

Interpretation

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Interpretation

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Dialectic, Virtue, and Recollection in Plato's *Meno*[†]

LAURENCE BERNIS

The first thing that confronts the reader of a Platonic dialogue is its strange form. Philosophic writings have, since Aristotle, usually taken the form of treatises or essays. But dialogues present themselves as dramas, where actions are equally, or sometimes even more, important than what has been presented as spoken, where what is said must be understood in the light of what is done, and what is done must be understood in the light of what is said. Thus, the validity and meaning of the arguments presented in a dialogue must be worked out and qualified by the imaginative and logical exercise of working out the arguments implicit in the action.

1. OPENING QUESTIONS

Plato's *Meno* opens with Meno confronting Socrates with what appears to be a fundamental question about virtue, that is, human excellence. The usual Socratic or Platonic preparation or context for the question is absent. That is, we are not told why Meno asks that question or why it is asked of Socrates. It does, however, appear that Meno is very interested in the question of how *to acquire* virtue, or at least how to acquire the benefits that a reputation for virtue might supply. But it is not too difficult to see why the question is asked of Socrates: he does have a reputation for being exceptionally knowledgeable about the question of virtue. In the *Republic*, Glaucon says to him:

But the argument for justice, that it is better than injustice, I have never heard from anyone, as I would like to hear it. And I would like

[†] As this article was being prepared for publication, the journal was saddened and surprised to learn that its author, a frequent contributor, had passed away. This is one of his last works. It was delivered at the University of Chicago on 15 Nov. 2009 as part of the Anastaplo Works of the Mind lecture series and revised for the Homecoming Lecture at St. John's College, Annapolis, on 24 Sept. 2010. It is printed here with minor editorial changes.

to hear it praised, itself for its very self. And I think that I can learn it from you, most of all. (*Rep.* 358c–d)

Meno, who hails from Thessaly, visits the sophisticated metropolis Athens and asks the expert on virtue a “learned” question about the subject of his expertise. Socrates’s response to the question is, on its face, outrageous. To Meno’s surprise, he answers that wisdom must have emigrated from Athens to Thessaly, because if anyone in Athens should be asked such a question he would laugh about being thought capable of answering it, and would insist, “I happen not to know at all what that thing virtue itself is.” The truth of that assertion by Socrates would seem to depend on the acceptance of his supremely high standard for what “to know” might be. At any rate, he does seem to be very knowledgeable about everything that has been said about virtue—for instance, justice (the *Republic*), courage (*Laches*), moderation (*Charmides*), knowledge (*Theaetetus*), and so forth.

Socrates claims to share the poverty of the rest of the Athenians: “How could I know what sort of thing something is [for example, whether virtue is teachable], if I do not know what [virtue] is?” Socrates turns Meno’s more practical question, about how something is acquired, into a theoretical inquiry about what the thing Meno is asking about *is*.

What is it about Meno’s question that could provoke such a response? Does Socrates already know that Meno’s character is as questionable as Xenophon reports it to be in his *Anabasis*?¹ This dialogue tells us nothing about Meno’s later history. We are left by Plato to deduce Meno’s character from what he says and does in this dialogue. The opening question is:

Can you tell me, Socrates, whether virtue is something teachable? Or is it not teachable, but something that comes from practice? Or is it something neither from practice nor from learning, but comes to human beings by nature, or in some other way? (*Meno* 70a)

If “learning” in this question is considered merely as the other side of teaching, we are given three distinct alternatives as to what the source of virtue might be. If they can be separated, we have four, plus one indeterminate possibility: teaching, or practice, or learning, or nature; they all exhibit themselves throughout the dialogue, either by their presence or by their conspicuous absence. The “some other way” may be an anticipation of the answer, “by divine dispensation,” with which the dialogue ends.

¹ Xenophon, *Anabasis* 2.6.21–29.

If, as it seems to me, Socrates knew that, as far as human character is concerned, nature provides the capacities, teaching and/or learning set forth the ends, the goals, implicit in the natural capacities, and practice develops the habits that enable one to actualize or defeat those goals, then divine dispensation could be a replacement for nature as the source of the original capacities.

Meno's question, then, erroneously disjoins, as separated alternatives, factors that can only be properly understood as interrelated parts functioning together in the unified whole of human development. Socrates's seemingly outrageous response could then be seen as the beginning of an attempt to help Meno get sight of the whole that he has unwittingly dismantled. The vast question of the relation of parts to the wholes of which they are parts manifests itself, but not explicitly, at the very beginning and throughout the whole of this dialogue.

2. DIALECTIC

Since this dialogue is a dramatic dialogue and not a narrated dialogue like the *Republic*, our only access to the *action* of the dialogue is through the *mode* of the discussion itself. We are not, however, altogether at a loss in this matter, for Socrates has explicitly characterized that mode as dialectical.

But if, being friends as both I and you are now...[we] should want to have a discussion with one another, then surely a somehow more gentle and more dialectical way of answering is required. And it is perhaps more dialectical to answer not only with the truth, but also through those things which he who is being questioned could agree that he knows. (Speech 82 [75c-d])²

But “dialectical” means a variety of interrelated things in the Platonic writings. The word is derived from the Greek *dialegein*, to converse, to discuss. The word *dia*, connected to the word for two, *duo*, in composite words such as this, signifies connections between two or more separated things. It is a linking prefix. Consider the Greek word *diabainein*. The word *bainein* means to walk. When you prefix *dia* to it, it means to cross a bridge. The *dia* links the two sides of a bridge. The word *logos*, part of the word *dialogos* (“dialogue,” a noun connected with the adjective “dialectical”), means a number of things; some primary meanings are speech, meaning, and reckoning.

² The translation of the *Meno* used here and throughout, and notes and speech numbers referred to, are those to be found in Anastaplo and Berns 2004.

“Dialectical,” then, does often mean gentle and friendly conversation, where the interlocutors accommodate themselves to and try to understand each other’s views, in contrast to unfriendly and contentious conversation. “Dialectic” in this personal sense suggests that the meaning of what is being said is to be understood primarily with reference to the characters and capacities of the speakers, including their limitations or talents. If the situation or the character or the capacity of an interlocutor makes theoretical questioning no longer appropriate, the conscientious dialectician can aim at furthering some salutary opinion or belief, some communal agreement that could be beneficial for society as a whole. This form of dialectic frequently appears, as in the case of the *Meno*, near the end of a dialogue.

Aristotle, in his discussion of dialectical reasoning in the first chapter of his *Topics*, distinguishes dialectical reasoning from the most perfect form of reasoning, demonstrative reasoning. Demonstration reasons from premises that are “true and primary.” The types of persons holding those premises need not be mentioned because the premises produce conviction or belief “through themselves.” But dialectical premises, it seems, require reference to those holding them. Dialectical premises are generally accepted opinions (*endoxa*) “held by all people, most people, or by the wise, and of these, all of the wise, or most of the wise, or the most notable and illustrious of the wise.”³ Here, in dialectic, where even true and primary premises might be subject to question, reference to the kind of people holding the premises is appropriate.

In this personal sense, for example, Plato’s treatment of moderation in the *Republic* can be called dialectical.⁴ It ascends from the manner in which moderation exists in all, or rather most, people, as control over one’s desires, pleasures, and pains with respect to food, drink, and sexual satisfaction, to its highest and most rare form, as a beautiful harmony of cooperating and interpenetrating powers of the soul, each power functioning smoothly as it was naturally meant to function. It should come as no surprise that Plato’s treatment of dialectic is itself dialectical: it is certainly spoken about in a number of different ways in the dialogues.

In the *Republic*, *dialegesthai* and *dialektikē*, both usually translated as “dialectic,” refer to that highest form of inquiry by which reason

³ One is almost tempted to add, “or by all of the most notable, or most of the most notable, or the very most notable of the most notable; or...” and so forth.

⁴ See the note on Speeches 26 and 28 (73a–b), and *Republic* 389d–e and 430d–432b.

(*logos*) ascends from sense perception, experience, opinion, and what is changeable and opinable, to seek what is purely intelligible, knowable, and unchangeable, that is, the forms, or ideas, what each thing is, its very being (*ousia*), and finally to the governing principle of the whole (literally, of the “all,” *to pan*, 511b). Aristotle, Plato’s foremost student, put this last point as follows: “Dialectic...being investigative, has a way to the principles of all pursuits [or: methods, *methodōn*].”⁵

These two meanings of “dialectical,” the personal and the theoretical, come together when two or more friends are genuinely disposed through discussion to seek an adequate response to a serious “What is ...?” question, for instance, “What is virtue?”⁶ Or, if a response is not forthcoming, they can search for a better understanding of the question itself, by refining it.⁷ In Plato’s *Cratylus* (390c), the dialectician is referred to as one who knows how to ask and to answer questions.

But sometimes these two modes of dialectic can be at cross purposes. Socrates, from the beginning of the dialogue up to Speech 354 (86c), has been trying to get Meno to seriously address the question “What is virtue?” Meno, in Speech 355 (86c–d), reverts, as if nothing had happened during the intervening discussion, to his opening question (with two important omissions).⁸ At this point, Socrates, by dialectically accommodating himself to being “ruled” by Meno, gives up trying to engage Meno in the ways of the higher dialectic, adopting instead what he calls a “hypothetical” approach. Something similar happened earlier in the discussions of shape and color. Socrates seeks definitions rooted in our primary experience of the things defined, but Meno finds such definitions too simple.⁹ Socrates dialectically accommodates himself to Meno by producing an overgeneral, fancy, materialist (“Empedoclean”) definition of color that undialectically ignores the primary experience, the primary cognition, from which any definition of color, or definition of the object of sight, would have to begin, that is, *looking*.

Just before giving up on Meno, Socrates invites him to join with him in putting into practice what has just been exhibited in the Slave

⁵ Aristotle, *Topics* 101b2–4.

⁶ See the note on Speech 194 (81e).

⁷ Leo Strauss uses the word “zetetic,” seeking or searching (from the Greek verb *zēteîn*), to describe the fundamental characteristic of Socratic philosophizing (Strauss 1991, 196).

⁸ To use biblical language, this speech, an important turning point, could be regarded as Meno’s Fall. He repeats his opening question leaving out the two things he needs most: learning and practice.

⁹ See Plato, *Sophist* 243a–b.

Boy scene.¹⁰ But, one might object, in the entire Slave Boy episode no “What is...?” question is ever raised. How then does the Slave Boy scene relate to the higher dialectic? Both the mode of presentation and the subject matter of the Slave Boy scene put a premium on looking, looking inside oneself and looking outside at what one can learn only by looking. The Slave Boy scene is an exhibition for Meno’s sake of how one can be *prepared*—here with the aid of a master teacher—for higher dialectic. The preparation consists of an honest, careful, and critical review of what one thinks one knows, in order to come to understand what one does not know. One cannot understand that one does not know without understanding what one does not know. Mathematical illustrations have been traditionally, and are here, models of clarity and precision. The boy enthusiastically swears when he fully realizes that he does not know from “what sort of line” the eight-foot-squared area comes to be.¹¹ Socrates remarks to Meno and even more to us: “For now he, not knowing, can even carry on the search gladly.... Do you think that before he would have tried to seek for or to learn that which he thought he knew while he did not know—before he fell down into perplexity and want and came to believe that he did not know, and longed to know?”¹² But Meno, although he acquiesces politely, does not seem to see what Socrates is getting at. His vanity may not allow him to become a slave of learning.

3. EIDOS

Socrates’s major complaint with Meno’s different accounts of virtue is that Meno continually gives him swarms of many different virtues, and not that “one and the same form [*eidos*] through which they are virtues, and upon which one would somehow do well to focus one’s gaze.”¹³ After Meno introduces the ability to acquire wealth into the virtues, Socrates characterizes Meno’s enumerations of the different virtues, such as justice, moderation, and piety, as breaking up or changing the whole of virtue into

¹⁰ Speech 354 (86c).

¹¹ Speech 275 (84a).

¹² Speeches 282 and 284 (84b–c)

¹³ Speech 16 (72c). *Eidos* is often translated as “form” or “idea.” It is also sometimes translated as “class,” as “character,” and as “pattern.” The elementary meaning of the word is “looks,” that by which someone or something is recognized as being who or what he, she, or it is. It is connected to the verb *eidenai*, “to know,” the original meaning of which is “to have seen.” How does the elementary notion of “sensible looks” become transmuted by Plato and Aristotle into the idea of “intelligible (noetic) looks”? It has something to do with the fact that that by virtue of which a being is what it is, is also that by virtue of which it belongs to a class. When we say, “This is a dog,” we also mean, “This belongs to the class of dogs.” What gives a being its character has the attribute of a class character. See *Republic* VI and VII.

small coin, pieces of small change. This whole, as *eidōs*, as class character, constitutes the whole class of virtues, and each virtue as what it is, according to Socrates; but what kind of whole are we being urged to think of? The old tried and true, natural, if not even childlike, method would be to try to reason to the less known from what seems to be better known. Are justice, moderation, courage, piety, and wisdom related to virtue as small change is to gold coin; or as two, three, four, and five are related to number; or as the different kinds of bees are related to their hive; or as the different classes of human beings are related to political society as a whole; or as the organs of a living body are related to the whole living body? Is virtue by itself the organism of the different virtues? There is one passage in the dialogue that seems to favor the organismic model. In Speech 112 (77a–b) Socrates urges Meno to tell him what virtue is, “leaving it whole and healthy.” While “health” as an analogous term can apply to a number of things, its primary reference is to an animal organism.

Aristotle, who appears to be more practical than Plato, approves of Gorgias and Meno’s way of enumerating the virtues.¹⁴ But Aristotle too indicates, near the end of his treatment of courage in the *Nicomachean Ethics*, that no particular virtue possessed in isolation from the other virtues fully deserves the name “virtue”: “the more a man possesses virtue in its entirety [*tēn aretēn pasan*], and the more happy he is, the more will he be pained by death; for life is most worth living for such a man” (1117b9–13).

There are Platonic dialogues devoted to different virtues, such as justice (the *Republic*), moderation (*Charmides*), courage (*Laches*), and piety (*Euthyphro*). The organismic hypothesis might help account for why none of these inquiries by itself is said to be successful.

4. CLOAKING UNKNOWNNS AS KNOWNNS

In Speech 172 (79b–c) Socrates tells Meno that “when you were requested by me to talk about virtue as a whole, you fell far short of saying what it is, but you declared that every action is a virtue whenever it is done with some piece of virtue, *just as if you had said what the whole, virtue, is and it was immediately recognized by me*, even if you were to change it into pieces of small change.”¹⁵ But as Jacob Klein argues, what Meno is charged with doing (in the italicized part of the sentence just quoted) is what we all do

¹⁴ See Aristotle, *Politics* 1259b21–1260b7, esp. 1260a25–28.

¹⁵ See Speeches 152–166 (78c–79a), esp. Speeches 161 (78e) and 164–165 (78e–79a).

every time we express an opinion about someone possessing or not possessing some particular virtue.

To hold an opinion about that which is under consideration means to take—or, at worst, to pretend to take—the *zētoumenon* [the thing sought], the “unknown,” as if it were “known.” To test an opinion means to follow it up through necessary consequences until a patent absurdity (a “contradiction”) or something incontrovertibly true comes into sight.¹⁶

Klein’s use of the mathematical term “unknown” alludes to what he has described as the “analytic” tradition of ancient mathematics, where proofs begin by assuming that one already has the unknown being sought, the *zētoumenon*, and then, by following up the necessary consequences of that assumption, one either arrives at a contradiction, proving the impossibility of the assumption, or else one arrives at some agreed-upon truth which establishes the truth of the assumption. “All mathematics today is an outgrowth of this [sc. ‘analytic’] tradition,” Klein says.¹⁷ He alludes to, among other things, the ubiquitous x of algebra. A very simple example: What is the number that multiplied by two equals six? *Let us assume that we have it and call it x .* Therefore $2x = 6$. Divide both sides by 2, then $x = 3$. Three is the number. But not only modern mathematics, the argument goes, but all testing of opinions, including the testing of opinions in the dialectical process of a Platonic dialogue, follows some such analytic procedure.

This bears on the consideration of wholes and their parts as follows:

Generally, any opinion on any subject can be understood to catch some “partially” true aspect of the subject under investigation. This means that, however mistaken each of us may be about that subject as a “whole,” we are talking together about “the same thing” or, at least, are making an effort to talk about “the same thing.”...But that, in turn, indicates a common, if usually hidden, ground along which the conversation proceeds and where the “whole” is really “located.” This “back-ground” is the *zētoumenon* and its continuing presence manifests itself in our ability to opine, that is, to cloak what remains

¹⁶ Klein 1965, 84. Klein adds, “Depending on whether the former or the latter happens, the opinion is either refuted or vindicated. To vindicate (or verify) an opinion means to transform a *zētoumenon* into an *homologoumenon*, into something one has to agree to, to transform the hitherto ‘unknown’ into a truth now indeed ‘known.’ However seldom, if ever, such vindicating occurs in a Platonic dialogue, the ‘dialectical’ process, which is ‘analytical’ in its very conception and structure, tends toward that end” (ibid.).

¹⁷ Klein 1965, 83.

“unknown” with the guise of the “known.” The dialectical-analytic process thus tends indeed through “parts” toward a “whole.” That is why it is not at all impossible to talk about “properties” of something of which we do not know what it is.¹⁸

The continuing presence, then, often inexplicit, of a background idea of “the same thing” holding the conversation together manifests itself in dialectical differences of opinion, each interlocutor arguing about that which he or she does not fully know, assuming the “unknown” as if it were known. If those who converse are genuinely interested in getting to the truth of the matter, and if each presents evidence and arguments that make sense, they may come to see that the oppositions they find indicate that they have not been talking about the same thing. The “cloaking” process of opining had at first kept them from seeing, but then made it possible for them to see, that they had been talking about different things. Through the saving grace of the principle of noncontradiction, the oppositions are resolved by distinctions, and opinions move closer to knowledge.¹⁹

If, as Klein argues, Socrates misrepresents, in this and other dialogues, the illegitimacy of our ordinary use of “cloaked” eidetic unknown wholes in order to talk about properties of particulars participating in them, his primary motive would seem to be to open up the question “as to what underlies our ordinary speaking and thinking” on any subject, “as a precondition for looking at the ‘wholeness’ of things.”

Does the Slave Boy scene exhibit what it purports to exhibit, that all so-called teaching is really recollecting? It appears that Socrates simply gives, or “teaches,” the Boy the sought-for line. The scene does exhibit a perfectly natural series of errors, brought out and clarified by a master teacher. The clarification of those natural errors, as errors, also exhibits how one can come to learn, and to benefit from learning, what one does not know. In this simpler case, at least, the question is answered: the Boy does move from false opinions to a true opinion about the sought-for line.²⁰ Meno had complained before the Slave Boy episode (Speech 179 [79e–80 b]) that Socrates, unlike anyone he has ever spoken with, numbs him both in soul and mouth, so that he is not able to join him in his search for whatever virtue is. Meno, to forestall being recruited into the search, presents in the form of questions

¹⁸ Klein 1965, 85. See *Meno* Speech 2 (71b).

¹⁹ See *Republic* 430e–431a, 436b–441c.

²⁰ See Speeches 322–332 (85b–d).

an argument that he thinks is beautiful and that would undermine any such Socratic search.²¹ To rescue his kind of searching from Menonic oblivion, Socrates introduces his recollection story.

5. THE WHOLE AND THE SURFACE

Socrates claims to have heard—Meno is much more attentive to things heard than to things seen—the story “from both men and women wise about things divine,” from priests and priestesses and divine poets “able to give an account [*logon*] of those things they have taken in hand.” What they say is that the human soul is immortal, it appears to die and to be born again many times, but is never destroyed. Because it is immortal, has been born many times and “has seen all things...there is nothing it has not learned and therefore is able to recollect,²² about virtue and about other things, which it already knew before.” Since part of that time it was without a body and sense organs, that seeing cannot simply be seeing in the normal sense; presumably it was some kind of seeing with the mind’s eye. “Inasmuch as all nature is akin [or: connected in kinship, *suggenous*] and the soul has learned all things, there is nothing to prevent someone who recollects (which people call learning) one thing only from discovering all other things, so long as he is brave and does not grow tired of seeking.” Since all nature is connected (*sun-*) in kinship (*-genous*), “every bit the soul recollects can be understood as a ‘part’ of a ‘whole.’”²³ The implication is that that whole is an ordered and knowable whole, *the* knowable whole.

We spoke earlier of the description, in the *Republic*, of the ultimate or highest object of dialectic being knowledge of the governing principle (*archēn*) of the whole; the recollection story of the Meno, then, points to the ultimate object of, the ultimate *zētoumenon* or thing sought by, our natural inclination to know. To know a whole means to know its parts, and to know how those parts fit together to make a whole. But if the whole of any particular subject is only a part of the all-comprehensive whole, one cannot have full and perfect knowledge of any particular subject without knowledge of the all-comprehensive whole that it fits into. In any literal sense this is not possible.

²¹ See Speeches 185–188 (80d–81a).

²² “Remembering,” *mnēsis*, is distinguished from “reminding” or “recollecting,” *anamnēsis*. Prefixing *ana-* to the ordinary word for memory or remembering suggests setting out to recall, or to bring something back up to memory.

²³ Klein 1965, 96.

What then could Plato mean by philosophy, and what is he recommending to us, the readers of the *Meno*? Do not opinions, different opinions, about the ultimate *zētoumenon* shape or influence the ways we go about seeking knowledge of those parts of the whole that we think we can learn, the different sciences? Is the governing principle of the whole corporeal, mathematical, noetic (an object of intellect), organic, or something else—or all or a few of these together? Seeking to understand fundamental problems, or alternatives, is not solely a theoretical matter. Theory and practice come together as one seeks to understand the principles shaping one's own most cherished opinions.

One simple and straightforward consequence of holding to the recollection doctrine is that anyone seeking to discover what virtue is should first look inside oneself, to examine just what it is that one thinks one knows. It may seem immodest, Leo Strauss once remarked, to speak about “all objects of human knowledge,” but “we all really have opinions—and sometimes very strong opinions—about all objects of human knowledge, and it is perhaps better to confess that to oneself and to try to clarify that than just to leave it at the amiable appearance of modesty.” Socratic philosophy, then, would be *zetetic*,²⁴ ready to seek; openly skeptical, in the original sense of the word “skeptical.” That original sense is derived from the words *skopein* and *skeptesthai*, “to look carefully,” which occur many times in this dialogue. To be a skeptic in this sense of the word is to be a thoughtful “looker.” A *zetetic* skeptic, then, is a thoughtful “looker” seeking and searching for the truth, including the truth about the unavoidable, but elusive, principle or principles governing the whole.

