

Timothy Chappell

Utopias and the Art of the Possible

Abstract: I begin this paper by examining what MacIntyre has to tell us about radical disagreements: how they have arisen, and how to deal with them, within a polity. I conclude by radically disagreeing with MacIntyre: I shall suggest that he offers no credible alternative to liberalism's account of radical disagreements and how to deal with them. To put it dilemmatically: insofar as what MacIntyre says is credible, it is not an *alternative* to liberalism; insofar as he presents a genuine alternative to liberalism, this alternative is not credible. In large part the credibility problems that I see for MacIntyre's project arise from the history on which he bases it; it is with this history that I begin. Reflection on MacIntyre's profound and subtle political philosophy thus fails to dislodge liberalism from its contemporary intellectual supremacy—a supremacy which I think liberalism has well earned. If anything, such reflection enhances the hegemony of liberalism still further. And a good thing too.

1. MacIntyre's Diagnostic History

The most famous part of MacIntyre's most famous book may well be the “disquieting suggestion”, the picture of a world after the collapse of science, with which it begins (MacIntyre 1981, 1–2): “The hypothesis which I wish to advance is that in the actual world which we inhabit the language of morality is in the same grave state of disorder as the language of natural science in the imaginary world which I described.” This brilliant *coup* of philosophical and historical imagination continues to captivate even those, like me, who have rather fallen out of love with the project of *After Virtue*.

To show that our language of morality is disordered in the fundamental way that he proposes, MacIntyre does two things. First, he offers a survey of the contemporary moral scene that leads him to the verdict that “The most striking feature of contemporary moral utterance is that so much of it is used to express disagreements; and the most striking feature of the debates in which those disagreements are expressed is their interminable character [...] there seems to be no rational way of securing agreement in our culture.” (6) Secondly, he traces a history that is meant to demonstrate how moral concepts, principles, and modes of argument have been wrenched from the contexts in which they originally made sense and redeployed in contexts where they are no more at home than, say, a pendulum is at home in a tumble drier: how allegedly universal rules, for instance, have been detached from the descriptive teleology in which they were grounded in the Aristotelian tradition, and without which such rules can, according to him, have no ultimate justification at all. (This, briefly, is “why the Enlightenment project had to fail”.)

MacIntyre's complaint about pervasive disagreement might seem an odd one. Why, as Stephen Mulhall (in: Horton/Mendus 1994) asks, should we even want a way of securing agreement in ethics that meets the standards suggested by MacIntyre's talk of "unassailable criteria", "compelling reasons" (MacIntyre 1981, 8)? Ethics is not science; not even broken-down and disordered science *après le débu-ge*. In any mature science, we can demonstrate results—Mulhall's example is the result that there are mountains on the moon—by methods to reject which is simply to manifest scientific incompetence. Nowhere in ethics (either contemporary ethics, or any other credible sort of ethics) can we do anything remotely parallel. In ethics a Sartrean move is always available. It is always possible, not only to query the accounting, but also to query the currency: to any Condorcet who says to us *calculemus* (see Berlin 1969, 52), we can always reply not only *calculemus aliter* but also *NON calculemus*. This fact alone—and quite apart from the obvious, banal, and patently un-World-Historical phenomena of special pleading and bad faith which play such important roles in so many human interactions—is enough to explain persistent disagreement *even if* we accept a common currency of well-regimented argument, whether that common currency is a pernicious Bayesian consequentialism, or a salutary Aristotelian teleology.

A further question about MacIntyre's idea that our disagreements are a sign of our moral degeneracy is: when was it ever otherwise?¹ Consider the detail of MacIntyre's extended history of our alleged moral collapse—his Interminably Long History of Ethics, as MacIntyre himself amiably calls it. I cannot do justice to that still-in-progress historical project here, but I can offer a few comments.

MacIntyre writes (MacIntyre 2006b, 239):

“What is lacking in modern political societies is any type of institutional arena in which plain persons [. . .] are able to engage together in systematic reasoned debate, designed to arrive at a rationally-founded common mind on how to answer questions about the relationship of politics to the claims of rival and alternative ways of life.”

