positive and negative. Of course, one can also consistently argue, perhaps on Rawlsian grounds, that some inequalities should be admitted. That is, fascist thinkers (and those who influenced them, including, e.g., Mosca and Pareto) were quite right to see socialism as fully applying liberal moral principles. Of course, failing to grasp fundamental issues, as with his account of Durkheim, Bellamy's account of Pareto and Mosca is perverse. Bellamy draws on the tradition of "realist liberalism" and defends "democratic liberalism." In the text quoted on page 1, he chided liberals for legitimating the status quo. But even if it is true that contemporary liberal theory provides " a spurious moral justification for the present [i.e., liberal, capitalist] political systems, Bellamy's own "democratic iberalism" is naked positivism which on his own account "replaces substantive 'moralistic' constitutional constraints on moral rule and government action with `realist' procedural democratic checks and controls. That is, he defends capitalist, constitutional, representative regimes with a naive interest group pluralism! (See especially, p. 259).He says that "this way of thinking harks back to the classical republican tradition of thought" which, he says, must be distinguished from the "civic humanist" (Aristotelian) tradition which "regards human beings as essentially political animals for whom political participation is a necessary aspect of the good life" (p. 259). That is, for Aristotle (and those who followed him), a citizen was just those who "participate in judging and ruling" (to metachein kriseos kai arches, badly translated by Walzer, for example, as "shares in the administration of justicend the holding of office"). Of course, Aristotle (as most Greeks)did not think that everyone should be a citizen. Still, this concept differs fundamentally from the one which, deriving from Roman practice, was appropriated by "classical republican thought." It is thus plausible to argue (as Bellamy does) that this tradition originates with Machiavelli who surely was no democrat in any useful sense. Indeed, his "liberal realism" called for a regime which should shrink at nothing to ensure "the liberty and security" of the body politic. "Political participation," then, is strictly instrumental and has nothing whatever to do with participating in determining the conditions of our lives. Rather, for Bellamy, "political participation can educate citizens into a perception of the dependency of their social relations and group and individual autonomy upon collective rules and arrangements" (p. 260). This

is, evidently, of the sort of business put forward by Sandel: making citizens virtuous. Still, one cannot but help but wonder why this description is perfectly consistent with fascism. That is, as they argued, whatever we can do depends upon the liberty and security of institutions and even that some sort of socialism might be "more pluralist than capitalism." But in the absence of any clear ideas about institutions and their defense, Bellamy's "democratic liberalism," like so much contemporary political thought, is an empty formula with hints, at least, of something far less generous than the liberalism he criticizes.

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