Speaking generally from what relates to human cognition, the whole and its parts become accessible to us through sense experience as sensible heterogeneity; their intelligible (or noetic) underpinnings, through intellection as noetic heterogeneity and through counting and mathematics as noetic or dianoetic homogeneity. Sensible heterogeneity refers to the things we all know—dogs, cats, trees, tables, human beings, men, women, and so forth: they come in *different* kinds. Noetic or dianoetic homogeneity refers to numbers, that is, multitudes of units or monads of the *same* kind: if we want to count seats, or humans, or men, or women in this room, we have to specify first the kind of unit we are using in our count. Both of these modes of cognition, sensible heterogeneity and dianoetic heterogeneity,

²⁴ See the notes on Speeches 12 (72a) and 194 (81e).

presuppose divisions into, and relations between, different kinds, or classes, or (to use the Platonic Greek term) different *eidē*, that is, they presuppose noetic heterogeneity.

I will quote Leo Strauss to sum this up:

The “what is” questions point to “essences,” to “essential” differences—to the fact that the whole consists of parts which are heterogeneous, not merely sensibly (like fire, air, water, and earth) but noetically: to understand the whole means to understand the “What” of each of these parts, of these classes of beings, and how they are linked with one another. Such understanding cannot be the reduction of one heterogeneous class to others or to any cause or causes other than the class itself; the class, or the class character, is the cause *par excellence*. Socrates conceived of his turn to the “what is” questions as a turn, or return, to sanity, to “common sense”: while the roots of the whole are hidden, the whole manifestly consists of heterogeneous parts. One may say that according to Socrates the things which are “first in themselves” are somehow “first for us”; the things which are “first in themselves” are in a manner, but necessarily, revealed in men’s opinions.²⁵

I find it comforting—comforting, but also puzzling—that with all these unusual expressions we have been talking about the “surface” of things. What might be called *the* sentence of Leo Strauss is about that surface. It goes as follows: “The problem inherent in the surface of things, and only in the surface of things, is the heart of things.”²⁶ I have found it instructive to think about how Strauss leads up to that sentence. It is from his book *Thoughts on Machiavelli*.

We shall not shock anyone, we shall merely expose ourselves to good-natured or at any rate harmless ridicule, if we profess ourselves inclined to the old-fashioned and simple opinion according to which Machiavelli was a teacher of evil.²⁷

Strauss then lists nine examples of Machiavelli’s “maxims of public and private gangsterism.” The central one is: “not virtue but the prudent use of virtue and vice leads to happiness.” Such maxims were said to be devilish. Strauss goes on:

²⁵ Strauss 1964, 19; Klein 1968, 89–91.

²⁶ Strauss 1958, 13.

²⁷ *Ibid.*, 9.

To recognize the diabolical character of Machiavelli's thought would mean to recognize in it a perverted nobility of a very high order. [Strauss makes a reference to Marlowe's remark that according to Machiavelli "there is no sin but ignorance," and continues.] Not the contempt for the simple opinion, nor the disregard of it, but the considerate ascent from it leads to the core of Machiavelli's thought. There is no surer protection against the understanding of anything than taking for granted or otherwise despising the obvious and the surface.

I leave you repeating once again the sentence with which Strauss concludes this statement: "The problem inherent in the surface of things, and only in the surface of things, is the heart of things."

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Maimonides on Piety and the Cure of the Soul: *Eight Chapters 1–4*

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The *Eight Chapters* begins with piety and prophecy and ends with “divine science.” In the introduction to the work, speaking in the name of the sages of the law, Maimonides declares that “there is no rank above piety except for prophecy, the one leading to the other.” In the concluding paragraphs of its final chapter Maimonides appeals to “divine science” or “metaphysics” in order to establish “the truth” in regard to the unity of God. Piety and prophecy are of biblical provenance; divine science has its origin in Greek philosophy and particularly the writings of Aristotle. By chapter 5 of the *Eight Chapters*, Maimonides has assimilated prophecy to the single-minded pursuit of knowledge of God based on the proper employment of a variety of demonstrative sciences instrumental to that end. Biblical prophecy, if it is understood to be wholly cognitive, can be shown to be, as it were, perfectly harmonious with Greek philosophy. In striking contrast, biblical piety is not only never shown to be compatible with science or philosophy, it is, after Maimonides’s statements in the introduction, simply never mentioned again within the confines of the treatise. This abstraction from the issue of piety is particularly remarkable given that the *Eight Chapters* is meant to serve as an introduction to the *Pirqei Avot* or *Mishnah Aboth* or the *Chapters of the Fathers*: the *Avot* recounts “the ethical teaching of each and every one of the sages” (Rosner 1975, 98) and to follow this teaching or “fulfill the words of the *Avot*” is to become a “pious man” (Maimonides 1975, 60). According to the teaching of the sages, then, piety is the highest and most comprehensive of the ethical or moral virtues. Yet when, in chapters 2–4 of his treatise, Maimonides offers his treatment of the moral virtues and of the “health of soul” of which they are the cause, piety is not to be found numbered among them.

The question of the status of piety, both in relation to moral virtue and to the pursuit of knowledge, hovers seemingly unresolved over the entire length of the *Eight Chapters*.

As Maimonides makes clear in his commentary on the *Pirquei Avot*, according to the tradition and the sages, the pious man is the man who exceeds in a modesty and humility of spirit that find their source in fear of the Lord. On the basis of this modesty, humility, and fear, the pious man is obedient to the law of God and willingly fulfills its commandments (Maimonides 1968, 27–33, 64–71). The question of the relation between piety and moral and rational virtue is then identical with the question whether and how obedience to God’s law provides for moral or rational virtue or both. Does the divine law provide what is necessary for the “cure of the soul and its powers” (Maimonides 1975, 61)?

In his introduction to the *Eight Chapters*, Maimonides declares that, in order to illuminate the truth of health of soul, he will appeal not only to the sages of the tradition, but to the ancient and modern philosophers as well—Plato, Aristotle, and Alfarabi, above all. The inexperienced might believe that such an appeal masks an evil meaning and for this reason Maimonides will leave the names of the philosophers unmentioned even when he makes use of “whole passages from their works” (see Addendum 1). Apart from any specific arguments the philosophers might put forward in such passages, the most obvious inner meaning that they might convey to the inexperienced is the implication that the divine law is an insufficient guide to establishing health of soul: without the aid of philosophy such health cannot be achieved. But the case, it would seem, is precisely the contrary. The full meaning of the remark with which Maimonides meets such suspicions—“hear the truth from whoever says it”—is revealed during the course of the *Eight Chapters* where he shows that, despite any appearances to the contrary, the law and the sages, on the one hand, and the philosophers, on the other, agree, for example, on the fact that the health or virtue of the appetitive part of the soul is to be found in a disposition of character in accordance with the mean (71–73); on the relative merits of the virtuous and the continent man (79–80); and on the proposition that a voluntary capacity is an inborn disposition shared by all men (84). The full truth of the law, written and oral, is revealed only when it is brought into contact with the touchstone of Greek philosophy in such a way that the entire extent of its wisdom shines forth: the law is in utmost agreement with the demonstrations of reason. That the law is a sufficient guide for human life is revealed precisely by its correspondence

with the teachings of ancient and modern philosophy. Accordingly, the first half of the *Eight Chapters* (chapters 1–4) begins with an appeal to “the ancients” teachings regarding the nature of the human soul and its sickness and health. It then appears to make an ascent to a discussion of the commandments of the divine law and their intention in order to show that Torah and “the ancients” are in fundamental agreement regarding these issues: health of soul is established through habitual action in accordance with the mean.

The requirement of beginning with an account of the human soul and its powers in a treatise devoted to the ethics or morals “of the fathers” is made clear immediately: “the improvement of the moral habits is the same as the cure of the soul and its powers” (61); and just as the physician who wishes to cure the body must possess knowledge of the entire body and each of its parts, so the “one who treats the soul” must come to know the soul in a similar fashion. The analogy between the physician and the one who treats the soul is borrowed directly from Alfarabi (*Aphorisms* 5) and ultimately from Plato and Aristotle. In the *Nicomachean Ethics* Aristotle describes his investigation as being for the sake not of *theōria* but of a certain sort of practice, “for we are investigating not in order that we know what virtue is, but in order that we become good” (1103b27–28; 2002, 23). But the “human good and human happiness” is either identical with or not available without “human virtue,” and this is an “activity of the soul.” Therefore, “the statesman” needs to know in some way the things of the soul, just as the physician who is going to cure the eyes must know about the whole body (1102a5–25; 2002, 19–20). Aristotle eventually argues that virtue is a necessary condition for curing “the eye of the soul” that takes sight of the proper “end and the best thing” (1144a30; 2002, 116). The eye of the soul, however, comes to be identified with intelligence or *nous* (1144b9–12; compare 1096b28–29).

Alfarabi agrees with Aristotle in describing the one who cures the soul as the statesman, though Alfarabi in addition seems to identify the statesman with “the true king” (compare Plato, *Statesman* 258b–259b, 274e–276e). Maimonides never mentions the statesman during the course of the *Eight Chapters* and deploys the term “king” only once, to refer to Sihon “King of Heshbon” whom God punished, as he punished Pharaoh, by “hardening his spirit.” Aristotle’s statesman and Alfarabi’s king are replaced in Maimonides’s treatise by the soul doctor, on the one hand, and the divine law, on the other—each of which equally serves to provide, it would seem, a cure for the soul.

The analogies between soul and body and between physician and healer of souls break down in light of the fact that whereas the body has parts, the soul strictly speaking does not. Because of the part-whole character of the body, it is possible for the physician to specialize and for him to cure the eye of glaucoma while leaving the ulcer in the stomach untreated. No such specialization is possible, it would seem, in the art of the physician of the soul insofar as “the soul of man is a single soul” (61). To speak of separate parts or powers in relation to soul is a mere convenience. In fact all of these are various actions of something that is essentially one. If the soul is one, however, then the knowledge of the soul possessed by the soul doctor is of the soul entire. The soul doctor must possess knowledge of the human soul, its structure, and its unity. He must possess self-knowledge. It is no wonder that Maimonides declares that “wise men...are the physicians of the soul” (66). When Maimonides himself goes on, however, to speak of the various parts of the soul, it becomes difficult for the reader to construe precisely how these various and seemingly perfectly distinct actions could belong to an entity that is somehow one in a much more complete way than the organic whole of the living body. What is the principle of unity of the soul that combines all of these disparate actions into one?

Maimonides’s account of the “powers” of the soul is taken from Aristotle via Alfarabi: they are five in number—nutritive, sentient, imaginative, appetitive, and rational (61). Maimonides adds a remark in this regard, however, that is found neither in Alfarabi’s *Aphorisms* nor in Aristotle’s *Ethics* and *De Anima*, namely, that when one applies such terms to souls differing in species one uses them in an equivocal sense. For example, the nutritive part of the soul of a donkey or a horse is the same in name only with the nutritive part of the soul of a human being (61–62). Why this is so is not immediately clear. The analogy that Maimonides employs to illustrate the specific differences in regard to sensation in the case of a man’s soul and in that of a donkey or an eagle is, however, revealing. We call by a single name, he says, the light illuminating three dark places. Yet the source of light in one case is the sun, in another the moon, in another a lamp. This example is drawn from Ibn Bajja’s *Conjunction of the Intellect with Man* (McGinnis and Reisman 2007, 279–80; see also Strauss 1995, 126–27) and finds its ultimate source in Plato’s so-called allegory of the cave. Ibn Bajja follows Plato in deploying the distinction between artificial light casting shadows in a cave, the light from a reflective body, and the light of the sun illuminating the visible things in the world beyond the cave as an analogy for the distinction between three modes of apprehension, all of which are human in the broad

sense, two of which are intellectual and one of which is not (see Addendum 2). Maimonides, then, obliquely implies that the intellect is the principle of unity of the human soul and that its presence or absence determines the character of the soul's actions such that an action (e.g., sensation or appetition), in the absence of intellect or thought, is only equivocally related to an ostensibly similar action undertaken where intellect and thought are present. "Soul" is itself an equivocal term. Lack of awareness in regard to this "marvelous notion" inevitably leads one to cling to "repulsive views and false opinions." Only "pseudo-philosophers" are ignorant of these facts (62). The recognition of the division of the human race into distinct classes or kinds is a distinguishing characteristic of true philosophy.

Having established this, Maimonides proceeds to offer a brief sketch of each of the various parts or powers of the soul. The nutritive part of the soul and its character are chiefly the concern of the art of medicine and, therefore, Maimonides declares "there is no need to go into it in this place" (62). The sentient part of the soul consists of the five powers of sensation, which are "well known to the multitude" (62). Are we to infer from this qualifying remark that the multitude live for the most part confined to their senses and that they therefore confuse knowledge with sensation? It is in the context of his discussion of the imaginative part of the soul that Maimonides makes his most surprising suggestion thus far. Having noted the preservative and recombinatory powers of the imagination he remarks that the latter "puts together things it has not perceived [through sensation] at all and which are not possible for it to perceive" (63). Maimonides uses the occasion of this discussion of the imaginative power to correct a "repulsive error" into which the *mutakallimun* or the "dialectical theologians" have fallen regarding the impossible things, or the images of impossible things that are combined by the imagination. The theologians insist that anything that has the possibility of existing in the imagination has the possibility of existing simply. This opinion, Maimonides insists, is a measure of their ignorance in regard to "the necessary, the admissible, and the impossible" (63). Alfarabi explains that the knowledge of the possible, or admissible, and by implication the impossible and the necessary, is made clear in the first instance by natural science (*Aphorisms* 94). The theologians lack all knowledge of nature and so, wittingly or not, deny the first principles of nature. They deny, therefore, the existence of nature itself. Their motive for doing so can only be grounded in their desire to defend the notion of a god whose power is without limit. Such a god, they argue, could make anything imaginable actually existent. Maimonides denies their contention and in doing so denies the notion that is

its ground: a god of limitless power is impossible and miracles, or the contravening of the principles of nature, are impossible, according to Maimonides (see Addendum 3). Maimonides here connects images in the imagination to “great, repulsive errors” and false belief. It is hardly necessary to observe that the great multitude of men share the opinion of the dialectical theologians that whatever can be imagined can be made actual by an omnipotent god. The great majority of men live for the most part confined, not precisely to their senses but to that faculty in which all the senses terminate and share, the imagination. The great majority of men confuse the images within the imagination with the possible beings in the world and, therefore, confuse the composition of images in the imagination with cognition of what is (see Addendum 4).

In his treatment of the appetitive part of the soul Maimonides explains that this power originates the multitude of passions, for example, rage and fear, and notes that “this power uses all the organs of the body as its instruments.” The passions are the leading strings of the motions of the body. It is to be inferred that not only may the immediate sensation of a present object elicit such passions, but the images of things as they are preserved, or of impossible “beings” as they are constructed, by the imagination may do so as well. Fear, love, and anger are often elicited by images of wholly fictitious beings, for example, in dreams or waking visions. The imagination in conjunction with the passions of the appetitive power of the soul may be the sole or primary source of the motions of the human body.

The rational power receives a complex articulation in Maimonides’s description. This apparently single power “perceives intelligibles, deliberates, acquires sciences, and distinguishes noble and base actions” (63). Maimonides does not, as does, for example, Aristotle in book 6 of the *Ethics*, divide the intellect in two, discriminating between a practical and theoretical mind. Rather he attributes both the practical and the theoretical activities of mind to one source. In his description of these theoretical and practical activities he includes cognition of the “what they are” of the unchanging beings and the sciences that uncover these under the theoretical, and both “productive” activities (the arts) and reflective activities (deliberation about the possible) under the practical. Distinguishing between the noble and the base is silently dropped as an activity of mind. Such discriminations, it would appear, are a matter of “common opinion” or mere belief. Maimonides suggests that apart from all belief or imaginings or the strong pull of the passions it is possible to come to know the truth of the good and the bad, deliberate

about what is possible in the light of that truth, and act on the basis of such cognition and reflection.

As we expected he would, Maimonides now declares the highest power of the soul, the rational power or the intellect, to be the form of the soul that renders it “this single soul.” The lower powers are matter to the formative activity of mind and it gives them their proper “shape,” that is, their properly human character (64). It would seem, then, that a soul in which the “capacity to receive this form” of the intellect lies fallow is (a) not a single soul (i.e., it is lacking in genuine unity) and (b) not a human soul strictly speaking. At any rate, Maimonides follows Solomon in declaring that “without knowledge, a soul is not good” (64). It is impossible to possess virtue of soul in the strict sense without possessing mind in the strict sense. The soul in which the rational power is lacking and the imaginative and appetitive powers dominant is a soul lacking unity, goodness, and humanity in the proper sense. This conclusion does not, however, appear to square with what Maimonides stated at the opening of this same chapter: there he insisted that “the improvement of moral habits is the same as the cure of the soul and its powers” (61); we are about to be informed, however, that moral habits and moral virtues are the virtues proper to the appetitive power alone. The physician of the soul apparently does specialize in treating a single part or power of the soul. Can health of soul be constituted by the “purification of moral habits” alone, absent the acquisition of rational virtue? Can moral virtue and health of soul be present without the soul being good? Could the health of the soul be as neutral a condition as the health of the body, that is, a condition that could be deployed indifferently toward ends good or bad (*Aphorisms* 15, 26, 76; Aristotle, *Ethics* 1144b1–15; Plato, *Laws* 661a–c)? Or is the meaning of “health of soul” as equivocal as the meaning of “soul” itself?

When Maimonides moves to the second chapter of the discourse, which treats of the “obedience and disobedience” of the powers of the soul and the virtues and vices of its parts, we are surprised most, or at least first of all, not by what is asserted there but by what is not: prudence or practical wisdom is not numbered among the virtues of soul. In the treatment of moral and rational virtue, the virtue of the deliberative power goes unmentioned. It is simply never discussed at any point in the *Eight Chapters*. This contrasts sharply with Aristotle’s and Alfarabi’s treatments of the same themes and appears inexplicable until we recognize the motive for Maimonides’s silence in this regard.

Virtue and vice are treated initially in terms of “transgressions and commandments,” that is, in terms of the law. Maimonides insists that “all the transgressions and commandments involve” only two powers of soul: the sentient and above all the appetitive. Neither the nutritive nor the imaginative parts are subject to thought or choice, and therefore neither can be the recipients of lawful injunctions (64). The question then arises as to whether the rational part is likewise subject to the commands of the law. There is a perplexity regarding this point, says Maimonides, and whether “this power too may bring about obedience and disobedience” (64). It seems that it may, since the law commands us to embrace certain opinions as true (e.g., the oneness of God) and reject others as false. Maimonides insists, however, that “there is no act in it to which the terms commandment or transgression could apply” (65).

One must pause to appreciate the full weight of this last remark. First, the intellect is wholly free from the aegis of the law—thought cannot be regulated by commandment and no thought, therefore, can represent either a fulfillment or a transgression of a commandment. Second, the virtue of mind is not lawful virtue and, it would seem, the law has no part in instilling or encouraging such virtue. Third, the opinions declared to be true by the law are not held to be true by the mind or the intellect. The rational power does not, of course, opine falsely, but it is not the locus of “true opinion” either. Opinion and belief have nothing to do with the intellect: mind either knows or it suspends belief before the unknown in doubt, perplexity, and inquiry. Fourth, mind or intellect cannot be the source of the commandments and prohibitions of the law if there is no act of the intellect to which the term “commandment” could apply. Where then is the locus of belief or opinion in the human soul? What is the source of the law and its commands? As far as the former question is concerned, Maimonides has already suggested that belief or opinion is constituted in part by the conjunction of an image in the imagination and a passion of the appetitive part of the soul. He now suggests that for opinion to be present such an image and such a passion must be generated or confirmed by a particular kind of speech. This speech would have to be not simply the source of the image but also a declaration that this image is no mere image, but instead identical to the truth of what is. Maimonides has also suggested that the speeches of the law act to instill and validate such images in the imagination. Insofar as it instills opinion the law acts primarily not through persuasion but through command. It obliges one to believe that an image in the imagination is identical to the truth of what is. The speeches of the law, however, further command that certain passions

be elicited in regard to the images that it instills, declares to be true, and obligates one to believe, for example, the passions of love, hatred, hope, and fear. What is intended, then, in the promulgation of such “imaginative evocations,” as Alfarabi calls them, is “to inspire the soul of the hearer to seek or flee the thing imaginatively invoked or to have an inclination or a loathing for it” (*Aphorisms* 55). The law must not simply declare the images it evokes to be true and obligate to belief in this truth, it must above all pronounce on the status of these images as either good or bad, just or unjust. Contrary to Maimonides’s initial statements, the commands and prohibitions of the law must apply to the imaginative power as well as the appetitive power. Both the imaginative and the appetitive powers may be involved with and responsive to the power of speech without being connected in any actual way to the power of intellect or mind. Maimonides sometimes declares that a soul in this condition, that is, devoid of the actual presence of intellect, is in possession of “potential intellect” alone (Rosner 1975, 114); at other times he declares such a soul to be bestial or worse (64, 76; compare Maimonides 1968, 111, 114, 124, 137; *Guide* 2.36 [78b]–37 [81a], 38 [83a–b]; Alfarabi 2001, 36; Lerner and Mahdi 1963, 40–41, 119–20; Averroes 2000, 78; Averroes 1974, 94–95).

It is now clear why Maimonides remains silent regarding prudence. If intellect is beyond the purview of the law and prudence is the virtue of the intellect in its practical activity, then prudence would be a source of right action wholly unrelated to law as a source of right action (see Addendum 5). But the divine law purports to be a comprehensive and exhaustive guide to right action. The divine law cannot recognize the virtue of prudence as a genuine virtue without radically diminishing its own status: it is that guide which is required by those who lack prudence in the conduct of practical affairs and, as such, it is a second-best substitute for the practical activity of mind. The divine law cannot admit to a secondary status in this regard. If the law cannot admit the superiority of prudence as a guide to practice, Maimonides, without mentioning this deliberative virtue by name, does allow for its superiority. The physician of the soul who exercises a version of such prudence, though in ostensible agreement with the law as a guide to action, will prove nonetheless to be superior to it.