The right retort is: “What do you mean, ‘lacking in *modern* political societies’?” It is not as if some previous society had been very good at this sort of debate in a way that we are not. Certainly classical Athens was not very good at this; overall, the history of the Athenian *ecclesia* is *not* a history of “systematic reasoned debate”, but of riotous assembly. The same applies, for instance, to the *Assemblée Nationale* from 1789 to 1793. Even its striking initial results, though certainly achieved by the expression of a “common mind” about political theory, were not products of *debate* with the French crown, but of defiance of it. Thereafter the *Assemblée* declined steadily towards the condition of what Carlyle acidly called “a Sanhedrin of pedants”, bickering over the small print of constitutions that were never actually enacted, while, for good or ill, the real Revolution happened elsewhere.

¹ MacIntyre seems now to acknowledge the difficulty here: “Continuing disagreement is a permanent condition of philosophy.” (2006b, 72)

Consider, again, the following remarks:

“We have all too many disparate and rival moral concepts [...] and the moral resources of the culture allow us no way of settling the issue between them rationally. Moral philosophy, as it is dominantly understood, reflects the debates and disagreements of the culture so faithfully that its controversies turn out to be unseizable in just the way that the political and moral debates themselves are.” (MacIntyre 1981, 235)

The existence in our moral discourse of a plethora of moral-theoretical resources with multifarious origins need not reveal the incoherence that MacIntyre sees. As MacIntyre himself shows, concepts can be and are adapted to fit new frameworks, and sometimes this process enhances the concepts rather than mutilating them. Socrates’ response to Simonides’ definition of justice as “rendering to each what is due to him”, which begins in *Republic* Book I as a flat rejection of the Simonidean formula, has been turned by the end of *Republic* IX into a transformation of it: “render each his due” is, it turns out, precisely what the perfect Platonic state does. The *Republic* (notoriously, in some commentators’ eyes (Foster 1937) transforms the ordinary Athenian concepts of justice and happiness in the course of investigating them.

Nor, as Bernard Williams observes, need a plethora of diversely-originating resources be a sign of ethical confusion rather than of profusion. To take it that way is, ironically enough, characteristic of the very moral philosophers whom MacIntyre opposes: “Theory typically uses the assumption that we probably have too many ethical ideas, some of which may well turn out to be mere prejudices. Our major problem now is actually that we have not too many but too few, and we need to cherish as many as we can.” (Williams 1985, 117)

Anyway, to repeat, it is hard to identify another age that was any *less* incoherent or confused. MacIntyre himself has provided no picture, not even a sketch, of a golden age of practical rationality. On MacIntyre’s own showing in 1981, chs.11–12, Plato and Aristotle both struggled throughout their careers, not just to prove certain theses within an uncontested method of argument that was accepted by a philosophical community around them, but also to establish the propriety of the method of argument itself. This second-order debate was just as contentious and just as wide-open as the first-order debates that its deliverances were supposed to settle, or at least to regiment. In the *Gorgias* Socrates and Callicles are just as much at odds about whether pleasure is the good as they are about what counts as a good argument that pleasure is or is not the good. In the *Nicomachean Ethics* Aristotle is not only trying to argue us into a particular view of human well-being, he is also trying to liberate us from what he considers a crucially mistaken account—Plato’s—of what argument about human well-being can be. Beyond these diverse conceptions of the nature of moral argument—conceptions which deserve to be called “incommensurable” if any do—there stands a wider Athenian society which, like ours, mostly does not even recognise that moral argument is *philosophical* at all, as opposed to a religious

practice, or a rhetorical or dramatic or narrative practice; or simply a reflection of the play of individual and corporate emotional forces.