If, however, the divine law disallows a prudence above and beyond the law, it does, it would seem, allow a place for an activity and virtue of mind that is nonpractical, or purely theoretical in character (*Guide* 1.2 [14a–b]; compare Bacon, *Advancement of Learning* 1.1.2–3). This is the “rational virtue” that Maimonides now goes on to characterize. The rational

virtues include wisdom, on the one hand, and intelligence on the other. Wisdom is necessarily acquired—it is knowledge of the existence of things and their proximate and remote causes, or *what* something is and *how* it is. Intelligence, on the other hand, includes both acquired virtue—the acquired intellect—and what appear to be innate or inborn virtues—knowledge of the first intelligibles (e.g., that the whole is greater than the part or that two things equal in size to a third are equal in size to one another) and “brilliance and excellent comprehension, that is, excellent grasp of a thing quickly” (65; see *Aphorisms* 34, 35, 37). By contrast, all moral virtues or virtues of the appetitive part will prove to be acquired through habit. These virtues are as numerous as the many passions they perfect.

In the third chapter, Maimonides turns his attention to the specific character of these moral virtues. He does so within the context of a discussion of the health and sickness of the soul. It is in addressing this topic that Maimonides invokes the figure of the physician or doctor of the soul. As we have noted, this figure takes the place of the statesman and “true king” of Alfarabi’s *Aphorisms*. As we have also noted, the soul doctor in the exercise of his art employs what can only be called a form of prudence or practical wisdom. His deployment of this practical wisdom is confined to *improving* the moral habits of the appetitive part of the soul. His work is strictly remedial and would seem to be required in cases in which the original moral habits of the appetitive power are instilled by the defective law of a defective regime. He does not instill the initial moral habits of the soul. He is not a potential legislator or ruler of a city. Nowhere does Maimonides expressly state that his art applies to the rational power of the soul as well or that his practical wisdom has as its complement theoretical wisdom of any kind, though this appears to be implied by Maimonides’s identification of the soul doctor with the wise man and his insistence that knowledge of the soul entire is required for the practice of his art. This is in striking contrast to Alfarabi’s presentation of the king who, though he may effect “the cure of the soul” and its moral habits, is also said both to possess the knowledge and the capacity required for ruling an entire regime—and, therefore, for laying down the law that gives shape to the initial moral habits of its citizens—and to possess theoretical wisdom in its totality (*Aphorisms* 30–58). Maimonides’s soul doctor, then, is Alfarabi’s “true king” stripped of his political capacity and any explicit reference to his theoretical cognition. Maimonides effects this paring down as part of his effort to make the art of the soul doctor appear harmonious with the commands and intentions of the Mosaic law.

The illness that the physician of the soul treats and the health that he instills were both discovered by “the ancients.” Maimonides no doubt means Plato and Aristotle here, though he invites confusion on this point: the “ancients” to whom he refers might be understood, for example, to be the ancient sages of the law (compare Rosner 1975, 118–19). That Maimonides allows for this ambiguity and refrains from employing the words “philosopher” or “philosophy” in this context is not surprising. If the ancient philosophers discovered the health and sickness of soul on the basis of an understanding of the soul and its powers, and the era of the ancient philosophers is posterior to that of the Mosaic legislation, one is compelled to doubt whether the law of Moses is in fact grounded in knowledge of the health and illness of the appetitive power of the soul.

The illness of the soul has a complex structure, combining a symptomatic presentation with an underlying pathological condition. Health of soul appears to be present when a soul “does good things and performs noble actions” (65); illness is manifest by the contrary: the sick soul does bad things and performs base actions. In the sequel, in which all mention of the noble and the base is dropped, Maimonides explains that such actions are merely the expression of the underlying defect of bad and defective men: “they imagine bad things as good and good things as bad” (66). The sick soul has a false opinion or set of false opinions at the source of its condition. The underlying illness of soul is a confusion, error, or ignorance in regard to the good and bad.

One might conclude, therefore, that the primary office of the soul doctor would be instruction or education: he would work to remove the underlying condition of ignorance and error that is the source of the symptomatic presentation of “doing bad things.” He does no such thing. He makes no attempt to instruct or inform his “patients.” As we have noted, he makes no appeal to intellect whatsoever, and works only to reform the actions of his patients through restructuring the moral habits lodged within the appetitive power of their soul. His practice, then, must be based on an initial triage that identifies the class to which the sick soul belongs and thereby the depth of its disease. The sick individual is either one of the multitude whose souls must lack the proper form of intellect or he is a human being in the proper sense, or rather, potentially such. The art of the soul doctor as it is now portrayed is applied only to the former. His medical treatment ministers solely to the vulgar. No cognitive appeal is made, because none is possible. The fundamental sickness of soul, then, is a permanent lack of a properly functioning

rational power. This sickness is untreatable. The soul doctor who specializes in improving the moral habits of the appetitive power cannot be in the business of curing what Aristotle calls “the eye of the soul.” What would the soul doctor do with the young who belong potentially to the highest class of the human? To whom would he, as it were, refer them?

The difficulty involved in initiating the soul doctor’s treatment is significant. Those who are treated must seek treatment voluntarily; to do so, however, they must recognize the defective character of their own condition. Yet “those with sick souls...do not recognize their illness, but imagine they are healthy” (66). Maimonides pretends that this is not a universal condition of the sick soul, but if all imagine the bad they pursue to be good and the good they shun to be bad, it seems that it must be (Lerner and Mahdi 1963, 39). How is the soul doctor to establish a clientele? Can the soul doctor come to the aid of anyone?

The soul doctor plies his art on the basis of the understanding of moral virtue articulated in Aristotle’s *Ethics*. Behind the figure of the soul doctor stand Aristotle and his teaching. Above all it is Aristotle’s teaching regarding the noble or beautiful virtues—courage, moderation, liberality, great-souledness, and so forth (*Ethics* 1106b36–1108b10, 1115a25–b13, 1119b15–17, 1120a25–27, 1123a35–b7, 1124a2–4)—that is the basis of his practice. Justice is never referred to as a virtue instilled by the cure of the soul that the soul doctor effects (see Addendum 6). Maimonides, therefore, is able to represent all moral virtues and virtuous states of soul in terms of a mean between two extremes, both of which are equally species of vice. Maimonides, however, has modified Aristotle’s teaching in certain crucial respects: he follows Alfarabi and parts company with Aristotle by including modesty and humility as among the virtuous states of character (67). Modesty is the equivalent of Aristotle’s “sense of shame”—but, says Aristotle, though a sense of shame appears to be a mean between shamelessness and shyness, it is not a virtue (1108a31–35). Humility seems to have taken the place both of Aristotle’s great-souledness and his virtuous love of honor (see Addendum 7).

The inclusion of shame or modesty among the virtues and the substitution of humility for a noble pride indicate the pressure that the Mosaic law exerts on the understanding of moral virtue. According to Aristotle’s account, the great-souled man rightly demands the honors due him, honors equivalent to those we give the gods (*Ethics* 1123b3–25). He demands such honors because he understands himself to embody the completion of moral virtue and understands moral virtue in its completion to be the

summit of human perfection and the ultimate goal of all political life. He is the fulfillment of virtue as practiced not from ulterior motives (e.g., the fear of punishment or the desire for reward) but for its own sake. He is the beautiful incarnate (1123b27–1124a5, 1125a12–15). The divine law, of course, insists that no man is worthy of divine honors; that all men are rightly humble and ashamed before the God of the law; and that the perfection of moral virtue, far from being for its own sake, has as its source God’s law and as its motive the fear of God (Maimonides 1968, 33, 46, 65–66, 68–69). The divine law cannot recognize the notion of virtue for its own sake or the beautiful or noble, since the noble man needs no law to compel him to adhere to the virtue that he embodies. He seeks the beautiful because it is intrinsically attractive. The great-souled man as the instantiation of the beautiful appears to be as much beyond the law and its ken as the prudent man (see Addendum 8). Aristotle’s measure of the mean may find its origin in the beautiful and even the beautiful work of art (*Ethics* 1106b12–15; Burger 2008, 57), but this origin must be obscured in Maimonides’s presentation of the doctrine. Again the soul doctor’s Aristotelianism is modified to harmonize more fully with the requirements of the law.

In the light of this teaching regarding moral virtue as a mean, the precise character of the root sickness of the soul would seem to be made clear: to imagine the good to be bad and bad good is to “err concerning these actions and think that one of the two extremes is good and a virtue of soul” (67). Such error seems to be so easy to fall into that almost no one is free from vice or illness of soul: the rash man cannot help but appear courageous or the insensible man moderate to those who are insufficiently informed (68). But this would seem to be almost anyone who is unacquainted with the teachings of Aristotle’s *Ethics*. If Maimonides must obscure the relation established by Aristotle between the measure of the mean and the beautiful, he nonetheless preserves the relation Aristotle asserts between knowledge or science and the mean (1106b8–9). Lacking such knowledge, one unavoidably acquires moral habits in accordance with the way of life of one’s family and city that are outside of the measure of the mean (68). The need for the soul doctor’s treatment is as ubiquitous as it is unrecognized.

If and when this treatment were to be deployed the soul doctor would operate on the analogy of certain practices of the doctor of the body: the treatment of one extreme (e.g., high fever) with the contrary extreme (ice bath). The soul doctor treats any given vice by compelling his patient to act in accordance with the contrary vice until that time when the

first, vicious and habitually induced, state of soul is overcome and the second, contrary, state is nearly established. Before it can be established, however, the soul doctor prescribes action in accordance with the mean.

The vice that Maimonides chooses as an illustration of how the soul doctor's cure is effected, however, is not rashness or cowardice, lust or insensibility, or any of the other vices that he has named earlier. Instead Maimonides invents a variation of miserliness that adds a new pair of vices and a new virtue to his list, a virtue found neither in Aristotle's nor Alfarabi's roster. The vice in question is "miserliness toward oneself" (68). Its opposing vice is extravagance toward oneself and the virtuous mean state is liberality toward oneself. To what purpose Maimonides's invention of this new vice is directed is not immediately evident, although it is clear that his having chosen to illustrate the soul doctor's treatment by an appeal to this particular vice brings out the extraordinary and surprising character of this treatment. If the miser is he who refuses to share with others the uses and benefits of his possessions, the miser in relation to himself must be he who withholds from himself what is useful and beneficial. He deprives himself as far as possible of all things good and pleasant. One might think that the reason this condition is mentioned neither by Aristotle nor Alfarabi is that it is a condition so rare as to be virtually nonexistent. It is a condition that seems to overturn completely the natural inclinations of a human being. One cannot help but wonder what the cause of such an antinatural state of the soul might be. If we recall that Maimonides implies that all those who are sick of soul, that is, all those whose states of soul fall in the extreme, mistake their conditions for virtues, we recognize that the miser in relation to himself believes that his habitual self-denial is a virtuous condition. What specific virtue does he believe himself to practice and possess? Since such a condition would be one of constant pain and deprivation, somehow the miser in relation to himself has come to believe that pain is the surest sign of the presence of virtue in the soul.

Be that as it may, the treatment of the miser in relation to himself calls for a remarkable degree of indulgence in precisely the pleasures and satisfactions that the miser has denied himself. He must be extravagant in relation to himself. One need only reflect on what such a course of treatment might entail to be struck with the comedy ingredient in Maimonides's presentation of the art of the soul doctor (see Addendum 9). If the miser in relation to himself is not someone who enjoys a pleasant jest or laughter in the face of the ridiculous, this is certainly not the case with Maimonides.

Maimonides happily converts the miser in relation to himself into a figure of fun. Presumably part of the soul doctor's treatment of the miser in relation to himself would include large doses of pleasant laughter, even or especially at his own expense. At this moment in the argument Maimonides identifies his own activity as author of the *Eight Chapters* with that of the soul doctor as a character within the work. At the same time, and as a consequence, the portrait of the soul doctor as the wise man possessing knowledge of the soul entire and capable of transmitting the science of soul medicine or "medical theory" (75) in regard to the soul has been made to coincide with that of the soul doctor as the specialist who treats the appetitive power of the soul alone. The former has now comprehended the latter.

Just who this self-denying miser is and how he has come to be afflicted with the condition that defines him is made clear in what follows in chapter 4. Maimonides now recalls "the rule of therapy [of the soul] and... its secret" (69). In accordance with the teachings of Aristotle and Alfarabi, he argues that human beings are, for the most part, inclined by nature toward one extreme or the other and that, therefore, the soul doctor's treatment must take account of these native inclinations and adjust itself accordingly.

As a consequence, Maimonides argues, it is useful to take the precaution of moving a little away from the extreme toward which one is naturally attracted; for example, one should tend away from humility toward abasement: haughtiness or pride, it would seem, is something toward which nearly all men are naturally inclined. "Virtuous men," therefore, practiced this "rule and secret of therapy" and at "certain times" inclined toward one extreme, "fasting, rising at night, abstaining from eating meat and drinking wine, keeping away from women, wearing garments of wool and hair, dwelling on mountains and secluding themselves" (69). They did this only with a view to therapy. But precisely the need for such desperate measures calls into question the virtue of these "virtuous men": they have, after all, allowed a vicious extreme to be established as a habit in the appetitive power of their soul. Consequently, these "virtuous men" must be distinguished from those "perfect men," those men "knowledgeable in the art of medicine" of the soul, who constantly reflect on the state of their soul and rush to cure it before an evil state is established within it. The perfect and knowledgeable man would never have to employ "an extremely strong medicine" of the soul (73).

The condition of the "perfect man" is established entirely by himself and through his own knowledge and art. He is the physician of the soul who practices his art on himself. He is the man who "rules himself," that

is, whose practical intellect is able properly to govern his appetitive power. His “regime of soul” is the proper or best regime of soul (Efros 1938, 63–64). He deploys what Alfarabi calls “a part of the political art” and “kingly craft” (*Aphorisms* 21, 27), that part that Ibn Bajja calls “the governance of the solitary” (Lerner and Mahdi 1963, 128). The “virtuous man,” by contrast, pulls not slightly but entirely over toward the extreme of insensibility or abasement or, one is obliged to say, miserliness toward himself. He does so, Maimonides indicates, within the context of the divine law and somehow informed by that law: he and “some individuals” practice what the sages of the law characterize as acting “inside the line of the law” (69). In the *Mishnah Torah* Maimonides defines the distinction between the perfect and knowledgeable man and the “virtuous man” who acts “inside the line of the law” in the following terms:

Every man whose character traits all lie in the mean is called a wise man. Whoever is exceedingly scrupulous with himself and moves a little toward one side or the other, away from the character trait in the mean, is called a pious man. How so? Whoever moves away from a haughty heart to the opposite extreme so that he is exceedingly lowly in spirit is called a pious man; this is the measure of piety... The first pious men used to direct their character traits from the middle way toward the two extremes; some character traits toward the last extreme, and some toward the first extreme. This is the meaning of “inside the line of the law.” (Maimonides 1975, 29–30; see Addendum 10)

Maimonides now explains that certain ignoramuses caught sight of these “virtuous” or pious men performing these actions by way of an extreme of therapy and, without apprehending their intentions, came to the conclusion that these actions were good in and of themselves (70). Maimonides compares them to simple-minded folk who might view someone afflicted with a serious illness being treated with noxious medicine and conclude that if such medicine cures the disease of the sick, how much more must it augment and preserve the health of a healthy man. These ignorant men have also come to conclude that in “afflicting their bodies with every kind of affliction” after the pattern of the “virtuous” or pious men, they “would thereby come near to God” (70). Their assumption that God would somehow desire the “ruin and destruction” of the body is not deducible in any way from the practice of the soul doctor. Rather the “virtuous” or pious men observed by the ignorant take their inspiration not from Aristotle but from the Mosaic law and do what they do in their belief that their action is in accordance with that law and that through it they will establish or reestablish a kind of intimacy with God. The specific action that they undertake, or

the “treatment” they pursue, is identified by Maimonides in the concluding chapter of the work as the act of “repentance” (86–87).

Certainly it is the case that the divine law does make allowance for such extreme asceticism as a form of repentance and purification (Num. 6:1–21). The Nazirite, whom Maimonides discusses, is a legal category and is regarded as sanctified and pious, as Maimonides admits in both the *Guide* and the *Mishnah Torah*. Here in the context of the *Eight Chapters*, however, the Nazirite is declared to be “sinning” in depriving himself in this way and, therefore, is understood to be required by the law to make a sacrifice of atonement. The sages are brought forward as witnesses to this effect. The divine law, then, by this account in no wise condones such ascetic behavior; it rather insists that a man remain within the mean in all his actions and strive to maintain a mean state of soul. The divine law and the art of the soul doctor are in perfect agreement on this score. Both the “virtuous” or pious men and the “ignorant” believe that they are acting in accordance with the law and not an extreme form of therapy; they have become confused and are wholly mistaken regarding what that law requires of them. In truth, it would seem, the law condemns their so-called piety. Indeed, the law appears to be based on a knowledge not only of moral virtue being in accordance with the measure of the mean but on an insight into the “rule and secret” of soul therapy: it “forbids what it forbids and commands what it commands only for this reason, that is, that we move away from one side as a means of discipline” (71). In this it shows its superiority to the other religious traditions, for example, Christianity, which understands extremes of various sorts—giving away all of one’s property, renouncing sexual intercourse altogether, and so forth—to be virtuous. Maimonides shows how the law seeks to establish a mean state in relation to the virtues of moderation, generosity, gentleness, contentment, and, finally, modesty or shame (71–72; see Addendum 11).

Maimonides confirms the agreement between the law’s understanding of moral virtue and that of “the ancients” in a passage that brings philosophy out into the open from behind the mask of the soul doctor for the first time. The extensive knowledge and great care required on the part of the “perfect man” in the regulation of his appetitive power have led “the philosophers” to declare that it would be “very difficult to find someone disposed by nature toward all the moral and rational virtues” (73). This declaration appears to be seconded by the prophets, especially Solomon, who insists that “there is no man who is just upon the earth, who does only good and does not sin” (73). When one looks to the passage in Alfarabi’s *Aphorisms*

from which Maimonides borrows here, however, one finds that though the philosophers admit the difficulty of finding someone disposed by nature to virtue entire, they also admit the possibility that a man may be “divine” or “perfect” in this regard. This is confirmed by Maimonides himself in his commentary on the *Pirqei Avot* (Maimonides 1968, 113; compare Alfarabi, *Aphorisms* 11; Plato, *Republic* 485a–487a). The ostensible agreement between the law and philosophy proves to be a fundamental disagreement about the existence of a kind of human perfection: the philosophers declare it to be rare but possible; the law and the prophets, to be simply impossible. There is a distinction in kind between human beings (rare versus common) that the law has failed to register. The law is at one with the characteristic opinion of “pseudo-philosophy.”

The initial gap opened up between the standpoint of the philosophers and that of the law leads one to reflect on other possible points of difference between the practice of the soul doctor and the character of the law. Several distinctions can be made immediately. First, the soul doctor treats individuals on the basis of their individual condition and each of his therapeutic regimens is therefore unique to this individual, at this time, in these circumstances, and so forth. The law recognizes only the general case and offers a single prescription to all. This single prescription, however, cannot be appropriate to each individual case. The law must induce illness of soul in some, in order to induce something like health in the majority (*Guide* 3.34). For example, the soul doctor may prescribe a regimen of lust in order to cure insensibility, or extravagance in relation to oneself in order to cure miserliness in relation to oneself. The law’s “therapy” inclines only in one direction under the assumption that with this it will minister to the greatest number—it moves “very far away from the extreme of lust and [goes] a little from the mean toward insensibility to pleasure” in the interest of instilling something like moderation in the majority (72). Second, the law must therefore instill a mean state of character that is fixed and consequently very rough indeed—it will inevitably incline away from the true mean in any given individual case toward one extreme or another. The soul doctor’s treatment, by contrast, is precise—it works to instill a mean state that is equally precise (compare Burger 2008, 59–60), at least or especially in one particular case: the soul doctor’s self-treatment eschews establishing a fixed character trait and monitors his own passions and continually corrects them with novel treatments in accord with their fluctuating character (73). Third and finally, while instilling habitual character traits through its commands and prohibitions, the law also, through its speeches, instills beliefs or opinions in the soul. Above all it

instills the opinion that the one true God is the God of the law and as such is, on the one hand, omniscient in regard to human conduct, just and unjust, and, on the other, omnipotent in his capacity to reward the former and punish the latter. The law instills, then, both the opinion about God and the fear of God. This fear is a form of modesty or shame and requires an extreme form of humility or abasement. The soul doctor in the narrow sense (i.e., as specialist in regard to the appetitive power) effects his treatment entirely through habituation or rehabilitation. No opinions or beliefs are appealed to in this treatment, and he is certainly not an agent of the permanent instillation of modesty and humility in the appetitive power of the souls of his patients, let alone himself. The soul doctor's treatment is "shameless."

The soul doctor's precision in regard to establishing the mean in his own case finds its origin in the rational virtue that he possesses, his prudence. The soul doctor then points in the direction of the possibility of a nature disposed toward and in possession of all the moral and rational virtues. Again, the law denies this possibility. It does so not on the basis of an acknowledgment of the difficulty of acquiring the greatest of rational virtues—it denies the existence of prudence and makes no mention of wisdom in this regard. Rather it simply declares the possession of moral virtue to be impossible for a human being as such.

Maimonides illustrates this contention of the law and the tradition by appealing to the case of Moses, "the master of the first and the last man" (73). Even the greatest of the prophets was defective in regard to moral virtue—he inclined toward the extreme of irascibility. Surely Moses's slaying of the overseer and his breaking of the tablets attest to this fact. Maimonides, however, finds the greatest sign of this fault to be displayed in his behavior on the occasion of the incident of the Waters of Meribah. When God brought forth water from a stone for the children of Israel to drink, Moses failed to "sanctify" God and "rebelled against [his] word" by exhibiting his ire, striking the rock, and angrily condemning the children of Israel as "rebels." God, Maimonides claims, expressed no such impatience or anger.

Maimonides takes this opportunity to explain "a mystery of the Torah" on the basis of what he has put forward in this passage. God denied Moses's entrance into the promised land precisely because Moses expressed wrath and anger on this occasion, that is, allowed his passions to wander from the mean to the extreme. His rebuke was necessarily severe in this case, because the children of Israel, none of whom were vulgar men or lacking in virtue, scrutinized all of Moses's speeches and imitated his actions in the

hope of attaining the “happiness of this world and the other” (74). Moses’s speeches and deeds on this occasion misled them, therefore, in regard to the greatest of human things—happiness—and the greatest of things simply. For the precondition of happiness is, as Maimonides has insisted, character traits and actions in accordance with the mean; and the possession of happiness itself must include, as he now indicates, an apprehension of the proper attributes of God. But Moses inadvertently deceived his people on both counts: they took an extreme, irascibility, to be a virtue on the basis of their observation of Moses, and they took this putative “virtue” to be an attribute of God, since they reasoned that “if it were not that he knows God has become angry with us...he would not have become irate” (74). Thus Moses’s behavior at the Waters of Meribah was “something like a profanation of the name,” and well warranted the exemplary punishment that God meted out to him: God had to clarify for all to see that wrath (a vice) must never be taken to be a divine attribute.

Of course, one cannot help but wonder how men who were anything but vulgar and lacking in moral virtue could have been so easily misled about matters of such singular urgency and importance. When one follows Maimonides’s advice and “examines” what he has said “and what others have said about” the same passage—starting with the Torah itself—and allows “the truth [to] lead the way” (74), one also is led to wonder whether the Israelites needed any signs or suggestions from Moses to come to the conclusion that the God of Israel was a wrathful God. The context in Numbers leading up to the incident of the Waters of Meribah (chapters 13–20) is rich in curious details and surprising events. What this context brings unmistakably to the fore is the excessively punitive character of the divine law in its original form (e.g., the penalty for violating the Sabbath is death) and the excessively wrathful character of the God of the law (e.g., God wishes to annihilate the entire people for their seemingly well-founded doubts about their own ability to lay siege to, let alone conquer, the land of Canaan).

When the untenability of Maimonides’s account of the Waters of Meribah and its significance is grasped, then the genuine intention of his argument is made clear. Apart from all other differences articulated above between the practice of the soul doctor and the character of the Mosaic law, the difference that most starkly distinguishes the two is the lack of any punitive character to the soul doctor’s practice, on one hand, and the necessarily punitive character of the law and the exceedingly punitive character of the divine law, on the other. The law must employ punishment as a “cure” to

disobedience. It is above all the divine law's conception of justice that stands in the way of any real harmony between the Aristotelian practice of the soul doctor and the commands and prohibitions of the law. But since the passion animating the punitive character of lawful justice is anger or wrath, if "righteous anger" or "just wrath," the law cannot help but understand anger as a virtue, that is, it cannot help but confuse an excessive character trait with a virtuous state of the soul. Moreover, a law that declares its source and ultimate sanction to be a just God cannot help but attribute punitive wrath to that God, that is, attribute vice or defectiveness to the most perfect of beings. Once the just displaces the beautiful as a defining principle of moral virtue, the measure of the mean can no longer be recognized as the measure of moral virtue. The law cannot know virtue as a mean in this sense. The law and philosophy cannot possibly be in accord in regard to the truth of moral virtue. Law, insofar as it gives a kind of shape to the appetitive and imaginative powers of soul, is at cross purposes with mind which gives a properly human form to the soul and its powers.

At the close of the present chapter Maimonides declares that "if a man continually weighs his actions and aims at the mean...he will come close to God and...[participate in] the most perfect ways of worship" (74), that is, that action in accordance with the mean is the truth of piety and this truth renders piety as a distinct and separate virtue superfluous. As Maimonides has already made clear, this understanding of piety cannot be coincident with that articulated by the tradition and the law. Maimonides refrains from explicitly mentioning piety within the arguments of the *Eight Chapters* both because he follows Aristotle and Alfarabi who never number piety among the virtues and because his implicit reformulation of that virtue—in regard to both its character and its relative status—diverges starkly from its formulation within the Mosaic law. For the law, piety is the chief virtue of the soul or "heart" insofar as it is coincident with a righteousness or justice that is manifested above all in fear of the Lord and obedience to his law. This piety and justice necessarily include an extreme asceticism in relation to the body and extreme character traits in relation to the soul, above all excessive modesty and humility: the law works to instill these extreme character traits because it understands this to be the only means by which man's intrinsically defective nature—his obstinate pride and arrogance—may be restrained (see Addendum 12).

By the end of chapter 5, Maimonides will have incorporated what is left in his account of the virtue of piety into the pursuit of knowledge

of God as a means to that end. Knowledge of God, however, or the intellectual assimilation to God, is identified with prophecy (75–76). At this point in the argument piety is absorbed into prophecy and evaporates entirely. For Maimonides, piety leads to prophecy only in this sense. Thus prophecy, understood as divine science or wisdom, is, according to Maimonides, the way to a genuine proximity to God (77). This wisdom is at the greatest possible remove from piety as it is characterized by the divine law (78). The sages of the tradition have expressed their views on the respective merits of wisdom and lawful piety in no uncertain terms. Such wisdom is a manifestation of pride or arrogance, and

in praise of modesty they said: What wisdom made into a crown for its head, modesty made into a heel for its sole, meaning, for its boot. As it is written, “Fear of the Lord is the beginning of wisdom...” this is the proof that fear of the Lord is greater than wisdom and it is the cause of its existence. And he said, “As a consequence of modesty, fear of the Lord [will ensue]...” that is to say that fear of the Lord will be found in the train of modesty. This being so, modesty is much greater than wisdom. (Maimonides 1968, 66)

During the course of the first four chapters of the *Eight Chapters* Maimonides guides his reader toward a clear distinction between the tradition of the sages, or the fathers, and the teachings of the wise, or the philosophers. Having done so he invites his readers to follow Aristotle’s advice in regard to what is due to each (*Ethics* 1164a34–1165a35). To act in accordance with this advice, on the basis of one’s own understanding of the soundness of this advice, is to begin the “treatment” whose ultimate goal is the cure of “the eye of the soul.”

ADDENDA

1. It will prove to be the case that, though certainly the philosophy of the ancients (Plato and Aristotle) is everywhere in the background of the treatise, it is above all Alfarabi on whom Maimonides relies and through whom he reads the ancients. The “whole passages” from the works of others that Maimonides takes over as his own are almost entirely derived from Alfarabi’s *Selected Aphorisms* or *Aphorisms of the Statesman*. Maimonides’s *Eight Chapters* proves, therefore, to constitute a dialogue with Alfarabi and his *Aphorisms*. The two authors speak to one another from across the divide established by the two competing and contradictory laws which each is compelled to acknowledge—Torah and Koran. Maimonides

follows Alfarabi in failing to treat piety in his discussion of the moral and intellectual virtues.

2. Maimonides follows Ibn Bajja more explicitly in the Introduction to the *Guide of the Perplexed*, wherein he speaks of three classes of men: the prophets, whose darkness is illuminated by flashes of lightning; those who are not graced with such flashes, but whose darkness “is illumined...by a polished body or something of the kind”; and “the vulgar” who “never once see a light but grope about in darkness” (Maimonides 1963, 1:7).

3. In his *Treatise on Resurrection* Maimonides insists that the denial of the possibility of miracles implies a denial of the doctrine of the creation of the world. The affirmation of the existence of nature and the affirmation of the eternity of the world stand and fall together (Lerner 2000, 171–72).

4. Since all such images are images of body, the majority necessarily identify existence with bodily existence: “As for that which is not a body and is not an accident in a body, it does not exist,” according to “what is presupposed by the imagination of the vulgar” (Lerner 2000, 159).

5. The reconciliation of prudence and law would seem to require making prudence the origin and author of law. This, however, would be to make a power of the human mind or human wisdom the source of law and its commands. Apart, however, from the fact that Maimonides himself seems to have ruled out such a possibility by declaring that “there is no act in [the rational part] to which the terms commandment and transgression would apply,” the divine law must find its source in God. Human prudence, then, cannot be at the origin of the divine law. Prudence in this case must indeed be a guide to right action wholly unrelated to law as such a guide. Thus Maimonides, following the logic of the Mosaic law itself, is forced to reject the possibility that the Mosaic law and its regime are instances of the virtuous regime as elaborated in Alfarabi’s *Aphorisms*: within the virtuous regime the “imaginative evocations” of the law have as their source the prudence of the human lawgiver, that is, the statesman or the king (57–61; see also Lerner and Mahdi 1963, 40–41).

6. At the end of chapter 3 justice is included in Maimonides’s list of the various moral virtues. At the beginning of chapter 4 it is silently dropped when these virtues are shown to be defined by a mean lying between two extremes, each of which is equally a vice.

7. In addition to these two, Maimonides seems to have eliminated truthfulness, friendliness, and righteous indignation from Aristotle's list of the virtues, though he follows Aristotle in the last case, since Aristotle fails to treat righteous indignation when he goes on to explain the various virtues in detail in book 4 (see Burger 2008, 91–92). Maimonides also adds a virtue—contentment (67, 81).

8. Though the noble and the base may belong exclusively to the realm of common opinion, not all common opinions are of equal worth. The noble, inasmuch as it makes a claim to being a species of virtue superior to law, points directly, as it were, to the truth of virtue superior to law, namely, rational virtue or wisdom or philosophy. The just does not possess this same trait. Though the divine law and philosophy may agree in rejecting the claims of the noble, they do so from radically different, indeed contrary, perspectives.

9. The prospect of the treatment of the miser in relation to himself brings to mind the figure of Philokleon from Aristophanes's *Wasps* and the antics he indulges in at the banquet his son compels him to attend in the hopes of moderating and refining his excessively angry and punitive disposition. In this connection, it is not impertinent to observe that if one were assigned the task of locating a single episode in the Five Books of Moses that, from the perspective of the scripture itself, might be construed as being of a comical character, one would be forced in the end to abandon one's search, having exhausted one's powers in vain. All the same, one would not come away from such a search empty-handed, since one could hardly fail in the course of it to be enlightened regarding the biblical view of laughter. Abraham and Sarah both laugh in the face of God's apparently laughable promise to provide Abraham with a son through the old and barren Sarah (Gen. 17:15–19, 18:10–12). God corrects and transforms this laughter through the birth of Isaac and the demonstration that “nothing is too wondrous for the Lord” (Gen. 18:14, 21:1–8): “the way of God” wholly supersedes the “way of all the earth” (Gen. 18:19, 19:31). Laughter before the laughable, that is, the impossible under the aspect of the possible (see Strauss 1964, 62), becomes a “laughter” infused with both hope and terror before the boundless power of God in the face of which the impossible is obliterated. This correction proves to be the prelude to a constriction in the Torah's use of the term “laughter” (*metzahek*). From this point on it is used only to signify either sexual congress or idolatry and impiety or both (Gen. 26:8; Exod. 32:6; compare Gen. 18:14, 21:9; also Ps. 37:12–15, 52:3–9). The full implication of the Bible's severing

laughter from any relation to the laughable is suggested by Aquinas when he links, as he habitually does, man the risible to man the rational animal.

10. In the fifth chapter of his commentary on the *Pirquei Avot*, Maimonides appears to contradict this teaching and assign to the pious man a wisdom equivalent to that of the perfect man. This, however, is belied by crucial passages in which the pious man again appears as one who has taken up the practice of an extreme in accordance with an understanding of that extreme as necessary to the requirements of the virtue of piety (Maimonides 1968, 64–66, 104, 109).

11. At least in regard to modesty or shame, however, this account is contradicted by Maimonides himself in his commentary on the *Pirquei Avot* (Maimonides 1968, 33, 46, 65–66, 68–69). One might also observe that the honor that the Mosaic law demands one offer up to the father or fathers, and the modesty or shame that one as a consequence adopt in relation to them, both appear excessive according to the measure established by Aristotle’s teaching in the *Ethics*. The law’s standard of conduct in this regard is summed up in the passage from Deuteronomy that Maimonides quotes in this context: “You shall not turn aside from the thing [the fathers] shall tell you.” By contrast, though Aristotle declares modesty or shame to be appropriate to the young, he also insists that it is not a virtue and that, consequently, it is ill suited to those more advanced in years (*Ethics* 1128a20). Moreover, he concludes that a wise man is deserving of higher honors than one’s father: “we should not make all returns to our father, just as we do not offer every sacrifice to Zeus”—we might make a sacrifice to Athena or Hermes equally or even more so. One would be right in turning toward the speeches of the wise and away from the speeches of the fathers whenever the two fall into conflict. The divine law seems to insist on an extreme in honoring one’s father and the Father of Fathers such that one necessarily mistakes shame and humility for virtues and indulges in the folly of Satyrus, who bore the epitaph “Philopater” or “father-lover” (*Ethics* 1148b1–3) and was rumored to have worshiped his father as a god. That paternal authority is one of the hallmarks of the “imperfect and diseased” or “conventional” households of “the cities other than the virtuous” is the implication of the arguments concerning the governance of the household in Ibn Bajja’s *Governance of the Solitary*. The “natural household,” explains Ibn Bajja, is, as Plato has shown in the *Republic*, found only in the virtuous city. The natural household is the “common household.” Its “communal character,” as described by Plato, ensures that paternal authority exists within it only in a vestigial form and

that the arbitrary and conventional character of the designation “father” is thus clearly visible to all (Lerner and Mahdi 1963, 124–25).

12. Remarkably enough, in the imaginings of the adherents of the law, this very abasement becomes a means to effecting an unprecedented closeness to the first principle of all things.

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Social Ontology and the General Will: Hegel's Critique of Rousseau

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In "Social Ontology: Some Basic Principles," John Searle argues for the importance of studying and understanding social ontology. He defines social ontology as an inquiry into social phenomena such as social objects (e.g., money), entities (e.g., institutions), and processes/events (e.g., the election of the president of the United States) (Searle 2006, 12–13). The investigation into social ontology is not only worthwhile for its own sake, but it also has implications for the practice of political theory. Searle rightly points out that political theory must presuppose social ontology. An account of *just* institutions necessarily assumes certain claims about what an institution *is*. In that sense, social ontology is essential to political theory.

Searle goes on to say that the history of political theory has largely ignored this issue. But not every political theorist has overlooked the importance of social ontology. In fact, Hegel precedes Searle in recognizing social ontology as a problem for political theory in general. A major aim of the *Phenomenology of Spirit* is to articulate the social ontology (or forms of self-consciousness) necessary in modern life. More narrowly, Hegel's critique of Rousseau's general will is grounded in an argument against the social ontology operative in Rousseau's *Social Contract*. In what follows I will argue, specifically, that Hegel is critical of the individualistic theory of consciousness that underlies Rousseau's conception of the general will.

This interpretation differs from the dominant understanding of Hegel's critique of the general will. Most scholars argue that Hegel simply misreads Rousseau. Some notable exceptions to this view are Arthur Ripstein, Phillip Kain, and Paul Redding. They argue, for different reasons,

that Hegel does indeed offer a legitimate and incisive critique of Rousseau's concept of the general will.

Ripstein argues that Hegel's problem with the general will is that Rousseau provides no rational criterion to determine its content. Without a rational criterion to determine the content of the general will, any content is as good as any other, and is thus arbitrary (Ripstein 1994, 444). Kain, on the other hand, contends that Hegel's criticism lies in the fact that Rousseau's general will *must* be distinct from particular interest. By making particular interest external to the general will, particular interest becomes heteronomous in Rousseau's thought and cannot have any ethical justification. Rousseau cannot accommodate the realities of modern life, such as trade and commerce, and thus cannot make his political theory tenable in a modern context (Kain 1988, 345). Finally, Redding locates the difficulty in Rousseau's conception of the will as having the form of an individual will inappropriately applied to a corporate body. By conceiving of the general will as possessing the same structure as the individual will, Rousseau commits the error of taking what is objective and universal and making it subjective (Redding 1996, 221).

I agree with these critics that Hegel does present a substantive critique of the general will. However, I disagree with their reconstruction of Hegel's argument. One general problem faced by every interpretation of this issue is that Hegel says relatively little about Rousseau's work. What can be said must be gathered from a scant number of passages. This situation leads to the possibility that numerous conflicting interpretations could be consistent with Hegel's central claims. However, one criterion that an interpretation of Hegel's critique of Rousseau must satisfy is that it gets Rousseau right. Otherwise, Hegel's objections to Rousseau are the product of misreading and they fail to be substantive. I argue that Ripstein and Kain fail to fulfill that condition—that they do not correctly represent Rousseau's views in their interpretation of Hegel. On the other hand, Redding's interpretation correctly understands Rousseau's thought but fails to show why the general will ends up being arbitrary and nonuniversal. As such it is incomplete.

I offer an alternative to these reconstructions by demonstrating that Hegel's critique is based on a rejection of Rousseau's implicit social ontology. Rousseau's social ontology is grounded in his adoption of Lockean sensationalist psychology. Given Rousseau's psychological assumptions, the will must be conceived of as the property of a single unified entity, as is the case with an individual consciousness. The entity Rousseau has in

mind is the body politic, resulting in the conception of the body politic as a single, unitary whole possessing a single will. In Hegel's view, conceiving of a general will modeled on the structure of an individual consciousness entails a capricious and nonuniversal will. Hence, it is Rousseau's faulty social ontology that leads to a problematic conception of the general will.

My argument for this position proceeds in two sections. First I critique the arguments of Ripstein, Kain, and Redding. My criticism in the case of Ripstein and Kain is that they misinterpret Rousseau and thus leave Hegel open to the objection that he is unfair to Rousseau. Redding, by contrast, fails to show why Rousseau's general will is arbitrary and nonuniversal. In section 2 I argue that Rousseau holds to a Lockean theory of moral psychology, which presupposes a certain philosophy of consciousness. This conception of consciousness exists in a self-enclosed, singular, form; this structure of consciousness cannot possess a legitimate and universal will.

1. INTERPRETATIONS OF HEGEL'S CRITIQUE OF THE GENERAL WILL

After praising Rousseau for treating the will as the "principle of the state," Hegel states his reasons for rejecting the general will:

Unfortunately, however, as Fichte did later, he [sc. Rousseau] takes the will only in a determinate form as the individual will, and regards the universal will not as the absolutely rational element in the will, but only as a "general" will which proceeds out of this individual will as out of a conscious will. The result is that he reduces the union of individuals in the state to a contract and therefore something based upon their arbitrary wills, their opinion, and their capriciously given consent. (*PR* §258)

This passage is the primary text at which we must look in deciphering Hegel's critique of the general will. He sends a barrage of attacks designed to be grounds for a rejection of Rousseau's social theory. Hegel claims that Rousseau takes the will only as having the "determinate form" of the individual will. The form of the will, as individual, produces a will that may be "general," but is neither universal nor legitimate. The result is a will that is reducible to the individual wills that make up one's political community.

The way this passage has been traditionally interpreted is that Rousseau takes the general will to be nothing more than an aggregate of individual wills. In other words, the general will consists of an accumulation

of all the individual wills. As many commentators rightly note, this view is not accurate to Rousseau's thought. Rousseau makes an explicit distinction between "the will of all" and the general will: "There is often a great difference between the will of all and the general will." "The latter," he tells us, "considers only the common interest; the former considers private interest, and is only the sum of private wills" (3:371; 1994, 147). The will of all is the conglomeration of individual wills, whereas the general will is the will of the community taken as a whole. If a state were to follow the will of all, they would merely tally all the private wills and follow the majority. The interest that is determined by majority vote is not necessarily the interest of the entire community *as a whole*. The problem with conflating the "will of all" with the general will is that in doing so one cannot distinguish the dominant interest from the welfare of the whole, including each part (3:243–45). In Rousseau, the majority may clamor for a certain action to be taken by the state, yet this action may be contrary to the general will. The general will, which is oriented toward the good of the whole, is distinct from the will of all, which comprises the dominant interest that members of the community express. It is this that renders intelligible Rousseau's claim that the general will is always right, but that the will of the people may be incorrect. If Hegel ignores this distinction between the general will and the will of all, then he has surely been unfair.

Arthur Ripstein defends Hegel on this point by arguing that he has good reason to think that the distinction between the general will and the will of all must collapse under its own weight. The argument proceeds by clarifying Hegel's conception of arbitrariness. On Ripstein's account, the will is arbitrary insofar as it is bereft of a rational constraint on its content. The arbitrary will is a will that does not have the resources to distinguish one content from another. The arbitrary will is arbitrary because "its structure as will is independent of any particular content it might have. That means that any content it might have will be arbitrary from its point of view as will" (Ripstein 1994, 451). The problem is that the arbitrary will could have any content whatsoever and it would still remain a genuine act of willing. Hegel goes as far as to call the arbitrary will a contradiction because, in his view, the necessary content of the will is freedom, right and ethical life (*PR* §15). The nonarbitrary will is one that rationally determines its own content. Any will that does not determine its own content through the constraints of rationality is, on this account, arbitrary. This does seem to be Hegel's understanding of arbitrariness, but it is unclear why this criticism would be applicable to Rousseau.

Ripstein's next step is to argue that the reason the problem of arbitrariness applies to Rousseau's conception of the general will is that the

content of the general will depends on the arbitrary loyalty of citizens, rather than the rational constraints on the will. It is not rationality that legitimizes the content of the general will but the loyalty of the citizens to each other. In the original social compact, each citizen binds him- or herself to follow the laws of the state as determined democratically. It is this covenant that makes the general will binding. However, in making this contractual arrangement the basis for the general will, Rousseau risks the possibility that the determinations of the general will may become arbitrary. If nothing else but the loyalty of each citizen legitimates the determinations of the general will, then the content of the general will is right only because it is demanded by the authority of one's fellow citizens, and wrong owing to the same mechanism. Ripstein argues:

The only thing that is objectionable in any violation of the general will is that the general will has been violated and that the individual has failed to defer to the authority of others. Of course this is just the flip side of the idea that obligation is to be explained in terms of loyalty to one's fellow citizens. (Ripstein 1994, 453)

In this interpretation of Rousseau, the general will is "always right" because citizens are always obligated to follow it. Citizens obligate themselves to do so at the social compact, and from that act, each and every one of them is under constraint to follow the general will regardless of its content. If the general will is grounded solely on the loyalty of citizens to follow it, its determinations are then legitimate regardless of their content. The idea that the general will can have any content whatsoever and remain legitimate surely leads to the criticism of arbitrariness. This view of the general will lacks any rational constraint on its content and thus cannot escape the charge of arbitrariness.

Furthermore, if violating the general will is wrong because it is a violation of the determinations of the people as such, then there appears to be little room to distinguish between the general will and the will of all. Rousseau had attempted to argue that one could reject the will of all in favor of the general will. However, if loyalty is the measure of legitimacy then the will of all is equivalent to the general will. Citizens obligate themselves to follow the general will, and if regardless of its content it is always right, this legitimacy is derived from the authority of one's fellow citizens. Yet one's fellow citizens could then become the ground for the rightness of the general will. Making one's fellow citizens the ethical ground for the general will collapses the distinction between the general will and the will of all.