If we wanted a paradigm of a society that was fundamentally divided between incompatible and incommensurable conceptions and currencies of moral debate, we could hardly do better than classical Athens. Just as, if we wanted an example of a society where arguments were rationally interminable, or where a method of argument had degenerated into a mere mask for the pleading of vested interests, we could hardly do better than the scholasticism of pre-Reformation Europe. As many Protestants over the centuries, not least John Locke, have noted:

“Where Mens Parts and Learning are estimated by their Skill in *Disputing*, [and] Reputation and Reward shall attend these Conquests, which depend mostly on the fineness and niceties of Words, 'tis no Wonder if the Wit of Man so employ'd, should perplex, involve, and subtilise the signification of Sounds, so as never to want something to say, in opposing or defending any Question; the Victory being adjudged not to him who had Truth on his side, but the last word in the Dispute [...] this artificial Ignorance, and *learned Gibberish*, prevailed mightily in these last Ages, by the Interest and Artifice of those, who found no easier way to that pitch of Authority and Dominion they have attained, than by amusing the Men of Business, and Ignorant, with hard Words, or imploying the ingenious and Idle in intricate Disputes about unintelligible terms [...]” (Locke, *Essay* III.X, 7, 9)

We can agree with MacIntyre that Locke's splendid invective is, on the whole, unfair to the achievements of scholasticism without swinging—as MacIntyre apparently did at the time he wrote *After Virtue* and *Whose Justice? Which Rationality?*—to the other extreme, and claiming that there is *nothing at all* in the Renaissance/Reformation critique of scholastic method. We can then agree with MacIntyre that the scholastic era was not a dark age for philosophy and practical rationality (in fact, not even Locke thinks this²), without accepting as the only alternative the idea that it was a golden age.

In political argument, it is always a bad strategy to commit oneself to a hunt for a golden age. The hunt for a golden age is an unfortunate feature of MacIntyre's philosophical history in *After Virtue*. We might want to opt out of that hunt even if we agree with MacIntyre about the importance of philosophical history in general: “it is only by reference to [the history of morality-and-moral-philosophy] that questions of rational superiority [between traditions] can be settled” (MacIntyre 1981, 269), or in the words of Hegel that MacIntyre here echoes, “the court of truth is the world-court of history” (*Hegel 1820*, 343).

² “I say this not any way to lessen *Aristotle*, whom I look on as one of the greatest Men among the Antients; whose large Views, acuteness and penetration of Thought, and strength of Judgment, few have equalled; And who in this very invention of Forms of Argumentation, wherein the Conclusion may be shewn to be rightly inferred, did great service against those, who were not ashamed to deny any thing.” Locke, *Essay* IV.XVII, 4: a pointed rejection of the magisterial reformers' noisy abuse of Aristotle (not to mention their willingness to entertain contradictions).

In its biggest and most general claims, the diagnostic history of *After Virtue* faces potentially decisive criticisms. Its more particular claims can be criticised too: for instance, the claims that Aristotle and Kant are not historicists in the good sense, not examples of “tradition-constituted” inquiry (MacIntyre 1981, 277; 1988, 8).

A tradition-constituted inquiry is one in which (1) “To justify is to narrate how the argument has gone so far”, (2) where “what justifies the first principles [of a theory], or rather the whole structure of theory of which they are a part, is the rational superiority of that structure to all previous attempts within that tradition to formulate such theories and principles” (MacIntyre 1988, 8), and (3) where “rational superiority” consists both in greater capacity to explain or otherwise rationally connect the rival theories’ target phenomena, and also in a capacity to explain why the rival theories were less successful. On this definition, MacIntyre himself notes good evidence that Aristotle was a historicist: “Aristotle tried to write the history of previous philosophy in such a way that it culminated with his own thought.” (MacIntyre 1981, 146) Here Aristotle contrasts sharply with Plato, for instance, who will not even name his chief opponent among his predecessors (Democritus), takes most opposing philosophical views to be in fundamental error, and has a theory—the myth of the Cave—which explains why this is so. Compare Aristotle’s well-known methodological dictum *tithenai ta phainomena* (NE 1145b3): a philosopher should take previously-accepted beliefs as his starting-point, do as much as he can with them, and abandon as few of them as possible. (As the opening of the *Analytica Posteriora* tells us, “All instruction given or received by way of argument proceeds from pre-existent knowledge.”) It conflicts with this evidence to say, as MacIntyre does, that Aristotle “envisaged the relationship of [his] thought to those predecessors in terms of the replacement of *their* errors or at least partial truths by *his* comprehensively true account”, or that his view was that “once his work had been done, theirs could be abandoned without loss” (MacIntyre 1981, 146). For “the comprehensively true account” that Aristotle aimed at was not exclusively his at all, any more than the true picture of the world that the later Wittgenstein aimed to rescue from the deceptions of philosophy was Wittgenstein’s own. Broadly, Aristotle’s aim was to secure a *common* understanding of the world, largely inherited from those “received opinions” (*endoxa*) of his predecessors which he undertook to incorporate within his own explanatory framework, and only partially undergirded by the new foundations of his own philosophy. In this sense Aristotle’s inquiry was, precisely, historicist and tradition-based; and, in its opposition to Plato—the greatest enemy of historicism in the Greek tradition, and the philosopher whose authority Aristotle most consistently rejects—self-consciously so.