Ripstein's account of Hegel's critique of the general will, then, is based on the argument that Rousseau makes citizen loyalty the

ground of the general will. Loyalty is the necessary and sufficient condition for the legitimation of the general will. Rousseau, like the social contract theorists before him, makes consent the ground of obligation and this leads to the charge of capriciousness. The problem with Ripstein's account is that Rousseau does not assert the relation between loyalty and the general will that Ripstein attributes to him.

The mistake that Ripstein makes is treating loyalty as a sufficient condition for the legitimation of the general will. It is the case that the act of obligating oneself to follow the general will is part of the legitimation process in the social contract (3:359–62; 1994, 138). The condition that the legitimate state requires an act of obligating oneself to follow the general will merely follows from Rousseau's definition of moral freedom, which is "obedience to the law that one has prescribed for oneself" (3:365; 1994, 142). If one cannot be free except through one's self-application of the law, then it would be hard to see how the general will could be legitimate without an act of self-legislation by each member of the community. However, Rousseau's innovation was to argue that consent, though necessary, is not sufficient for the legitimation of the state. It is not consent per se but the concept of the general will itself that provides legitimation for the state. *What* the citizens obligate themselves to follow, that is, the general will, as distinct from the determinations of the community, is the ground of legitimacy. Rousseau is able to keep these distinct because he holds that the will, when freely determining, always determines the good. Insofar as it is general, the will, if followed, would always lead to the good.

Contrary to Ripstein's account, the will's content is not arbitrary and Rousseau goes so far as to argue that it is implicitly oriented toward the good. In the *Emile*, through the character of the Vicar, Rousseau argues, "Doubtless I am not free not to want my own good; I am not free to want what is bad for me" (4:583–86; 1979, 280). He follows up this observation on the free will with the claim, "No one does bad for the sake of the bad" (4:533–36; 1979, 207). The claim that the will is always oriented toward the good is also expressed in the *Social Contract*, where Rousseau contends that "no will consents to anything contrary to the good of the being who wills" (3:367–69; 1994, 145). The same sentiment is also expressed in the *Reveries of a Solitary Walker*, where Rousseau says, "As long as I act freely, I am good, and do only good" (1:1056–1058; 2000, 56). Rousseau's claim that the free will determines only the good is an idea that extends from Plato to Locke. In this view, wrongdoing occurs through some external cause accompanied by

weakness of the will, rather than the will itself. The will, when free, seeks the good and only the good. The relationship between the free will and the good helps us see Rousseau's answer to Ripstein's charge of arbitrariness.

If the will is implicitly oriented toward the good, then it is hard to see how its determinations are arbitrary. James Miller's analysis is helpful here:

If we are to take such comments seriously, it follows that the desire for the good inheres in the free will. The "right" of freedom—taking *droit* in its twofold sense of justice and straightforwardness—"arises from freedom itself." (Miller 1984, 171)

If the good inheres in the free will, then the will is intrinsically good, and an intrinsically good will is not arbitrary. Rousseau's claim that the will is implicitly oriented toward the good means that its content is anything but arbitrary. In fact, we see that Hegel and Rousseau are in broad agreement. Hegel's claim was that an arbitrary will is a contradiction because its content is necessarily ethical life. In a similar way, Rousseau argues that the free will is the opposite of "unbridled license" (3:113; 1993, 4). Contrary to Ripstein's account, Rousseau agrees with Hegel that freedom is contrary to "the ability to do what we please" (*PR* §15).

Rousseau's contention that the good inheres in the free will explains his claim that the general will is always right, and also his claim that the general will is instituted in order to realize the public good. Each of these claims makes little sense without Rousseau's thesis that the will is implicitly oriented toward the good. Yet once we understand Rousseau's commitment to this proposition it follows that the general will is always right and always tends toward the common good. Further, the implicit relation between the general will and the common good entails that the content of the general will is not arbitrary. It is important to notice, as Ripstein fails to do, that citizens commit to follow *the general will*, not laws as such. Law is legitimated by the general will, but it is not just merely because it is willed by the majority. If citizens were obligated to follow laws arrived at through a democratic process on the basis of consent alone, then such relations would be arbitrary. Rousseau goes beyond traditional social contract theory by making the concept of the general will, which is implicitly oriented toward the good, the legitimating principle of the state. A careful reading of Rousseau shows that he can distinguish between the will of all and the general will, and that he is immune to the arbitrariness objection raised by Ripstein.

Phillip Kain offers a slightly different interpretation from Ripstein's. Kain's criticism is that Rousseau must understand the general will as a union of individual wills because he thinks only individual self-conscious beings can possess a will. Kain's reason for attributing this view to Rousseau lies in Hegel's criticism that Rousseau sees the will "only in the determinate form as the individual will." As Kain interprets this passage, for Rousseau only individual consciousnesses exist, and thus are the only entities that can possess a will. If only individuals can have a will, then the general will must be reducible to the union of particular wills. From this Kain concludes:

If viewed from the perspective of individual will where individuals sustain an external relation to the universal, Hegel agrees that one would have to come to the conclusion, much as Rousseau did, that particular interests erode the universal. (Kain 1988, 358)

Kain's argument here is fairly dense and needs to be carefully unpacked. His first claim is that the core of Hegel's criticism of Rousseau is that he conceives of the will as pertaining only to an individual conscious subject. If we were to enumerate all the things that possessed a will, all we could come up with would be a set of individual consciousnesses. From this proposition Kain deduces the claim that the general will must be the outcome of individual wills taken together. If only individual wills exist, then the general will is, strictly speaking, a fiction and is merely the outcome of individual wills, albeit organized in a particular way.

Here it is less clear how we get from the claim that the general will is the union of individual wills to the conclusion that it cannot be universal. The argument seems to be that if all that exists is individual wills, then the only way to create a general will is in a tightly held unity. This unity must oppose the particular interests of each person taken as an individual. The general will, as such, cannot accommodate the desires and wants of individuals, but must oppose them for the sake of universality. On this account, Rousseau holds that individual wills must be molded together to form the general will, thus necessitating an antithesis between particular wills that stand alone and the general will which consists of the union of individual wills. This will cannot be universal, in Hegel's eyes, because a truly universal will would be able to incorporate particular wills.

Unlike Hegel's account, which attempts to mediate the particular and the universal, Rousseau's theory sees them as mutually exclusive. Kain goes on to explain in more detail how Hegel is able to succeed where

Rousseau fell short. My purpose is only to evaluate his interpretation of Hegel's critique of Rousseau, so I will leave Kain's reconstruction of Hegel aside.

Kain's analysis rests on the claim that Rousseau believes that only an individual consciousness can possess a will, or, to put it another way, contain the property of willing. The general will is not, strictly speaking, possible because the body politic is not really an entity that has the capacity to will. But this position is contrary to various statements that Rousseau makes on the subject. For example, Rousseau argues that "the *body politic is thus also a moral being that has a will*; and this general will...always tends toward the preservation and welfare of the whole and of each part" (3:245; 1993, 143, emphasis added). The claim that the body politic is "a moral being" does not fit well with the view that only individual persons are in possession of a will. The above passage implies that if one enumerated all the entities that had the capacity to will one would find both individuals and political associations.

This view accords with Rousseau's distinction between "an aggregate" and "a people." Only the latter, as a corporate body, can possess a will. He says in the *Social Contract*, "I see only masters and slaves; I do not see a people and its leader. It is an aggregation, if you wish, but not an association. It has neither a public good, nor a body politic" (3:359; 1994, 137). The distinction between an aggregate and a people is central to Rousseau's argument in the *Social Contract*. The social contract is more than an agreement to follow the general will; it is the creation of a political association in which each citizen becomes a part of a social whole. For Rousseau, the genuine body politic is only possible through an act of total alienation of each citizen to the community as a whole. "Properly understood, all these clauses come down to a single one, namely the total alienation of each associate, with all his rights, to the whole community" (3:360; 1994, 138). The reason why total alienation of every citizen is necessary is that, in Rousseau's view, it is the only way to establish the condition of equality necessary for freedom. Otherwise there will continue to be masters and slaves, an aggregate and not a people. It is only through the total alienation of each citizen in the social contract that the body politic is created. As Rousseau says, it is through this act that "in a body we receive each member as an indivisible part of the whole" (3:361; 1994, 139). Or, as he argues in the *Emile*, "the I transports into the community unity with the result that each individual believes himself no longer one but part of a unity and no longer feels except within the whole" (4:245–48; 1979, 40). The creation of the body politic as a social unity or communal whole is an essential aspect of Rousseau's contractual theory.

The problem with Kain's analysis is that he ignores Rousseau's distinction between an aggregate and a people and the central role this distinction plays in his argument. He interprets Rousseau's social contract theory along Lockean/Hobbesian lines, where the social contract serves as a mechanism for agreement among atomistic individuals. Rousseau diverges from this perspective by arguing that the social contract requires the creation of a social whole and that this holistic community, the body politic, is a moral being that possesses a general will. Kain's interpretation of Hegel, if correct, does not allow him to escape the criticism that he misreads Rousseau. An interpretation of Rousseau that does not take into account his distinction between an aggregate and a communal whole is unfair to the subtlety of his thought.

Redding differs from both Kain and Ripstein in his account of Hegel. Redding emphasizes that Rousseau's theory requires the total alienation of each citizen and the creation of a social unity. On his interpretation of Hegel's criticism, Rousseau's presuppositions required him to conceive of the social whole and its will based on the model of the single consciousness. "Rousseau, restricted as he was to a unitary conception of the will, could conceive of the social whole and its willing only on the model of a single act of a willing subject writ large" (Redding 1996, 221). Redding emphasizes Hegel's point that Rousseau conceives of the will "only in the determinate form of the singular will" (*PR* §258). I believe this to be correct. Rousseau sees the general will as a large singular will. Rather than a unity of disparate wills, the general will is a single will applied to the political community as a whole. What Hegel is critiquing is Rousseau's modeling of the general will on the structure of a singular consciousness.

Redding's interpretation escapes the problems of Ripstein's and Kain's readings. It is consistent with Rousseau's distinction between the general will and the will of all, and does not overlook his emphasis on the importance of the social whole. Unlike Hegel's dialectical model that allows for the relation between "self and other" in a universal will, Rousseau's general will is the "solitary will...applied at the collective level of the social body" (Redding 1996, 221). The problems of this view become clear when we see that this view of the general will requires Rousseau to view the body politic as a single collective consciousness. Conceiving of the will of the community on the model of a singular consciousness is the basis for Hegel's arbitrariness criticism. Redding does not discuss how this connection is made, nor does he demonstrate how this makes the will "general" but not universal. As such, Redding's account is incomplete. What remains to be shown is how

Rousseau's conception of consciousness entails Hegel's criticism that the general will is arbitrary and nonuniversal. I will now proceed to fill in these gaps. I begin by showing why Hegel is right to claim that Rousseau conceives of the general will as arising out of a unitary collective consciousness, and how this assumption entails the arbitrariness of the general will. The general will is an individual will writ large, and the consequence of this conception is an arbitrary will.

2. ROUSSEAU'S PHILOSOPHY OF CONSCIOUSNESS AND HEGEL'S CRITIQUE

Rousseau departed from the British empiricists in articulating his view of the social contract. Rather than treating convention as the ground of obligation, Rousseau instituted the general will. In contrast to Locke's strong individualist tendencies, Rousseau emphasized social unity. However, the same cannot be said for Rousseau's view of human psychology and its attendant philosophy of consciousness. Here, Rousseau adopts, with little alteration, Locke's sensationalist psychology. The premise of this psychological theory is that all human emotional and intellectual attributes can be traced back to an original source in experience. Judith Shklar has done the most work outlining the role that Lockean psychology plays in Rousseau's thought and my argument here largely follows her understanding. She writes, "Rousseau's profound debt to Lockean sensationalist psychology was evident in all these endeavors, whether autobiographical or impersonal" (Shklar 1969, 33). What is clear is that Rousseau gives an account of the source of human knowledge and moral sentiment that traces their origin to primitive sensations.

Rousseau catalogues the development of these intellectual and moral attributes in the *Second Discourse*. There he argues that all virtues and vices are developments of two natural sentiments, self-preservation, or *amour de soi*, and pity. *Amour de soi* is the natural desire to preserve oneself, an innate drive toward one's own survival. Pity is defined as a "repugnance to see his fellow suffer" (3:154; 1993, 36). From these two dispositions Rousseau argues that more complex virtues and vices emerge. Virtues such as generosity or compassion are developed forms of pity. Vices such as cruelty arise when *amour de soi* is transformed into a comparative drive for esteem known as *amour propre*, or self-love. He explains:

This is how the gentle and affectionate passions are born of self-love, and how the hateful and irascible passions are born of *amour propre*. Thus what makes man essentially good is to have few needs and to compare himself little with others; what makes him essentially wicked

is to have many needs and to depend very much on opinion. (4:490–92; 1979, 215)

The desire for distinction and esteem leads human beings to seek oppression and inequality as a means of securing them. By contrast, the sentiment of pity leads human beings to compassion, friendship, and congeniality. “From this quality alone [sc. pity] flow all the social virtues.... In fact, what are generosity, Clemency, Humanity, if not Pity applied to the weak, to the guilty, or to the human species in general?” (3:155; 1993, 37). Virtues such as generosity and benevolence are the products of our innate sentiment of pity, whereas our vices are consequences of a corrupted instinct toward self-preservation manifested in *amour propre*. We can, then, trace all our moral, and immoral, inclinations back to the fundamental dispositions of pity and *amour de soi*.

The same methodology is applied to human knowledge as well. In the *Emile*, Rousseau traces our knowledge back to the process through which simple ideas are combined into complex concepts. Revealing his Lockean assumptions, he argues:

Thus what I would call *sensual or childish* reason consists in forming simple ideas by the conjunction of several sensations, and what I call intellectual or human reason consists in forming complex ideas by the conjunction of several simple ideas. (4:155–57; 1979, 159)

Rousseau accepted the basic empiricist assumption that human concepts originate in simple ideas and develop into complex ideas by combination. Like Locke, he believed that there are certain innate capacities in human beings, which, however, require external stimuli in order to develop (3:146–49). These claims reveal that Rousseau based his social theory on an empiricist account of human psychology.

One may think that I have overstated Rousseau’s reliance on Locke. It is notable that Rousseau was a strong opponent of materialism. He states in different contexts his belief in the immateriality of the soul and the freedom of the will (3:138–41). The belief in the immateriality of the soul and freedom of the will does not accord well with Rousseau’s explicit epistemology, nor with his stated disdain for the discipline of metaphysics, which he calls “the source of men’s greatest errors” (4:573–76; 1979, 274). There are various ways to explain this incompatibility. Shklar argues that Rousseau takes experience as grounds for these beliefs. As she says, “One of his main objections to the materialists’ ‘thinking matter’ was its failure to account for the way in which human feelings respond to music and poetry” (Shklar 1969, 83).

Another option is to understand such assertions not as philosophical propositions but as “articles of faith,” as Rousseau terms them in the *Emile*. Another is to see it as bad philosophy in which Rousseau unwisely engaged through his debates with the *philosophes*, as Timothy O’Hagen holds (O’Hagen 2003, 12). Whatever explanation is given, Rousseau’s antimaterialist position does not alter the fact that he held to a Lockean theory of human psychology.

Rousseau’s sensationalist psychology is all that Hegel needs to generate his criticism of the arbitrariness and nonuniversality of the general will. Hegel proceeds quickly through this argument, but his initial premise is that Rousseau holds to what we may call an essentially individuated theory of consciousness. This view of consciousness is presupposed in Rousseau’s Lockean psychology and is explicated by Hegel’s account of consciousness as “self-certainty” in the *Phenomenology*. The problem with this understanding of consciousness, in Hegel’s view, is that it does not understand its nature as essentially related to other self-consciousnesses; thus it falls into the “motionless tautology of: ‘I am I’” (*PS* §167). A will possessed by an unmediated consciousness cannot be legitimate, or universal.

Hegel’s explanation of an essentially individuated conception of consciousness lies in the stage of self-certainty. At this moment in the *Phenomenology*, consciousness has developed into self-consciousness. In self-consciousness, consciousness “has a double object: one is the immediate object, that of sense-certainty and perception...and the second, viz. *itself*” (*PS* §167). The objects of perception and the possibility of self-awareness have been opened up for consciousness. It can now have as its object the world around it or, by self-reflecting, it can have itself as an object of thought. By developing self-reflexivity, the ego is able to posit itself as independent and the beings outside of it, or “other” to it, as relative to it. Self-consciousness is aware with its mediation in “an other,” at this stage, the world and its objects. It naively assumes that it is its own ground and that it stands independent, self-enclosed, and absolute. The dialectic of self-consciousness is designed to show that this belief is false and that “self-consciousness achieves its satisfaction only in another self-consciousness” (*PS* §175), that self-consciousness exists only in relation to, or mediation by, another self-consciousness. My purpose here is not to describe the process that self-consciousness goes through to achieve this realization, but to contrast its starting and end points. What is necessary for my argument is to show the difference between the *form* of consciousness that emerges at the beginning of the dialectic and the form it takes at the end, between an essentially individuated consciousness

and one that is dialectically mediated. In other words, to distinguish between the structure of consciousness that Rousseau presupposes, the consciousness of self-certainty, and the conception of consciousness that emerges in what Hegel calls “Spirit.”

In self-certainty, consciousness is aware of itself for the first time, yet it is also aware that the world and the objects in it exist in opposition to it. Yet it sees the objects of the world, what is “other” to it, as insubstantial. “Certain of the nothingness of this other, it explicitly affirms that this nothingness is for it....It destroys the independent object and thereby gives itself the certainty of itself as true certainty” (*PS* §173). Hegel is arguing that once self-consciousness arises and is aware of the otherness of the objects it encounters, it seeks to establish itself as substantial by consuming and destroying the objects around it. This activity is so central to self-consciousness that Hegel treats desire (*Begierde*) as constitutive of its essence. When faced with an other, self-consciousness desires to negate this other in order to affirm itself. Self-consciousness seeks to reveal the nothingness of the objects around it in order to establish its own independence and self-affirmation. What is relevant to the discussion concerning Rousseau is that the form of consciousness that exists in self-certainty is one that takes itself to be a wholly independent form of consciousness. The purpose of consumption, the fulfillment of its desire, is to establish itself as thus independent in its own eyes. It seeks to establish itself as self-subsisting through the negation of the objects around it. Self-certainty is the assertion of the absoluteness of the discrete existence of the self.

The reason that such a conception of consciousness can be attributed to Rousseau is that it is presupposed in his Lockean psychology. This view understands human consciousness as self-subsisting and essentially individuated and self-enclosed. All concepts developed from one’s own perceptions of simple ideas and from the simple ideas that are perceived, and all moral feeling is derived from one’s individual sentiments. Although social interaction may be necessary to develop these attributes, the capacity for such growth is innate in each person. The conception of consciousness that Rousseau receives from Locke is one of a singular and wholly individuated self-consciousness.

The assumption that consciousness exists in an essentially individuated form is the dogma shared by both self-certainty and Rousseau’s psychology. Consciousness is a discrete, singular, and individuated entity, essentially separate from the other consciousnesses that surround it. There

may be interaction between different individuals, yet one's individual consciousness does not depend on this interaction for its concepts or capacities. Individual consciousnesses are constitutive of the social reality in which they partake, and they exist as distinct parts of the social fabric.

It is this form of consciousness that Hegel wants to show to be incomplete. Rather than being able to exist in a purely self-sufficient manner, "self-consciousness exists in and for itself when, and by the fact that, it exists for another" (*PS* §167). Rather than an individuated conception of consciousness, Hegel puts forward a dialectical model of consciousness. Self-consciousness exists through the relation between itself and another self-consciousness, or through the mediation between self and other. Hegel describes this mediating process as one of consciousness "coming out of itself" and "uniting with itself" in the other. When consciousness apprehends "an other" that is at the same time "a self," it finds, for the first time, a being that can satisfy its need for self-affirmation. The reason only another self-consciousness can fulfill this role is that it is the only entity that can be negated and yet not be destroyed. Unlike ordinary objects that cease to exist when consumed, another self-consciousness can fulfill my need for self-affirmation without ceasing to exist. This leads to Hegel's dialectic of the master and slave, the culmination of which is mutual recognition. Only through mutual recognition do the contradictions of the dialectical process subside.

The outcome of this development is that both self-consciousnesses within this dialectical mediation "*recognize themselves as mutually recognizing each other*" (*PS* §184, emphasis in original). It is this relation of mutual recognition that comprises Spirit. Hegel explains the concept of Spirit as "the unity of the different independent self-consciousnesses which in their opposition enjoy perfect freedom and independence: 'I' that is 'We' and 'We' that is 'I'" (*PS* §177). The structure of self-consciousness, as it exists in Spirit, is one of mediation with other self-consciousnesses through mutual recognition. Only in this dialectical activity does each self-consciousness possess "perfect freedom and independence." Hegel's point is that freedom and independence require a mutually free relation between self-consciousnesses in recognizing and being recognized.

Hegel's insight is that the mediation of self and other is a necessary condition for the full realization of self-consciousness. The self requires the other and vice versa. The dialectical form of self-consciousness that Hegel introduces is incompatible with Rousseau's individuated form of consciousness in many ways. Unlike Rousseau, Hegel argues that an

individual self-consciousness is not self-constituting or self-sufficient but *necessarily* depends on a relation to other selves. Social reality is not reducible to the properties of discrete individuals; on the contrary, individuality is only possible through the process of mediation. One's ethical and intellectual concepts are also derived from this dialectical process. A human being can no more be intellectually self-sufficient than he or she can be ethically self-substantiating. Consciousness is an intersubjectively constituted phenomenon.

It is this distinction between dialectical and individuated models of consciousness that grounds the core of Hegel's critique of the general will. Hegel claims that Rousseau understood the general will "only in a determinate form as the individual will" (*PR* §258; see above for more extensive quotation). This will is not "universal" because a universal will is based on a dialectically mediated form of consciousness. Rousseau's mistake, according to Hegel, was to conceive of the general will as having the same form as individual will. The general will becomes the will of the body politic, and this body is conceived as a distinct entity in the same way as an individual consciousness—a singular collective. The general will is nothing more than an individual will writ large and applied to the body politic.