Kant too saw his own inquiry as tradition-constituted in MacIntyre’s sense. From the opening sections of the *First Critique* it is clear that Kant regards his own work in epistemology as a proto-Hegelian synthesis of the predecessor rationalist and empiricist alternatives. Comparing the opening sections of the *Groundwork*, it is equally clear that Kant regards himself as synthesising a number of earlier ethical views: the Christian view that virtue is rewarded and the Stoic view that it is its own reward; Locke’s individualist contractarianism and

Rousseau's collectivist communitarianism; Grotius's positive account, and Hobbes's sceptical account, of the place of principles of natural law antecedent to the formation of any particular political community. Kant's claim about these resources from the history of philosophy is that his own theory appropriates what is right about each of them, without recapitulating the mistakes of any of them—because Kant's own theory also possesses the resources to explain why those previous views were mistaken. The antithesis between Kant and tradition-based inquiry is another antithesis that does not stand scrutiny.

2. Utopias and the Art of the Possible

If modernity is in such a mess then what is MacIntyre recommending we do instead? I am, as promised, working towards the conclusion that MacIntyre's policy recommendation is best understood as one that classic Millian liberals like myself can and should accept. To reach this conclusion, I will trace a route from one well-known MacIntyre quotation to another, even better-known quotation, which we'll get to at the end of this section. My train of thought between them stops at a number of stations, some of them some distance from recognised MacIntyre territory, and will recruit some surprising names as more or less intimate allies of MacIntyre: Nozick and Rawls, for instance.

First, then, a quotation from MacIntyre's essay on Marx's *Theses on Feuerbach* :

“The modern state [...] behaves part of the time towards those subjected to it as if it were no more than a giant, monopolistic utility company and part of the time as if it were the sacred guardian of all that is most to be valued. In the one capacity it requires us to fill in the appropriate forms in triplicate. In the other it periodically demands that we die for it.” (Knight 1998, 227)

The modern state does indeed have a split personality of this sort. Call the utility-company side *the Bureaucracy*—and forget, for our purposes, the term's rather pejorative flavour. Call the sacred-guardian side *the Community*—and forget, for our purposes, the term's rather cosy flavour. (I capitalise both terms to mark the technical senses I give them.) Then the thesis of this section is not ‘Bureaucracy bad, Community good’; though this sometimes seems to be MacIntyre's message, and is certainly the burden, more often than sometimes, of much recent ‘communitarian’ writing.³ Nor is the thesis ‘Bureaucracy good, Community bad (or at any rate suspect)’; though that often seems to be what ‘libertarians’ want to tell us. Rather, my thesis is ‘Bureaucracy good in its place, Community good in its place’. The institutions of Bureaucracy and Community both serve essential purposes. But they serve *different* purposes, which it can do great harm to confuse. If we find ourselves well-placed historically to see not only

³ From which MacIntyre has always distanced himself with a positively Sartrean vehemence: “I am not a communitarian. I do not believe in ideals or forms of community as a nostrum for contemporary social ills. I give my political loyalty to no programme”, (in: Knight 1998, 265).

the importance of the Bureaucracy and the Community, but also the differences between them, that is just our good luck. (As we have seen already, my optimism about our present situation is not the only way in which I read history differently from MacIntyre.)

My slogan ‘Bureaucracy good, Community good’ should not, of course, be read as meaning that I think that either a Bureaucracy or a Community cannot go wrong. What it means is that they constitute different threats when they do go wrong (as happens with depressing frequency), and achieve different goods when they go as well as they can (which happens with depressing rarity).

The distinctive goods that a successful Community achieves are familiar from a whole library’s worth of stirring writings:

“Although, in [the passage from the state of nature to the civil state, man] deprives himself of some advantages which he got from nature, he gains in return others so great, his faculties are so stimulated and developed, his ideas so extended, his feelings so ennobled, and his whole soul so uplifted, that, did not the abuses of this new condition often degrade him below that which he left, he would be bound to bless continually the happy moment which took him from it for ever, and, instead of a stupid and unimaginative animal, made him an intelligent being and a man.” (Rousseau, *du Contrat Social*, 1.8)

George Orwell’s marvellous *Homage to Catalonia* could be read as a book-length study of the states of political consciousness, characteristic of a sense of Community, that Rousseau sums up in this one short brilliant paragraph. In particular, perhaps, the ending of Orwell’s book is a study of the sad truth in Rousseau’s foreboding parenthesis “[...] did not the abuses of this new condition often degrade him below that which he left”.

Humans acting and living in concert achieve goods that they can never achieve alone; they achieve a sense of belonging and purpose that transforms their lives, and leads to acts of idealistic altruism unmatched by the individualist.⁴ The political “community cannot express authority unless it possesses *corporate initiative*; that is, unless the mass of its component units are able to combine for the purpose of a common expression, are conscious of a common will, and have something in common which makes the whole sovereign indeed” (Belloc 1911, 1). But when “corporate initiative” is there, so is a political authority which is not just in-principle and theoretical, but exhilaratingly actual. Something of this is what Orwell found on the streets of Barcelona.

As for the distinctive ways in which the state conceived as Community goes bad, these hardly need rehearsing to anyone at our point in history. As Orwell himself was to emphasise in his later books, and as Proudhon pointed out in 1851, with the state-as-Community the thin end of the wedge is intrusiveness, and the thick end is tyranny:

⁴ “When we have chosen the vocation in which we can contribute most to humanity, burdens cannot bend us because they are sacrifices for all. Then we experience no meagre, limited, egoistic joy, but our happiness belongs to millions, our deeds live on quietly but eternally effective, and glowing tears of noble men will fall on our ashes.” Karl Marx, quoted by Machan 2006, 234. One is reminded of Peter Singer’s impartialism in *How Should We Live?*

“To be GOVERNED is to be watched, inspected, spied upon, directed, law-driven, numbered, regulated, enrolled, indoctrinated, preached at, controlled, checked, estimated, valued, censured, commanded, by creatures who have neither the right nor the wisdom nor the virtue to do so. To be GOVERNED is to be at every operation, at every transaction, noted, registered, counted, taxed, stamped, measured, numbered, assessed, licensed, authorised, admonished, prevented, forbidden, reformed, corrected, published. It is, under pretext of public utility, and in the name of the general interest, to be placed under contribution, drilled, fleeced, exploited, monopolised, extorted from, squeezed, hoaxed, robbed; then, at the slightest resistance, the first word of complaint, to be repressed, fined, vilified, harassed, hunted down, abused, clubbed, disarmed, bound, choked, imprisoned, judged, condemned, shot, deported, sacrificed, sold, betrayed, and to crown all, mocked, ridiculed, derided, outraged, dishonoured. That is government; that is its justice; that is its morality.” (P.-J. Proudhon, *General Idea of the Revolution in the Nineteenth Century*, quoted in Nozick 1974, 11, footnote)