The problem is that Rousseau can understand the concept of the will only through the shape of consciousness that was explicated in the form of self-certainty. Hegel makes this claim earlier in the *Philosophy of Right* when he says:

The definition of right which I have quoted involves that way of looking at the matter, especially popular since Rousseau, according to which what is fundamental, substantive, and primary is supposed to be the will of a single person in his own private self-will, not the absolute or rational will, and mind as a particular individual, not mind as it is in its truth. (*PR* §29)

Again the problem is in understanding the will as the will of a single person, and a consciousness as an individuated entity, rather than conceiving of consciousness and the will possessed by it as dialectically mediated. Rousseau may be guilty, according to Hegel, of taking the will to be possible only in the form of an individual will. Yet this does not explain how Hegel moves from this claim to the criticism that the general will is nonuniversal and arbitrary. What needs to be shown is how an unmediated conception of consciousness entails the nonuniversality and capriciousness of the will. Hegel's reasoning, as reconstructed on the basis of other texts, is fairly straightforward. Only

a dialectically mediated form of consciousness can possess a universal will, and only a universal will is not arbitrary.

The next step of the argument requires showing that a universal will is only possible in a form of consciousness that is dialectically mediated. Hegel makes this argument in the Introduction to the *Philosophy of Right*, where he argues that the will is composed of two distinct moments. The first is the abstraction from every particular desire, aim, or impulse; the second is the determination of the will to a determinate end. The concept of the will requires the unity of these two distinct moments. "Every self-consciousness knows itself (i) as universal, as the potentiality of abstracting from everything determinate, and (ii) as particular, with a determinate object, content and aim" (*PR* §7). The concept of the will involves each of these moments, indeterminacy and determinacy, placed in a unity. In his analysis we can see Hegel's methodology of *imminently* unfolding the structure of consciousness.

In a less rigorous explication of conscious experience than Hegel has in mind, we can see these two moments of the will in ordinary experience. If we reflect on the activity of willing we realize that there is a moment of choice wherein we could engage in, or refrain from, any action. If I have a tasty piece of chocolate cake in front of me that my diet prohibits, I am faced with a moment of decision. I could choose to eat or not to eat the cake. The moment of indeterminacy is precisely this ability to refrain from any particular action. As a freely determining self-consciousness I am not compelled to make either choice. I have the ability to abstract from this situation, and every particular situation before me, to determine whether I want to proceed with that course of action. This ability is what Hegel calls "abstraction from all determinacy" (*PR* §6). However, my will does not remain in this state of abstraction in all cases.

The concept of the will also requires having a determinate content. Willing is an intentional activity, in the sense that when I do will I am always willing *something*. There is always a particular object to my will when I am engaged in that concrete activity. I may be able to refrain from eating a piece of chocolate cake, yet when I choose what to eat I do have to make a particular choice. The willing of a particular end is the determinate property of the will. Hegel explains: "The second moment—determination—is negativity and cancellation like the first, i.e. it cancels the abstract negativity of the first" (*PR* §6). The determinateness of the will negates indetermination by positing a concrete end, rather than the moment of abstracting from every

determinate object. The unification of these two moments is what Hegel means when he speaks of “canceling and preserving” the will.

Self-determination, or the concept of the freedom of the will, is possible only through the unity of these two opposed moments, indeterminacy and determinacy. In order for the will to be self-determining it must retain the capacity for abstraction from every particular and yet, at the same time, retain a particular object as its end. The only way the synthesis of these two opposing moments is possible is if the particular object of the will is the recognition of another self-consciousness as free.

It is the self-determination of the ego, which means that at one and the same time the ego posits itself as its own negative, i.e. as restricted and determinate, and yet remains by itself, i.e. in its self-identity and universality. It determines itself and yet at the same time binds itself together with itself. (*PR* §7)

Hegel’s argument is dense, but clear. The “ego posits itself as its own negative,” that is, it restricts itself, only by making itself, in the self-consciousness of the other, its determinate object. In this way it retains its “self-identity,” that is, it is a self-relation of the ego through the dialectic mediation of self and other. Only by binding “itself together with itself” in the mediation between self and other can it attain universality. The argument in the *Philosophy of Right* has the same conclusion as that in the *Phenomenology*: “Self-Consciousness achieves its satisfaction only in another self-consciousness” (*PS* §175). What is made explicit in the argument above is how “perfect freedom and independence” is achieved only through the “unity of different independent self-consciousnesses” (*PS* §177). Such a unity is possible only through this dialectical mediation between self and other. In this form the will can be self-determining, that is, indeterminate in its ability to abstract from every particular, and determinate in the activity of willing a concrete object, that is, the willing of the freedom of the other. If the determinate object of the will is another self-consciousness, then the ego retains its self-identity and can retain its universality in particularity. A universal will is possible only in the form of a dialectically mediated self-consciousness. Hegel concludes, “The will is not a [universal] will until it is this self-mediating activity, the return to itself” (*PR* §7).

A will that fails to be grounded in dialectical mediation is a will that is constantly driven by a desire to consume; it is the will of self-certainty. Hegel makes this claim a few sections later:

The more detailed process of particularization...constitutes the difference between forms of the will:...If the will's determinate character lies in the abstract opposition of its subjectivity to the objectivity of the external immediate existence, then this is the formal will of mere self-consciousness which finds the external world confronting it. (PR §8)

The unmediated form of the will is the "formal will of mere self-consciousness," that is, the will of self-certainty that confronts the external world through consumption. There are two forms of the will, Hegel tells us. One is the will as it appears in self-certainty, another the will "in its truth" that is realized in mutual recognition.

The contrast between these two forms of the will is stark. One has only the particular objects as its particular ends. It relates to these objects through appetite in a desire to negate these objects in order to affirm its own status as a free self. However, this process is doomed from the start, because it is only another self-consciousness that can satisfy the need for recognition. It is the activity of mutual recognition that places another self-consciousness as the determinate particular of the will by affirming the other's status as a free self-consciousness. In this state, and only in this state, does the will attain universality. The will of self-certainty is the merely formal will. If Rousseau conceived of the will as having the form it has in self-certainty, then his concept of the will was one that was merely formal, rather than dialectically mediated. As such, Rousseau's general will is not a universal will.

The argument has proceeded by showing that if Rousseau held to an unmediated conception of self-consciousness, then his will fails to be universal. It remains to be shown how this will is arbitrary. We should remember that the will of self-certainty has not yet unified the two distinct moments of determinacy and indeterminacy. It has the capacity to abstract from every particular, but when the will is exercised it must choose a contingent aim as its particular end. In this state the will is arbitrary. Hegel describes this state as follows:

At this stage, the freedom of the will is arbitrariness (*Willkür*) and involves two factors: (a) free reflection, abstracting from everything, and (b) dependence on a content and material given either from within or without. Because this content, implicitly necessary as purpose, is at the same time qualified in the face of free reflection as possible, it follows that arbitrariness is contingency manifesting itself as will. (PR §15)

Here Hegel argues that the will of self-certainty is arbitrary owing to the fact that it is "contingency manifesting itself as will." The reason why the will is

arbitrary at this stage is that it has the capacity for abstraction but lacks the proper content. The will of self-certainty takes for its content any contingent particular. Since all the ends of the will, at this stage, are contingent, it is free insofar as it possesses the ability to abstract from all particulars regardless of the one it settles on. In other words, freedom is conceived only in the formal sense of being able to abstract from every single end, and does not require the willing of any necessary end. Yet, for Hegel, the complete concept of freedom presupposes a specific aim: mutual recognition. I quote him at length:

If we hear it said that the definition of freedom is ability to do what we please, such an idea can only be taken to reveal an utter immaturity of thought, for it contains not even an inkling of the absolutely free will, of right, ethical life, and so forth. Reflection, the formal universality and unity of self-consciousness, is the will's abstract certainty of its freedom, but it is not yet the truth of freedom, because it has not yet got *itself* as its content and aim. (PR §15)

Conceiving of the will as formal and abstract is only one side of freedom. It is a necessary but insufficient condition for freedom in its truth. In order for freedom to be actualized it must have a specific aim: itself—that is, the dialectical mediation of self and other. This is the *necessary* aim of freedom because it is the condition for freedom's actualization. In Hegel's view, freedom has not just any aim but a specific end, its manifestation *as Spirit*. A view of the will that takes itself to be free but does not possess this end is in error about itself. Such a conception allows the will to have any number of contingent ends and still see itself as free. For Hegel, this is a mistake because the will cannot have contingent ends, as it does in self-certainty, if it is to be "freedom in its truth." Hegel terms this will arbitrary because it is "contingency manifesting itself as will."

One may think that Hegel is conflating arbitrariness with contingency. Something may be contingent, but not arbitrary. In Hegel's defense, we should note that he is not saying that any contingent end is as good as any other. What he is arguing is that the abstract will, in its stage as merely formal, cannot provide itself with any particular content on its own. The formal element of the will, its abstract indeterminateness, requires its content to be given externally. Without any content given from the will itself, there is no immanent criterion to distinguish its ends. In other words, from the *perspective of the will* there is no way to evaluate ends relative to one another. Hegel makes this clear when he says:

Since, then, arbitrariness has immanent in it only the formal element of willing, i.e. free self-determination, while the other element is something given to it, we may readily allow that...it may be called an illusion. In every philosophy of freedom like Kant's...freedom is nothing else but empty self-activity. (*PR* §15)

The claim that the pure indeterminateness of the will is empty self-activity is the basis of Hegel's criticism that Kant's categorical imperative is purely formal. The problem is that the will *as will* cannot differentiate the relative value of its aims. Hegel explains: "What the will has decided to choose it can equally easily renounce" (*PR* §16). There is no autonomous constraint on the will itself that provides it with content. The particular ends are given externally and not determined by the will itself. If its ends are not derived autonomously, its aims are arbitrary. Only the will that determines its content from itself, that is, the will that posits its concrete ends in a wholly autonomous way, is nonarbitrary. As Hegel has already told us, the necessary end of the will, or the content that is derived from the will itself, is its existence as Spirit exemplified in the act of mutual recognition. The will that has not posited for itself the end of mutual recognition is an arbitrary will.

The self-determining will escapes arbitrariness only if it has mutual recognition as its aim. It is now clear how the universality of the will is related to the problem of arbitrariness. Only dialectically mediated will is universal; and the will ceases to be arbitrary only if it places mutual recognition, through dialectical mediation, as its end. These two conditions are related, even if they do not entail one another. The will is nonarbitrary and universal only if it is dialectically mediated. If the will fails to place mutual recognition as its end, then it follows that it is nonuniversal and arbitrary. The problems of arbitrariness and nonuniversality merely follow from the nonmediated will.

It is now possible to summarize Hegel's argument against Rousseau in fairly straightforward terms. Rousseau holds an essentially individuated conception of consciousness. This singular conception of consciousness lacks the possibility of dialectical mediation. Dialectical mediation is necessary for both universality and nonarbitrariness because only a will that is dialectically mediated can unite the moments of determinacy and indeterminacy. The reason dialectical mediation is necessary for universality is that a universal will must be able to resolve divergent wills into a differentiated whole. Dialectical mediation is also essential for nonarbitrariness, because without dialectical mediation the will receives its content heteronomously

and thus arbitrarily. Since Rousseau's conception of consciousness precludes dialectical mediation, it is arbitrary and nonuniversal.

Rousseau's theory of consciousness and its attendant view concerning the structure of the general will is the object of Hegel's criticism. Thus, Hegel's argument that a dialectically mediated form of consciousness is necessary for a universal and nonarbitrary will is a critique of Rousseau's social ontology. Locating the problem in Rousseau's social ontology provides a more sympathetic reading of Hegel than is provided by those who argue for a misinterpretation of Rousseau on Hegel's part. Further, it provides a more accurate understanding of Rousseau than those offered by Ripstein and Kain. And while Redding interprets Rousseau correctly, he fails to explain why the general will is problematic. Focusing Hegel's critique on Rousseau's social ontology provides a better reading of Rousseau's thought and shows its implicit problems.

In the end, Hegel agrees with Searle that one's social ontology bears greatly on one's normative political claims. The priority of social ontology in the domain of political theory requires more investigation. In Hegel scholarship clarifying the relation between social ontology and his normative theory is especially helpful. Searle's emphasis on social ontology can inform the study of political theory generally and open up unnoticed areas of historical scholarship in figures such as Hegel.

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Those of us interested in the mercurial and ever-mysterious Nietzsche are indebted to Julian Young for the production of this extremely fine biography. Even connoisseurs of the details of Nietzsche's life will discover intriguing new information here: I, for one, did not know that Turin taught him to love gelato (487, 509); that his quest for a conducive climate included the desideratum of temperatures between nine and twelve degrees Celsius (435); that he served as Dean of Humanities during his tenure at Basel (101, 184). Young points out that despite his pilgrimages around southern Europe, Nietzsche never set foot in Greece—too afraid perhaps of the damage it might do his conception of that country's ancient history (435). I had always understood Nietzsche's resignation from his teaching post at Basel to be spurred by ill health, but Young emphasizes how restrictive Nietzsche found the teaching demands and how he yearned for freedom to pursue his own work (183–84, 199). I hadn't known that the final straw breaking his friendship with Wagner was the composer's depiction of Nietzsche as an onanist and pederast (239–40). Along with some new details, familiar facts about Nietzsche's life acquire added salience in Young's telling: the chronic illnesses that plagued his life and the constant mobility into which he thrust himself—propelled in part by his quest for a suitable physical environment—come out very clearly here. In light of these things, it is remarkable that Nietzsche generated so much in a relatively short productive life, for although he died at fifty-six, his last ten years passed in a mental condition that precluded writing—indeed, it sometimes even precluded his knowing who he was. In a brief concluding chapter, Young rejects the hypotheses that Nietzsche's breakdown was caused by syphilis or a slow-growing brain

tumor, proposing instead that his “madness was...a purely psychological condition” (562).

But as an explicitly philosophical biography, Young’s book does not confine itself to the contours and minutiae of Nietzsche’s daily life—fascinating and illuminating though these are. It also provides overviews of the intellectual work he was undertaking at each stage of his life. These sections of exposition and interpretation are detachable from the book’s more conventionally biographical narrative, and are signaled by italicized subheadings. A prefatory note explains that this book can be read in three ways: as conventional biography, as guide to Nietzsche’s ideas, or as both. Of course, with a thinker such as Nietzsche who resists boundaries between personality, embodiment, and thought, the line between the intellectual and the biographical will always be hard to draw. Treating each of Nietzsche’s works serially in its biographical context means that Young offers no overarching account of Nietzsche’s thought (although he has attempted such accounts in other writings.) Beginning with Nietzsche’s birth in 1844 and ending with reflections on his final mental state, the book offers no more general introduction to, or overall assessment of, Nietzsche as a thinker. It seems to be addressed to those already persuaded of his significance and familiar with at least some aspects of his legacy. This makes it hard to offer any synoptic remarks about Young’s view of Nietzsche as a philosopher: indeed, he is attuned to the twists and turns his thought took over the course of his life, likening these to paradigm shifts (243). I see this as a strength of the biography and a helpful check on the tendency to essentialize Nietzsche by generalizing about him on the basis of a limited number of his writings or works belonging to a particular phase in his life.

In chapter 26 Young advances a novel interpretation of the fact that Nietzsche never produced the magnum opus he promised (or threatened). Young posits that for Nietzsche the very model of the modern German philosopher was one who wrote large, synthetic works—think here of Kant, Hegel, and Schopenhauer. Aspiring to join these ranks, Nietzsche assumed that he too needed an architectonic philosophy. The outlines for his “theory of everything” appear in his unpublished notebooks, with the will to power being pivotal to this project. Young sees this emerging in mid-1885, at around the time of *Beyond Good and Evil*. He contends that Nietzsche was forced to jettison this project—owing not to ill health but to intellectual integrity, which is one of the cardinal values threaded throughout his writings. Offering no direct evidence for this thesis, Young intuitively feels that within the space

of three years, Nietzsche realized that this sort of grand theory could not be convincing and so abandoned all aspirations to it in favor of shorter and more topical interventions. This does not mean that the idea of the will to power vanishes altogether: rather, it moves from capturing an explanation that is at once cosmological, biological, and psychological to representing “a principle of *demarcation*...between the healthy life and *décadent* life” (548, emphasis in the original).

Young’s accounts of Nietzsche’s ideas at each stage of his life are always clear, well organized, and intelligent. Although some of Nietzsche’s interpreters are mentioned on occasion, one significant limitation to this aspect of the book is Young’s usual failure to engage, or even really acknowledge, relevant debates in the secondary literature. Even when I agree with what Young says about Nietzsche’s thought, I cannot forget how contested the interpretation of virtually all his major ideas is, but this maelstrom of debate and disagreement would be largely lost on anyone relying on Young’s exposition. Areas of agreement between Young and earlier commentators are also eclipsed by this approach. To take but one example: Young pays considerable attention to the role of women in Nietzsche’s life, contrasting his own later retrograde views on women and his attack on their equality of opportunity to pursue such things as education with his personal attraction to educated, articulate, intelligent, confident, independent, individual women (398–400). But Young does this without reference to existing literature on this topic. Engagement with the voluminous secondary literature would, of course, have made Young’s task more gargantuan than it already is, but even flagging via the endnotes areas of discussion and debate among Nietzsche’s interpreters would have conveyed a greater sense of the vibrant, fractious, and wide-ranging scholarship Nietzsche’s writings have inspired.

The aforementioned example of Nietzsche’s attitudes toward women illustrates a helpful trend in the book, namely, Young’s tendency to recount what was happening in Nietzsche’s life at a particular time and then to step back and offer an interpretation of this. He is especially good at this when discussing Nietzsche’s involvement with Wagner and shows convincingly how Nietzsche never really recovered from this event in his life. His account of Nietzsche’s relationship with Lou Salomé is balanced and illuminating. He gives considerable prominence to Nietzsche’s association with Malwida von Meysenbug. But in light of this trend throughout the book, I was surprised by Young’s failure to offer any sustained reflection on Nietzsche’s relationship with his sister Elisabeth (spelled throughout “Elizabeth”), or his

mother Franziska, or his friend (for a time) Paul Rée. These figures ebb and flow throughout some or all of the narrative but Young never takes these relationships in hand, as it were, to offer any sort of commentary or analysis. My disappointment at these lacunae underscores what an engaging and educative biographer Young is, because I would love to have heard his reflections on these seminal relationships in Nietzsche's life.

Another lacuna in this book, considered as an intellectual biography, is the minimal attention Young pays to what Nietzsche was reading at any particular time. The story of his discovery of Schopenhauer is recounted (81) as is that of Dostoyevsky (451). Nietzsche read Friedrich Lange's book on materialism and Kant's *Critique of Judgment* (89). His reliance on secondary sources for (post-ancient) philosophy is logged (319). One Christmas he received a copy of Montaigne's complete works as a gift from Wagner (107). He borrowed some books on natural science from the Basel library (178) and in his first summer in Sils Maria read a book on meteorology (317). There he also continued his boyhood reading of Emerson (320). Young suggests that Nietzsche's poor eyesight led him to "get rid of his books," referring to his "abandonment of reading" (321). But he only rid himself of his books by storing them and must have retrieved them, for in September 1884, he moved from Sils Maria to Zurich, "dragging his club foot of 104 kilos of books behind him" (394). Visiting his old friend, Paul Deussen observes that the books in his modest apartment were "well-known to me from earlier times" (457). Young speculates confidently that Nietzsche's knowledge of the Lawbook of Manu derives from reading Deussen's book on Hinduism (513). More guidance regarding what Nietzsche was reading when would have added a valuable dimension to this work.

Given that the book proceeds chronologically, I was confused by those occasions when Young presents Nietzsche backwards, as it were, by describing an event or phase in his life and then invoking *Ecce Homo* to make sense of it (95, 218, 298, 318, 326). This becomes even more perplexing in light of Young's admissions that Nietzsche is not always a reliable self-reporter: his own representations—retrospective or not—of his intellectual development can be agenda driven (227, 366, 437–39). It thus remains unclear why Young sometimes takes Nietzsche's self-descriptions at face value but at other times handles them with caution.

Convinced that writing Nietzsche's life without reference to music would be a mistake, Young pays considerable attention to the philosopher as both consumer and producer of music. The biography is accompanied

by a recording of seventeen of Nietzsche's musical compositions, the music and notes being available through the Cambridge University Press website. This enables Young's readers to decide for themselves whether he is right to give Nietzsche more credit as a composer than he usually receives.

Ralph Lerner, *Playing the Fool: Subversive Laughter in Troubled Times*.
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An Ironist's Guide to Modern Philosophy

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I must begin with a confession. Given what I had learned from Professor Lerner's earlier writings, especially on Alfarabi, Maimonides, and Benjamin Franklin, it was with great anticipation that I read this work. I was not disappointed. This book is sinfully wise and clever in the ways in which it instructs its readers about the art of deceptive writing by authors whose aim was to introduce revolutionary ideas and to plant the seed for overcoming resistance to those ideas.

An unsuspecting reader examining the title, *Playing the Fool: Subversive Laughter in Troubled Times*, might have anticipated a book devoted to the authors of the earliest novels, such as Cervantes, Rabelais, and Fielding, for surely the novel's origins are grounded in laughter in the context of changing times. In novels, however, the laughter is audible. Lerner's authors—Thomas More (*Utopia*), Francis Bacon (*An Advertisement Touching a Holy War*), Robert Burton (*The Anatomy of Melancholy*), Benjamin Franklin (various writings), and Edward Gibbon (*The History of the Decline and Fall of the Roman Empire*)—laughed more cautiously and less audibly. Their laughter is heard only by the most demanding readers, who discover that the truths these authors communicated are conveyed as much through irony, errors, silences, and other subtle deceptions as through explicit arguments. In communicating in this way, Lerner argues, each of them played “the fool.”

A reader might ask Lerner why he chose *these* six authors. His answer begins with his own silence. He appears to have been following the precedent set by Leo Strauss, in *Persecution and the Art of Writing*, who argued that his work was a contribution to the “sociology of philosophy.” As such, the book was a critique of much of the scholarly literature being published about medieval and modern philosophy. Lerner’s book mirrors Strauss’s enterprise, but carries the argument further. Lerner has written an alternative, if not revolutionary, history of modern philosophy.

To see this revolutionary argument, a reader must be sensitized to the fact that, following what he has written about earlier philosophers, Lerner’s own book must be read with the same caution. A reader should not read Lerner literally either, but should search for the ways in which he too has “played the fool.” Consider, for example, the epigraph Lerner uses to introduce this book. It is a speech taken from Shakespeare’s *Twelfth Night*. Viola, a young woman disguised as a young man (calling himself Cesario), is speaking to Feste, whose occupation is *being* a fool. As soon as the two meet, outside of Count Orsino’s house, Feste playfully demonstrates his mastery of the ambiguous meanings of words. This causes Viola to praise Feste’s deceptive folly as a disguise of his genuine wisdom.

There is one difficulty. Lerner gives a reference for the speech, but when one searches that location one finds a speech of Viola/Cesario that is different from the one quoted. The speech that actually occurs at the location cited by Lerner begins with the last line of Viola/Cesario’s praise of Feste; the rest of the speech consists in an exchange with genuine fools, Sirs Toby and Andrew, the latter of whom addresses Viola/Cesario in French, but when answered in French reverts immediately to English. Lerner’s invisible epigraph complements his visible one in that it contrasts those who are wise by playing the fool with those who are fools, but try to play the wise by means of pedantry.

I

Lerner’s first chapter is titled, not unexpectedly, “Introduction.” Part of it, he indicates, was a chapter in an edited volume devoted to faith and politics, and was titled “Dispersal by Design” (Lerner 2008, 29–41). After introducing the theme of the wise fool, Lerner takes up the art of writing of two medieval religious writers—Maimonides and Clement of Alexandria—and of Denis Diderot, one of the editors of the *Encyclopaedia*. The works of the three on whom Lerner focuses were writings in which the author appeared to

be a collector and codifier of the knowledge of others, but in doing so hid the wisdom he sought to teach from all but the most demanding of his readers.

Lerner closes his Introduction with a quote from Montaigne, to the effect that only a fool says everything he knows; the wise remain silent about some of their knowledge. Such a custom must be recovered, especially in our own time. As Lerner had written in yet another essay, this one about Maimonides (Lerner 2000), learning what a wise man teaches requires the learner to repeat the “fits and starts” that the wise man experienced when he first began to learn about the matter under investigation (see Plax 2001, 1–2). This is a lesson I believe Lerner learned from his teacher Leo Strauss, to whom he dedicates this book.

Lerner’s readers have been forewarned: in this book he has not said all that he knows, either. He appears to believe that, in our time, we face dangers stemming from the fools dressed as “intellectuals” who have grown in number and volume, in keeping with the universal spread of “information” owing to modern electronic technology. One is entitled to conclude, even if provisionally, that *Playing the Fool* is a muted analysis of the crisis of our time, a time in which opinion or prejudice rules, where image is accepted blindly as reality, and in which the alternative choices for what constitutes “the good society” are being systematically denied.

Nowhere is this problem less evident than in the habit of contemporaries to speak unthinkingly of any philosopher’s collected work as his “philosophy,” meaning a doctrine that can be articulated clearly and unambiguously, and taught to anyone. If that habit remains unchallenged, then future “philosophers” will become genuine fools rather than become wise. True wisdom is not only knowledge of the truth; it is also knowledge of what is uncertain, that is, what humans can’t *know* is either true or false. That knowledge is crucial when a philosopher lives in troubled times and desires to identify the true nature of the disease that has given rise to the trouble.

II

Lerner’s first numbered chapter is an examination of the puzzles posed by Thomas More’s *Utopia*, which is a dialogue between a philosopher-traveler (Raphael Hythloday) and a diplomat-lawyer (Thomas More).

As with subsequent chapters, Lerner introduces this one with a brief biographical sketch of the author. He describes the real Thomas More as having lived in a time of unprecedented urgencies. He notes that the

real Thomas More “saw fit to employ a full-time fool in his household” (20). In light of this, a reader has to wonder who was the real fool, since, in parting ways with Henry VIII, who is identified as “a tyrant,” More was driven to make a deadly choice—martyrdom.

Lerner describes More’s *Utopia* as a labyrinth. It is not the fictional More but Hythloday who gives the account of Utopia and its residents, and who tells More that he does not agree with everything approved of and done by the residents of that city. Ironically, the only things readers of the book titled *Utopia* know about Hythloday are revealed by the fictional Thomas More. The nonfictional Thomas More, the author of *Utopia*, is nowhere to be found. From this, Lerner infers that the book is a standing provocation against self-satisfaction.

Lerner next points out that More’s *Utopia* directs us back to Plato and, in doing so, invites us to compare the two fictional cities. Unlike Plato’s ideal city, More’s city “enjoys the benefit of being philosophical without having to endure resident philosophers.”

In More’s time, his book *Utopia* was a model of the “healthy city” that stood in contrast to the “feverish and fractured world of Christendom”; its health depended on the containing of pride. But there is an unhealthy consequence of containing pride in that city. Lerner reveals that Hythloday expelled gold, “the darling coin of pride,” from the city “so as to corrupt other nations” (26). But having been led to this conclusion, Lerner’s readers cannot help being haunted by the ghost of Plato and the question whether Socrates, the audible creator of the Good City in the *Republic*, did not imply the same thing about the stability of the city *he* founded in speech.

Now speaking in his own voice, Lerner concludes this chapter with his own fictional dialogue, one between himself and a dissatisfied reader who rejects Lerner’s More as being too clever. This unhappy reader reminds Lerner that it is no wonder that More’s book fell on deaf ears. If our author was claiming that “More and Co.” were trying to get “policymakers to be less keen on achieving perfect, *final solutions*,” they failed, since there continue to be “perfectionist fanatics” who continue to make the world a nasty place to live (29, italics mine). Intelligent moderation is, at best, a noble lie!

Has Lerner’s critic said something that Lerner himself agrees with? Lerner doesn’t say. Instead he observes that the reason such critics believe as they do is that in our time we face a more serious, if not invisible

problem: such books as More's *Utopia* are "no longer thinkable by authors, let alone readable by readers."

III

Lerner's "second" chapter is titled "The Jihad of St. Albans." In using the word "jihad," he seems to wish to catch his readers' attention, knowing that it has become interchangeable, in the mind of the Western media, with Islamic terrorism. But his use of the word in this context proves to be a designed momentary distraction. In speaking of the jihad of St. Albans, Lerner is referring to what scholars have concluded was an aborted work by Sir Francis Bacon, *An Advertisement Touching a Holy War*. Lerner offers evidence that the unfinished appearance of the work was a self-conscious decision by Bacon. In truth, it was a completed work.

The Advertisement is, like More's *Utopia*, a narrated dialogue. This dialogue, however, promises to be a discussion among six men: a moderate divine, a Protestant zealot, a Catholic zealot, a military man, a politician, and a courtier. Not all of the announced characters talk. Lerner reminds us also that the narrator of the entire discussion is the voice through whom all other speakers speak and, in addition, through whom we readers discover what was not said by the speakers but what they revealed to each other by nonverbal means.

One fifth of the entire work is a dedicatory letter written by "Fr. St. Alban" to the bishop of Winchester, in which the letter writer consoles himself for his political failures by reviewing his already published writings *and* his as yet unpublished writings. If the letter writer is indeed Francis Bacon (which a reader would only know by comparing what the letter says about the letter writer's works with the published works of Francis Bacon), then it would be possible to argue that the author of the "Advertisement" *was* a philosopher-statesman who fell from grace in the city. Whether the author was Francis Bacon, however, remains uncertain.

Lerner introduces this chapter, not by talking about Bacon, but by quoting at length Edward Gibbon's classic work on Rome (a work that he examines in detail in the last chapter of this book). The Gibbon quote contrasts natural violence with holy wars, by referring to the first Crusade, an alleged holy war initiated by Christian Europe following Turkish imperial success in the Holy Land. If Lerner's reader examines Gibbon's text, he discovers that Gibbon was exploring the origin of just war theory, which, he argued, rests on "perpetual abuse of Scripture and rhetoric." Gibbon's

investigation proved to be a critique of Christian claims that the Crusade was both just and holy.

Lerner's readers are likely to see, almost intuitively, that Bacon's "Advertisement" treats the same question as Gibbon. But what Lerner doesn't make explicit is that Bacon, the modern philosopher, provided a rationale for another form of jihad, whose warriors were to be modern scientists organized into a new community (or sect). Their work would be aimed at refuting the biblical accounts of miracles and in so doing, refuting the biblical account of human conflict that is provided in the story of the Tower of Babel. The diffusion of humans through the divine confusion of human languages would be overturned by the creation and use of the common human language of mathematics. With the aid of this common language, the members of Bacon's new sect would devote their lives to reproducing the miracles reported in the Bible.

In the biographical sketch that introduces the chapter, Lerner claims that no one since Marcus Aurelius has come so close to embodying the "coincidence of philosophy and political rule" as did Bacon. Lerner is thus inviting his readers to consider comparing Bacon's body of work with Plato's fictional utopia and asking whether the *Republic* served as a template for the founders of modern politics rather than as a rejected dream. In suggesting such a comparison, Lerner is inviting us to reconsider the meaning of the traditional idea of a conflict between moderns and ancients.

But there is something ironic about Bacon's characterization of modernity. His jihad, in Lerner's language, was a "civilizing" jihad, in that it was meant to contain the immoderate passions that provoke violence against heretics of all kinds.

That is the subject of Lerner's second section, titled "Zeal Redirected." Into this section he places a footnote in which he cites a chapter from Laurence Lampert's *Nietzsche and Modern Times*. In the cited chapter, Lampert argues that the success of the scientific project depended on the substitution of philanthropy, which was a promise to all humans, for the religious notion of charity, a promise only to those fellow sectarians palpably in need. Bacon sought to accomplish his goal by "crushing or grinding Christendom and molding it into a new paste."

Bacon's success in doing so, however, was not without its own irony. The later Enlightenment, in the face of success, adopted the foundational premise of revealed religion, that all humans are equally educable.

As a result, it said all it knew to all people. Today, the religiously pious are perfectly willing and able to use the miracles of modern technology to wage war against the inventors and propagators of that technology and the cities and states in which they reside.

The civilizing intent of Bacon's jihad failed to achieve its goal, since the zealots of modern science and technology have ignored the unintended consequences of their own zealotry, to everyone's peril. Having exposed this challenge, Lerner would seem to be recommending to philosophers of the future that they return to the cautiousness of the ancient pagan philosophers and their religiously grounded medieval "students." One might even be tempted to say that he is preparing a *jihad* of his own, aimed at steering philosophers of the future through a course that will be more consistent with Bacon's civilizing jihad than the jihad of our contemporaries.

IV

What follows comes as a surprise. Lerner examines Robert Burton's *Anatomy of Melancholy*. The title of his chapter is "Burton's Antics," which invites the reader to wonder whether "antics" refers to an exaggerated display meant to call attention to the author, or whether it refers to something that is antique. Today, the common meaning of melancholy has been limited to sullenness or even general depression. But the origin of the word, at least in English, includes the propensity to causeless and violent anger (*OED*, 1st ed., s.v. "antic"). Burton's book is a dissection of human depression that reveals its source in religious sectarian violence, the product of "ill grounded fears." Why did Lerner include *this* book and *this* author?

In his biographical sketch, Lerner indicates that Robert Burton "wrote in distracted times about distracted individuals" (48). As both a fellow at Oxford and a rural Anglican vicar, he lived two roles, each of which contributed to his interest in being a counselor to his readers, who suffered from both personal and communal distemper. His book was meant to be a cure for religious melancholy.

The Anatomy of Melancholy turns from the city or sect to the individual human. As Descartes gave voice to the "Doubting I," Burton gave voice to the "Melancholy I." His aim, according to Lerner, was to induce his readers to become warriors for the "Uncertain I," who would overcome his melancholy and thus become moderate.

Lerner's postintroductory section of this chapter is titled "A Show of Modesty." Burton asserted that he wrote it to forestall his own idleness and the melancholy that arises by means of idleness. He claimed that he wrote the book to help others, a fitting goal for a cleric. The challenge for any serious reader of the *Anatomy* is to find the author of the book. Burton hid behind a mouthpiece, whom he named Democritus, Jr.

At one point, Burton refers to Socrates's contemporary, "Democritus, Sr." Yet it was Burton who "fathered" the ancient inquirer's heir. It is as though Burton has completed the work of an ancient. By implication, he saw modernity, not as a replacement of the ancients, but as their completion. In this case, a Christian has completed the work of a pagan. Burton's work, in the form of a string of quotes, dispensed a *mélange* of insights into the soul or psyche that incorporates rather than rejects pagan insights. It is as though Burton sought a synthesis of two forms of wisdom: that of Jerusalem and that of Athens. This philosopher, posing as a cleric, in effect prepared the way for the Hegelian synthesis.

Looking back, one could infer that for Lerner the *Anatomy of Melancholy* serves as a transition from Descartes to Hegel but that ironically, only by considering this book is it possible to consider the possibility that, for all his claims to the contrary, Hegel's conception of the End of History turned the modern era into one in which its certitude now rivals the certitude of the pre-Cartesian era of religious certitude, an era of immoderation and sectarian war. Was it not zealotry that led Hegel to claim that he discovered the End of History?

Lerner indicates that Burton's aim in writing the book was to educate his readers in moderation. What is moderation in this context? Given the many digressions in the book, which were, and are, likely to distract his readers and confuse them about the direction of the argument, one can readily conclude that moderation here means not indifference to one's surroundings, but instead the ability to prevent immoderate responses to the "dismal accidents" that intrude into everyone's life.

Lerner's description of the *Anatomy* includes his observation that the book is filled with quotations, lifted from multiple sources and providing authorial support for all sides of an argument. But he goes further. "Doubtless pastors and toastmasters have for centuries riffled through his pages, lifted whatever adage or one-liner they deemed apt, and let it go at

that. But the *Anatomy* is not designed to be a dictionary of quotations” (56). So much for authorial control!

In the end, Lerner concludes that Burton’s survey of possible cures for melancholy left him somewhere between the Spanish Inquisition and full toleration, “where no one in the world would be compelled for conscience’s sake” (59). To the degree that we, today, are encompassed by the zealotry for science and technology (even though both have produced unintended consequences), Lerner’s chapter might be understood as a critique not only of the Hegelian claim to have resolved the problem of contradiction, but also of the zealous advocates of modern science and technology who do not recognize the melancholy induced by their science and technology.

V

Lerner’s fourth chapter is an examination of Pierre Bayle’s *Historical and Critical Dictionary*. He titles it “Remedial Education in Professor Bayle’s History Class,” as though Bayle’s work was meant as a corrective of the historical writing of his time. The *Dictionary* was a popular work, largely because of Bayle’s explicit statements about his desire to deflate the pretensions of those who, in their “histories,” justified the cruelties of the past by “high-minded nonsense.” Bayle attributed the success of those other historians to the intellectual laziness of their readers. He sought to rouse those readers from their torpor.

In the introduction to this chapter, Lerner reveals that he will be offering evidence that Bayle was a radical thinker whose *Dictionary* was grounded on a coherent and consistent historiographic argument. He shared with Burton the desire to build an army of warriors who would fight on behalf of both historical truth and prudential judgment. What is the “historical truth” as Bayle understood it? That “human history...is replete with absurdities” (62). In effect human history, being filled with uncertainties, is irrational. Lerner emphasizes this understanding because he wants to demonstrate that Bayle challenged Hegel’s theological claim to have discovered Reason in History before Hegel articulated that claim.

Bayle’s *Dictionary* is a model of intellectual skepticism, grounded, as Lerner says, on the Golden Rule. Bayle was as self-critical as he was critical of other historians. It is from this observation that Lerner argues that the *Dictionary* is not only a book of historical “data” but a portrait of the character of Bayle the historian. What was Bayle’s character? Lerner explores this question in the next section, titled “Bayle’s Ethos.”

Lerner's reader learns that Bayle invited others to offer revisions to what was written in the first edition of his book. What counts as knowledge rather than opinion, according to Bayle, is never complete, but is always open to revision. In holding such a conviction, Bayle was being critical of the work of those historians who had not examined their consciences and "purged themselves of their attachments and hatreds."

Some of Lerner's readers might ask: Isn't Bayle's *Dictionary* the model of openness that is currently exhibited by the editors of *Wikipedia*? How does Lerner answer this question? He would argue that there is a world of difference because Bayle distinguished between scientific history and philosophic history.

The contemporary scientific historian might deny that this is a distinction that has meaning, since his or her work is grounded in value neutrality. But he would be met with Lerner's observation that Bayle took into account the weakness of human understanding and used the art of writing to reveal different levels of truths to readers with different capacities to understand and to accept painful truths. Unlike the canon guiding the writing of value-neutral history, Bayle's canon included the necessity of writing prudently, that is, not exposing to every reader everything one knows.

Lerner supports this argument in his next section, "Pseudo-history Arraigned." It is an examination of the corruption of the idea of history, by means of a Platonic inquiry of his own, in which Bayle becomes Lerner's Socrates. In revealing how Bayle read Herodotus, Thucydides, Suetonius, and Josephus, Lerner concludes that the *eidos* of history includes not just "factual" accounts of past events by past characters, but also poetic accounts. Unlike Bayle, professors of history, especially contemporary ones, are trained to write with clarity instead of ambiguity. In this sense, they are more like reporters than true teachers.

The historical accounts provided by historians are indistinguishable from cleaned-up forms of gossip. Value-neutral works provide readers with no criteria for judging past actions and the actors who took those actions. The great irony is that today, readers are "more gullible and vulnerable to what flatters [their] passions" and thus fail to see how such writing contributes to the corruption of their education. The contemporary popularity of historical books, including biographies, can be accounted for by the fact that readers today seem to crave what David Riesman and his colleagues identified in *The Lonely Crowd* as the craving for "inside-dopesterism."

Lerner closes his chapter with a section titled “Bayle’s Apology.” It is difficult for any educated reader not to analogize to Plato’s *Apology of Socrates*. He indicates that Bayle contrasted himself to theologians, preachers, and professors, whose goal was to persuade their readers and listeners to submit to their authority. By contrast, Bayle claimed not to be concerned with that goal. But didn’t Bayle, like Socrates, fashion himself the prophet of a yet newer sect? Lerner intimates that he may have by pointing to the ways Bayle sought to create a sect whose warriors would be able to distinguish between what can be known with certainty and what remains uncertain but not necessarily false. In other words, members of his new sect allowed for a realm of uncertainty that might never be totally overcome.

Bayle’s goal was to help his most attentive readers to become competent judges, not simply of the past but of their present, and, by so helping them, to decrease human misery. They were invited by Bayle to “make a new beginning—a Cartesian beginning” (77). This amounts to retaining the old structure while the new one is being built. Bayle intended to change the way his readers viewed themselves and in so doing to moderate their zealotry about changing the external world.

Lerner himself gives all indications that this is also *his* intention. His opponents are the secular *clerics*, historians and other public intellectuals who today, with no sense of irony, promote zealotry and *sectarian* conflict in the name of “progress” and “rights.” In reading *Playing the Fool*, one can hear echoes of Julien Benda’s *La trahison des clercs*, with the addition of a program of correction.

VI

Lerner’s fifth subject is Benjamin Franklin. He titles this chapter “Franklin’s Double-Take on Rights.” What? A Founding Father who had second thoughts about rights? Lerner answers this question in the four named sections that constitute the chapter: “Claims in Contention,” “The Pursuit of Advantage—Within Bounds,” “Rigidity’s Bitter Fruits,” and “An Earthly, Humane Vision.”

It is impossible not to think of Thomas Jefferson, who wrote a great deal about rights. But quantitative “content analysis” of a person’s words can be misleading if the word counter fails to consider the meaning and intent of the writer’s use of the words being counted. Nowhere is this more evident today than in the use of Jefferson’s statements regarding church and state in

defense of the 1947 Supreme Court interpretation of the establishment clause of the First Amendment to the US Constitution (see Lerner 2002).

Franklin expressed himself through fictional characters, even, says Lerner, in his *Autobiography*. A demanding reader is compelled to ask: Just how much did these characters state Franklin's own thoughts? Was Franklin engaged simply in tomfoolery, to use Lerner's term? By posing this question, Lerner points back to his chapter on Thomas More, in which he suggests that More's interest was in asking how a "latter-day Plato" would address the subject of the "healthy city" in light of the fractured world of Christendom. Given the title of the Franklin chapter, one might infer that for Lerner, Franklin posed the question of what Plato might say of the feverish and fractured world of rights.

Why, asks Lerner, was Franklin so cautious about proclaiming the naturalness of rights? Lerner dangles before his readers Franklin's comic treatment of this subject. The subject is discussed by a prostitute who, upon being charged with having had an abortion, transforms herself from a defendant into a prosecutor. She accuses the man-made prohibition to be a violation of natural law, by which she means doing what comes "naturally."

In light of this comic treatment, one has to wonder if Franklin wasn't asking about the grounds of all *natural* rights. Are rights invented rather than discovered? What distinguishes a right from a mere claim? Is it based only on the degree of zealotry with which a claim is put forward? Are there such things as imagined rights? Franklin never tried to answer those questions directly.

Franklin's reluctance to proclaim the naturalness of rights is explained by Lerner when he reveals that Franklin's writings on rights were his attempt to diminish rather than exacerbate the threat of war that arises when rights are in conflict. When a conflict arises, especially between the strong and the weak, the parties are battling over competing claims. The challenge is to find compelling reasons why the powerful should recognize the rights of the weak.

The strong, when challenged, will protect their power by denying the rights of the weaker since they are likely to believe that in acknowledging those claims, they are risking their own security. With this in mind, Franklin sought to advance a case for moderation, not simply directed to the strong, but even more to the weak, by making a case for political prudence, which means mutual forbearance. That is only possible when rights

are deemphasized. When he did address the claims to rights on behalf of the weaker, he wrote about civil rights (the rights of citizens) rather than natural rights (the rights of totally free individuals). Since Franklin wrote as much about duties and obligations as about rights, Lerner concludes that Franklin was a conservative who was concerned as much with the good of the whole as with the good of the individual.

Nowhere does Lerner find this emphasis more powerfully stated than in Franklin's view of slavery. Franklin had been a signatory to the Quaker memorial to Congress calling for the elimination of the slave trade. When he learned of a speech, given on the floor of the House by a Georgian slave-holder elected to Congress, which justified the continuation of slavery on economic grounds and warned Congress against touching this matter, Franklin composed a letter to the editor of the *Federal Gazette and Philadelphia Evening Post*, signed "Historicus."