The more a government sees itself as legitimated by, and indeed the expression of, a popular enthusiasm, the ‘corporate initiative’ of a Community, the more it is prone to see itself as entitled to meddle in every aspect of its citizens’ lives; to presume that they owe an account of themselves to it rather than *vice versa*, in such forms as, for example, compulsory voting, the formalisation of a *duty* to report minor infractions to the state’s operatives or to incriminate oneself, and the carrying of ID cards. No Bureaucracy (in my sense of the word) that correctly understood its own limits, and that it is by rights no more than the servant and agent of citizens’ freedoms, would be likely⁵ to engage in such presumption to any great extent.

This stress on the Bureaucracy’s proper limits brings us neatly to the good points of the state conceived as (no more than) Bureaucracy:

“Individuals have rights, and there are things no person or group may do to them (without violating their rights). So strong and far-reaching are these rights that they raise the question of what, if anything, the state and its officials may do. How much room do individual rights leave for the state?” (Nozick 1974, ix)

The Copernican turn made in this first question of *Anarchy, State, and Utopia* is arresting, even shocking. Nozick’s question is not the boringly familiar ‘How much room should the state allow individuals?’, but the bracingly novel ‘How much room should individuals allow the state?’ I take this to be a salutary shock. In political philosophy, at the level of first principles, *the individual rules*: the

⁵ Provided it understood a variety of other important ‘background’ truths: the falsity of consequentialism, for example, in any form that might legitimate the enslavement of citizens A B and C by showing that this ‘maximised’ the freedom of citizens D E F and G, and that the freedom of the latter four is the most freedom we can expect to achieve.

state is there for the individual, not the individual for the state. To think anything else is to be victims of our own rhetoric. We are well used to the organic conception of the state that, at the foundations of our culture, Plato, Aristotle, and St Paul all give us in their different ways—and later on, Hobbes, Rousseau, and Marx⁶ do something different with the same basic idea. We are so used to the organic conception that we forget that the state is never *literally* one body, and that St Paul can hardly have meant to say that the church was, either. Or we forget that the *polis* is not *literally* a substance for Aristotle, and—despite the higher tides of the rhetoric in *Politics* Book I—cannot possibly be understood as a substance, given Aristotle’s fundamentally individualist background metaphysics.⁷ Or we forget that, despite the structuring metaphor of Plato’s *Republic*, the state is not *literally* a soul in three parts, either. The organic conception of the state is basically a metaphor, and what is only metaphorical cannot have moral priority over what is literally real. To elevate the rights of the state above those of individuals is to fossilise the organic metaphor into literality.

For all that, I would not quite as far as Nozick:

“[T]here is no *social entity* with a good that undergoes some sacrifice for its own good. There are only individual people, different individual people, with their own individual lives. Using one of these for the benefit of others, uses him and benefits the others. Nothing more.”
(1974, 33)

Pace Nozick, there are social entities in *some* sense, even if that sense is less fundamental than the sense in which there are individuals. There is even such a thing as their flourishing: think of the various ways in which a team, a fellowship, a society, a partnership, or a business can—in a perfectly literal sense—do well or badly. None of these ‘social facts’ (to reuse Durkheim’s phrase) is reducible to facts about individuals. But all of them *presuppose* individuals: there can be individuals without any such social entities, but there can be no such social entities without individuals. If social entities exist and flourish, that flourishing is not a good that those social entities themselves can enjoy (in any experiential sense) or promote (in any agential sense). It is individuals alone who are pleased at the success of societies, and individuals alone who can take steps to realise or perpetuate such successes. *The flourishing of social entities is a good*—where it is a good at all—*only by being a good to individuals*. No converse statement is true. There is no good sense in which my health *only* matters insofar as it subserves the purposes of some larger association. Irreducibly, my health also matters *to me*.

The first axiom of political philosophy is therefore: *individuals first*. As the classical utilitarians saw, the whole point of political arrangements is to make things go better *for individuals*. Or as Adeimantus so nearly objects to Socrates

⁶ The image is there in Marx too, with most traces of its metaphorical origin effaced: “For Marxism, humanity is an organism, akin to a human individual as we ordinarily understand one. In *Grundrisse*, Marx even calls humanity an ‘organic whole’ or ‘body’” (Machan 2006, 235).

⁷ For more detailed criticism of Aristotle’s political thought, see Chappell (forthcoming).

(*Republic* 419a1), to design a political system that makes no *individual* more *eudaimôn* is peculiarly futile.

If it is objected, in classic Marxist style, that my “Individuals first” can only mean “Individuals of a particular ideological and historical sort first”, or that I have up my sleeve some ideologised account of happiness, I simply deny it. So far I have no commitments at all about the meaning of “happiness” or “individual”. Moreover, I am reasonably sure that all the conclusions I want about individuals and their happiness will go through on any plausible account of what individuals and happiness are, including the Marxist one: variations in the definitions of “happiness” and “individual” will cancel through.

This is not to deny that “individual” and “individualism” and “happiness” *can* provide an ideological cloak for various nefarious developments. Of course they can (as can the key concepts of Marxist theory⁸): indeed ideological cloaking is one of the distinctive ways in which the state, conceived as no more than a Bureaucracy, is apt to malfunction.

For a Bureaucracy, four sorts of malfunction seem especially typical. Three are the themes of objections to Bureaucracy familiarly pressed by MacIntyre: the relativism charge, the moral-vacuum charge, and (as just seen) the ideological-cloaking charge. A fourth charge is less insisted on by MacIntyre, though something like it has been well developed by other critics of the Bureaucracy conception and the libertarianism that goes with it. This is the charge of heartlessness.

No doubt the four charges are connected: it is because the Bureaucracy is apt to look morally uncommitted in itself that it is likely to take on whatever colour its participant citizens give it—both overtly and, more sinisterly, covertly. Furthermore, it is just its lack of moral commitment that makes a Bureaucracy look heartless. In itself, and as understood by Nozick, a Bureaucracy seems to have none of what Hilaire Belloc calls ‘corporate initiative’, the kind of generous impulse of compassion that leads, say, to the formation of the Churchill-Lloyd George or Attlee-Bevin welfare state.

These charges can be parried by a better understanding of what the Bureaucracy is for. I have already said that the Bureaucracy is there for the individual; the Bureaucracy is that conception of the state on which it is true that the state is there for the citizens, not the citizens for the state. The point of the Bureaucracy is to support the aspirations of individuals. (More below about what “support” means.) But one thing individuals aspire to do is participate in Communities—i.e. different versions of that conception of political organisation on which it is *not* precisely true that the state is there for the citizens, not the

⁸ Berlin 1969, 61–62: “There is a sardonic note (inaudible only to their most benevolent and single-hearted followers) in the words of both [Marx and Hegel] as they contemplate the discomfiture and destruction of the philistines, the ordinary men and women caught in one of the decisive moments of history. [Here] the two great prophets of destruction are in their element; they enter into their inheritance; they survey the conflagration with a defiant, almost Byronic, irony and disdain [...] When history takes her revenge—and every *enragé* prophet in the nineteenth century looks to her to avenge him against those he hates most—the mean, pathetic, ludicrous, stifling human anthills will be justly pulverised.”—In short, Marxism can be a good cloak for *ressentiment*.

citizens for it, since what individuals characteristically want in a Community enterprise is that they themselves should, in one way or another, be subsumed in it.

If then the Bureaucracy is there to support the aspirations of individuals, and Communities rank high among those aspirations, the Bureaucracy must also be there to support the aspirations of individuals to be involved in Communities, and indeed to support the aspirations of Communities themselves. But Communities will, as MacIntyre notes, express very different ideas of the good; and the Bureaucracy is equally committed to supporting all of them. The Bureaucracy cannot fulfil this commitment without being neutral between the different communities. No wonder, then, if any Bureaucracy appears to be, in itself, a moral vacuum, and to reflect nothing more objective than the differing preferences of its constituent individuals and Communities—whether by overt relativism, or covert ideological cloaking. For that neutrality is *the point* of the Bureaucracy.