The letter writer recalled a parallel speech by an alleged Muslim consul in response to a "purist" Muslim's objection to the enslavement of European Christians. He thus placed into the mouth of this Muslim apologist an argument that, Lerner reminds his readers, would emerge in the nineteenth century regarding African slaves: Christian slaves were being "enlightened" by their being exposed to Islam.

The Muslim apologist then argued that those purists who wanted to free the Christian slaves were suffering from a bad conscience and chided them for making their appeal only to avoid eternal damnation. Such reasoning, he claimed, was the product of pure self-interest; as a religious argument, it is a case of self-delusion. Reason can be called upon to justify any and all desires. But that does not make the desire reasonable.

Franklin concluded that it is only pride that keeps the unreasonable from reconsidering whether they are being self-delusional or not. The best weapon against pride is the inducing of skepticism; but one must not become zealous in trying to induce it, lest one encourage cynicism. The goal must be to induce modesty, especially when it comes to the assertion of rights.

A contemporary reader of this chapter could easily be distracted by recollections of the challenges faced by the Allies following their victory in World War I, or, more recently, what is at stake in the current Israeli-Palestinian conflict. The problem is, can any reader prevent his or her imagination, while reading about one historical matter, from leaping to

a possible new understanding of an event that is already familiar? Or does Lerner actually encourage such digressions in his readers?

When he examines Franklin's "Causes of the American Discontents Before 1768," Lerner remarks, with perhaps a smile, that "it would be tempting to see in these words something close to the conservative jurisprudence of the U.S. Supreme Court at the end of the nineteenth century, but that would be going far beyond Franklin's intent." In making this observation, Lerner indicates that he is sensitive to the fact that his readers may be tempted to draw inferences to later events from what he writes about Franklin's attention to the events of his own time; but he seems to discourage his readers from doing so when he cautions his readers to rein in their imagination, lest they distort the intent of the writer they are reading about.

Every reader sails between a Scylla and a Charybdis—between being too easily distracted by apparent similarities of past and present and being too limited by a literal reading of any author's words. Only the most demanding of readers will be able to resist both temptations.

VII

The final chapter of this book, in which one might expect closure to an argument, proves to be Lerner's most opaque. The title, "The Smile of the Philosophic Historian," leaves the reader to wonder what kind of a smile Lerner has in mind. Is it like the smile of the Mona Lisa? If so, that is of no help, since that smile remains mysterious. Given that the chapter opens with a discussion of Gibbon as an ironist, one is entitled to ask what the smile of an ironist like Gibbon looks like. One is also entitled to ask: What kind of smile did Socrates, perhaps really Plato, exhibit?

People who perceive irony, Lerner reminds us, are often proud of the fact that they "get" the inside joke. Starting with Plato's Socrates, the discovery that someone is being ironic is likely to evoke anger among the unironic, who are likely to judge the ironist as deceptive and insincere. Lerner initially describes irony in terms of the art of boxing: "Why all this weaving and bobbing,"—a reversal of the conventional order of the two terms—"ducking and feinting?" (109). Irony, described this way, points to the art of self-defense. But boxing is more than that; it is also *prize* fighting, that is, the pursuit of victory. Irony is a weapon of verbal war.

In terms of his communications with scholarly readers, Lerner's analogy might be better served by comparing philosophic history

to farming. Seeds are planted, but the farmer must wait for the plant to grow on its own, according to its own nature. The ironist, according to Lerner, sets “a train of thought in motion without hammering its conclusion home” (110). We, his readers, therefore, should not expect him to come to a clear and distinct conclusion regarding Gibbon.

In his brief biographical sketch, Lerner informs his readers that Gibbon, raised an Anglican, abandoned his “tepid religion” for Catholicism when he was at Oxford. He treats the incident with his own smile, writing that Gibbon’s father sent him to Switzerland for a “Swiss Calvinist cure.” The young Gibbon was “deprogrammed,” as if Catholicism were an esoteric cult. It worked, since Lerner asserts that he “settled for an implicit belief in *conventional* Christianity” (108, italics mine). He gets a bit more comic when he reports that Gibbon turned to secular concerns, and “the rest is history.”

Lerner invites his readers to distinguish philosophic historians from scholarly historians. What is the basis of that distinction? Lerner reminds us that Gibbon’s work was written in an age when “European empires were in great flux”—rising and declining. In that setting Gibbon’s work is a philosophic history, “one that took a long view and encouraged readers to do no less” (108). But the reader is not informed of what he means by “the long view.” He must discover it on his own, with only hints from Lerner as to what it means. A reader might take the idea of the long view as the inclination to make easy comparisons of the decline of Rome to the dynamics of contemporary life, as is often said by public intellectuals about the direction of American public life.

In the second section of this chapter, titled “Inducements to Reconsider,” Lerner observes that even though Gibbon’s account “is devoted to the relentless decay and decline, interrupted only by delusions of recovery, [he] has written no dirge.” On the contrary: “*The Decline and Fall* is, rather, an astonishing recreation of the vibrancy and rich variety of human life, its barbarity and nobility, its blind subjection to barely perceived impersonal forces and to singularly willful men and women” (111).

Gibbon, argues Lerner, concluded that the Romans usually failed to see the gap that exists between “what they were doing and what they thought they were doing.” In other words, they were victims of self-deceit. Lerner’s aim in writing this seems clear: to question those who mindlessly repeat the maxim of Santayana, that “those who do not remember the past

are condemned to repeat it.” Why is this questionable? Simply because it matters a great deal *what* one remembers and learns *of* the past and *from* the past. If one learns the wrong lessons, then those who remember the past will be condemned to repeat it.

Gibbon was a realist who refused to become hysterical at exposures of corruption and to believe that calls to “restore our honor” are anything more than exercises in futility and, worse, contributions to the kind of divisiveness that prevents decay from being slowed. Like Gibbon’s, Lerner’s goal is to temper those who would repeat Gibbon’s explicit judgments with no thought that only true fools do such things.

In chapter 7 of *The Prince* Machiavelli reveals why he was critical of the actions of his friend Cesare Borgia, whose father, Pope Alexander VI, died prematurely and, according to Machiavelli’s “historical” account, was replaced by Julius, whom Cesare sought to prevent from becoming pope. In chapter 11, Machiavelli reveals that Pope Alexander’s success was due to his “instrument” Duke Valentino (Machiavelli 1964, 94–95), which in chapter 7 he told his readers was the name the “vulgar” gave to Cesare Borgia (*ibid.*, 50–51). Later in chapter 7, Machiavelli hints at the competitive nature of the relationship between son and father as to who would kill the blood relatives of the noblemen the pope had *injured* (*ibid.*, 58–59).

Throughout the text, Machiavelli speaks of the pope as *pappa*, or father. Never does he capitalize the word, which would have distinguished the Holy Father from any other father. So, when he indicates that Cesare had to consider who would be his father’s successor, he reveals that Cesare murdered the blood relatives of the noblemen, and says that he did so “to prevent the Pope from employing that opportunity [*per torre al pappa quella occasione*]” and thereby to keep the pope (*al papa*) restrained. Cesare also brought the College of Cardinals as much under his control as he could, and acquired sufficient power before the Holy Father died (*il papa morrissi*) (*ibid.*, 58–59). These comments are the lead-up to Machiavelli’s joke. Machiavelli referred to Pope Julius as having followed Alexander (*ibid.*, 97), but was silent about the fact that the College of Cardinals elected Pius II, who lived only a month, dying on the altar from poisoned wine. Machiavelli says of Cesare that “he could have created the Holy Father, if not whom he wanted it would not have been one he did not want [*posse fare, se non chi e volle, papa, almeno*]” (*ibid.*, 60–61). Shortly after that, Machiavelli informs his readers that only in making Julius *pope* (here he uses the word *pontefice*, not *pappa*) did he make a bad choice. Therefore “can he be blamed, because as I said

before, *unable to create a Pope of his own*, he could have prevented a particular one from becoming Pope [*non potendo fare uno pappo a suo modo, e poteva tenere ch uno non fussi papa*]” (ibid., 62–63). Machiavelli must have smiled when he penned the phrase that Cesare couldn’t create his own daddy.

I return to the theme. The fifth section of the chapter is titled “The Stifling of Sobriety.” In it, Lerner explores chapter 21 of Gibbon’s *History*, which chronicles the many “murderous follies” perpetrated in the name of the Prince of Peace. Gibbon attributed the violence to the creation, by Church Fathers, of heresies over “the Logos and the Trinity.” It would appear that Lerner, having taken note of this, is suggesting that the violence was the product of the failed attempt by the church to import pagan metaphysics into Christian theology. Is this not another indirect questioning of the success of the Hegelian “resolution”?

At the core of the problem is the mystery of the contract between the divine and individual humans, which biblically has its roots in the Jewish ritual of circumcision. In what must surely have produced a smile on Lerner’s face, he quotes Gibbon to the effect that “we are compelled to feel and acknowledge the immeasurable disproportion between the size of the object and the capacity of the human mind.”

Gibbon, according to Lerner, sought to induce his more demanding readers to see Roman history with his own eyes so that they could write the same book as he did. But that would mean that they too would critically read Gibbon’s Roman sources, just as he did. Lerner does not make explicit that the attempt to achieve this goal opens the door to the post-modern semiotic claim that every reader is the author of whatever the reader reads. (This challenge was parodied by Jorge Luis Borges in “Pierre Menard, Author of the *Quixote*,” in Borges 1962, 45–55.) Yet it is this group of philosophers and scholars who prove to be the “historians” of whom Lerner is most critical and against whom he is trying to create his own class of warriors.

It is not accidental that Lerner refers to Gibbon’s observation that Roman hegemony extorted a high price “in terms of constitutional freedom and *the life of the mind*” (118, italics mine). Lerner closes his treatment of Gibbon and the book with a section titled “Beneath the Sophisticat’s Veneer.” In what appears to be a digression, Lerner reveals that his book has been about “authorial control of his text.” Each author worthy of being called a historian or a philosopher reveals the rules he has used to write his work; but those rules are indicated in indirect ways. They will only be discovered by

demanding readers. *Sophists*, past or present, fail to acknowledge, much less see, that the art of writing and the art of reading are *not* defined by one set of hermeneutical rules that can be memorized and used for all works by all authors in the same way. Lerner has provided his readers with an alternative: evidence of the existence of the variety of hermeneutical experience.

Lerner points to a conundrum: Gibbon cared “deeply about the rule of law, not least on account of its ability to sustain—and temper—the vigor of an engaged citizenry” (131). But does the rule of law have that impact when it is transformed into a doctrine that becomes a part of political polemic? Or is it the case that when it is articulated in that manner, it has lost its influence both to sustain and to temper? In light of this question, Lerner’s readers are entitled to ask if the same is not true for the use of hermeneutical rules, whether in reading scripture or philosophical and historical writings.

This is a theme treated in Hermann Broch’s *The Sleepwalkers* (1932), a novelistic triptych, in which Broch explored three possibilities left to humanity in the context in which values are dissolving: the *Romantic* possibility, characterized by people holding a sentimental attachment to an inherited value; the *Anarchist* possibility, characterized by people ignoring the value as it becomes more distant, yet simultaneously making that value an imperative, not just for themselves, but for everyone; and the *Realistic* possibility, which emerges after an imperative is no longer characterized as an imperative and people experience freedom from all imperatives and thus from all the values that they inherited. Under these conditions, people become lawless; they also become guilt-free (see Plax 2009, 281).

Like Gibbon, Lerner appears to be concerned with communal and intellectual mediocrity. One kind of mediocrity arises when apostles of a revolutionary writer betray the teachings of that writer by betraying the revolution that was begun by its founder. In light of this observation, I concluded that the title of this book, *Playing the Fool*, covers Lerner’s explicit theme, even as it conceals this other concern of his, which he answers in this book by providing a blueprint for guiding the education of future philosophers and historians and reveals to them how they can maintain the vigor of engaged readers all the while being tempered against the betraying trap of zealotry. *Playing the Fool* is a call to those who would be demanding readers to engage in a battle on behalf of authorial control in this era in which we live, dominated by postmodern semiology, which is being universally spread by the Internet and universally available “search engines.”

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David and Goliath

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From the initial publication of *A Theory of Justice* in 1971 to the present, John Rawls's work has been subjected to a volume of criticism likely unequaled by that of any other American political philosopher during his time. This criticism has, however, often resembled more the muted protestations of the conquered than the rallying cries of an effective opposition. Hailed by many as the savior of American political philosophy, Rawls's thought continues to hold sway over a wide range of academic circles, and has indeed exerted a considerable indirect influence on American political practice. If Rawls remains in many respects the Goliath of American political philosophy, however, Professor Schaefer was indeed aptly named.

In *Illiberal Justice: John Rawls vs. the American Political Tradition*, Schaefer undertakes a critique of Rawls's thought that goes beyond any so far attempted. Rather than focus on a single idea, work, or period of Rawls's thought, Schaefer confronts this thought as a single unit unfolding from the 1951 article "Outline of a Decision Procedure for Ethics" to *Justice as Fairness: A Restatement*. Rather than examine Rawls's thought in isolation or in relation to one or two of his predecessors, Schaefer places Rawls in conversation both with "the American constitutional tradition exemplified at its peak by the *Federalist Papers* and the thought of Lincoln" and with "the broad tradition of Western political philosophy that originated with Plato" (8). Schaefer's aim is not to quibble with one or two elements of Rawls's thought, but to answer two questions of enormous consequence for

contemporary liberalism: 1) “Does Rawls offer a more solid foundation for constitutional liberalism than his [classical liberal or pragmatist] predecessors or hasten its decay?” and 2) “Did he rejuvenate the enterprise of political philosophy or distort it?” (8).

The particular manner in which Schaefer addresses these questions is worthy of note: the first nine chapters of Schaefer’s work mirror the nine chapters of Rawls’s *A Theory of Justice*, with each offering a thorough summary and critique of its correlate. Only the final four chapters are reserved for discussions of Rawls’s later works, including *Political Liberalism*, “The Idea of Public Reason Revisited,” and *The Law of Peoples*. This structure, although it may initially strike some of his readers as odd or disproportionate, reflects important elements of Schaefer’s critique. First, confining his treatment of Rawls’s later works to only a few chapters reflects one of Schaefer’s central contentions regarding Rawls’s thought, namely, that the frequently noted distinction between the “early Rawls” of the *Theory* and the “later Rawls” of *Political Liberalism* is far weaker than is normally supposed. Rawls’s guiding method, substantive claims, and ultimate aims remain essentially unchanged throughout his oeuvre, and Rawls’s post-*Theory* work largely consists in “a strategic retreat” (254) or “rhetorical repackaging” (253) rather than in significant revisions of his doctrines.

Second, as Schaefer notes, *A Theory of Justice* “remains Rawls’s magnum opus” (xi), and the single work that anointed Rawls the preeminent philosophical spokesman for contemporary liberalism. Rawls’s *Theory* represents a kind of turning point in American liberalism and political philosophy more broadly, a turn that Schaefer contends was far more harmful than beneficial. Schaefer’s aim is not to substantially alter the direction of contemporary American constitutionalism, liberalism, and political philosophy, but rather to question the wisdom of this direction as a whole and to advocate a return to the more promising and salutary traditions embodied in classical liberalism and the American Founding. Since *A Theory of Justice* is the landmark work of the acknowledged giant of contemporary liberal theory, focusing on this work suits Schaefer’s purpose of challenging the contemporary turn of liberal political philosophy root and branch.

Schaefer’s specific criticisms of *A Theory of Justice*, and indeed of Rawls’s thought in general, may be grouped under four (related) primary lines of critique. 1) Utilitarianism is a mere straw man for Rawls’s arguments, disguising his more fundamental opposition to the natural rights-based liberalism of Locke and the American Founding. 2) Rawls’s method is

characterized by excessive abstraction, an inordinate desire for simplification and for consensus, and radically artificial construction, disregarding empirical realities, factual bases, and nature as a ground for justification. 3) Rawls's arguments are frequently circular. 4) Rawls's overarching aim is to advocate a narrowly partisan political agenda shared by his colleagues in the academy. These four lines of critique join to form Schaefer's assessment of Rawls's work as "truly illiberal" (257) and even potentially "dangerous" (316). While one may be tempted to dismiss such an emphatically negative treatment of Rawls's work as the sort of strident opposition to be expected from a political conservative (or classical liberal), Schaefer effectively forestalls this reaction by discussing Rawls's works with a thoroughness and care that demand a reasoned response.

A particularly important instance of Schaefer's incisive, point-by-point critique of *A Theory of Justice* occurs in Schaefer's discussion of Rawls's third chapter, in which Rawls elaborates on the original position and its implications. Schaefer begins by comparing Rawls's original position with the familiar state of nature narratives offered by Hobbes, Locke, and Rousseau, a comparison invited by Rawls himself in the opening pages of the *Theory* (Rawls 1971, 11). Schaefer contrasts Rawls's imposition of the veil of ignorance in the original position with the state of nature theorists' parallel abstraction from positive law, custom, and government; both instances of abstraction are designed to shed light on the legitimacy or justice of existing institutions and practices and to guide their improvement. The crucial difference between the two instances, according to Schaefer, is that Rawls's original position is "a free construct, reflecting the conditions a given philosopher happened to think it reasonable to impose on the choice of governmental institutions," while the earlier state of nature narratives were inferences from "man as we know him," or an objective conception of human nature (55). While nature provided a starting point for the arguments of the classical liberals, for Rawls nature is only a source of "'arbitrariness' that must be compensated for" (56).

Rawls's distaste for nature as a guide in formulating the original position is related to the absence of the kind of "detailed empirical and historical inquiry" preceding the construction of his theory that is present in and informs the political philosophy of Aristotle, Cicero, Locke, Montesquieu, and Rousseau (54–55). Without a justification in either nature or empirical and historical inquiry, Rawls's original position is merely an "artificial situation" shaped by "arbitrary motivational assumptions" judged

to be “intuitively appealing” (58–59). Schaefer goes on to argue persuasively that the original position is so abstract and open-ended that it is “literally impossible” to simulate the reasoning within it, and further that such reasoning would be of highly questionable value or relevance for the concrete and complex reality of human life. By abandoning the logical anchor of classical liberalism in a given human nature, as well as empirical or historical investigation, Rawls’s original position is cut adrift from both justification and relevance. The original position begins and ends with Rawls’s own preferences, so that “if readers find Rawls’s principles plausible, this can only be because the principles were appealing to them all along” (73).

Most of Schaefer’s particular criticisms of Rawls’s *Theory* are variations on these themes, and depict Rawls’s arguments generally as unsolicited and unsubstantiated departures from or attacks on the American constitutional tradition and its underlying principles. Schaefer frequently questions the relevance of Rawls’s constructions and pronouncements by drawing on extensive empirical and historical evidence as well as simple common sense, and challenges the justifications for Rawls’s conclusions by drawing on the tradition of Western political philosophy as well as the common principles of sound reasoning. In short, Schaefer contends that Rawls offers “only specious solutions to imaginary problems” (297).

After completing his chapter-by-chapter critique of *A Theory of Justice* and having thoroughly elaborated the central features of his critical stance, Schaefer is free in the final chapters to consolidate, deepen, and extend this stance, thoughtfully discuss Rawls’s relationship to his predecessors in the history of political philosophy, and offer an alternative to Rawlsian liberalism. In accomplishing these tasks, Schaefer persuasively links the general orientation of contemporary political conservatism with Tocqueville, the American Founders, Locke, and Aristotle, and opposes this orientation to that of contemporary political liberals as influenced by Rawls, Marx, Kantian political idealism, and certain thinkers of the British analytic tradition. Members of the former group tend to emphasize the necessary connection between economic and political liberty, the importance of self-government as well as its social and cultural preconditions, and the role of prudence and statesmanship in dealing with the complexity and contingency of political life. In contemporary American politics, this politically conservative group is broadly associated with “ordinary citizens” (329). Members of the latter group, on the other hand, are more likely to downplay the connection between economic and political liberty and to advocate judicial activism

in order to concretize an abstract utopian vision constructed by “ambitious intellectuals and jurists” (329).

While Schaefer is not alone in expressing his concern that America is headed for a “soft despotism” of the kind foreseen by Tocqueville (330), he recognizes much more clearly than most the crucial power of ideas in shaping the course of concrete political life. Although a “restored civic and liberal education” constitutes an important part of Schaefer’s proposed solution to the ills of contemporary intellectual and political life (335), the primary component of this solution consists in purely intellectual efforts such as his own dismantling of Rawls’s thought. Schaefer provides an occasion for profound reflection on the power of ideas to influence human life: the contemporary “culture wars” have not arisen from conflicting personal values or prejudices, but rather from an epic struggle between thinkers waging war with ideas. Although particular human beings may act in disregard of reasons or justifications, the direction of human societies generally mirrors the preponderance of such reasons or the weight of the ideas justifying them. This loosely Hegelian point is powerfully driven home by Schaefer; Rawls is the man behind the curtain for contemporary American liberalism, having displaced Locke and Tocqueville (among others) from their traditional position of influence. Schaefer’s comprehensive and cogent challenge to Rawls’s thought and his accompanying advocacy for a return to a more salutary tradition of political philosophy may, on the other hand, signal the beginning of the end for the Rawlsian turn in contemporary liberalism.

One of the few regrettable features of this otherwise excellent book is the prominence of Schaefer’s analysis of Rawls’s motivations. Schaefer frequently accuses Rawls not only of allowing his partisan opinions to influence his conclusions, but of intentionally constructing his entire theory with the object of furthering a particular, self-seeking political agenda. This accusation portrays Rawls himself as uncommonly ambitious and dishonest, a portrayal running directly contrary to the reputation for personal virtue Rawls enjoyed among his friends and acquaintances. In response to this apparent difficulty, Schaefer offers a psychological analysis of Rawls’s personal history as an alternative motivational explanation in the final pages of the book. Whether or not one is persuaded by Schaefer’s motivational analysis, such an analysis is peripheral at best, and extraneous at worst, to his ultimate aims, and therefore constitutes a distraction rather than a contribution to Schaefer’s critique.

Despite this distracting feature, the substance of Schaefer's work is both compelling and of great significance. Schaefer's book offers a challenge to Rawlsian liberalism that its adherents cannot afford to ignore. If, as this reviewer suspects, contemporary political liberals ultimately prove unable to prop up their champion, Schaefer's book may eventually rival Rawls's *A Theory of Justice* in its fame and influence.

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