The Bureaucracy's role is transcendental: not to achieve a substantive conception of the good, but to provide the preconditions without which no substantive conception of the good can be achieved. The point is a Kantian one, parallel to Kant's famous doctrine of the transcendental role of pure practical reason in ethics. In the individual, pure practical reason is not a commitment to a substantive notion of the good: it is a commitment to doing or being what any agent needs to do or be to pursue any substantive notion of the good. Likewise in political philosophy, the role that I propose for the Bureaucracy is not to pursue any particular utopia, but to *make possible* the pursuit of all manner of utopias. It is not only in the most familiar sense of the phrase that the sort of politics that concerns the Bureaucracy can be called "the art of the possible".

"Utopia will consist of utopias, of many different and divergent communities in which people live different kinds of lives under different institutions. Some communities will be more attractive to most than others; communities will wax and wane. People will leave some for others or spend their whole lives in one. Utopia is a framework for utopias." (Nozick 1974, 312)

The Bureaucracy's neutrality between different particular utopias or Communities is easily confused with relativism or moral vacuum; just as, in Kant, pure practical reason's neutrality between conceptions of the good is easily misinterpreted as subjectivism. But the Bureaucracy's neutrality is not contentless, any more than Kant's pure practical reason fails to lead to specific moral instructions to the individual. (There is of course a whole tradition, from Fichte to MacIntyre himself, of objecting to Kant that pure practical reason is contentless. I believe this tradition to be mostly mistaken, but cannot tell that story here.)⁹

Another familiar way of attacking this notion of pure practical reason, in the *political* deployment that I give it following Kant, is to deny that such transcendence is attainable. So MacIntyre writes:

"It is an illusion to suppose that there is some neutral standing point,

⁹ See Chappell 2005, ch.3.

some locus for rationality as such, which can afford rational resources sufficient for enquiry independent of all traditions [...] the person outside all traditions [...] has no adequate relevant means of rational evaluation and hence can come to no well-grounded conclusion, including the conclusion that no tradition can vindicate itself against any other.” (MacIntyre 1988, 367)

I waive the response, developed in the first part of this paper, that Kant is not in fact working “outside all traditions”.¹⁰ I simply ask: As an anti-Kantian point, how should this be taken? Not presumably as the denial of the thesis that there is some standpoint that is not itself a standpoint; no one worth five minutes’ thought will assert that. Then perhaps, as the denial of the thesis that there exists some standpoint from which all other standpoints can (interestingly, rationally) be assessed? But it is important to note that Kant does not need the very strong thesis that we get by putting the quantifiers this way round (“there is some standpoint such that for any other standpoint [...]”). His transcendental practical philosophy can get by with the much weaker thesis that for any pair of standpoints, there exists some standpoint from which they can be compared. Indeed he can make do with a weaker thesis still: that for *at least a good number of* pairs of standpoints, there exists some standpoint from which they can be compared. Since this last thesis is manifestly true, the moral is that Kant’s aspiration to transcendence does not prevent his ethics, and his politics, from becoming grittily practical.

Suppose the Bureaucracy is there, as I’ve suggested, to enable the pursuit of utopias. This commits the Bureaucracy to being more than a moral vacuum, even if it is and must be neutral between the utopias. Roughly, it commits the Bureaucracy to John Stuart Mill’s Greatest Liberty Principle: the liberty worth promoting and protecting is the greatest liberty for any consistent with the same liberty for all. More specifically, it commits the Bureaucracy to ensuring that each utopia and individual is not arbitrarily prevented from pursuing the goods that it cares about, by e.g. violence, murder, or coercion into someone else’s conception of the good.

One form of arbitrary prevention arises from extreme need. Is the Bureaucracy committed to doing anything to alleviate such need? I believe it is, precisely because extreme need is arbitrary prevention. (Recall Kant’s duty to assist the needy, which he derives directly from the categorical imperative itself.)

Here we come to the charge of heartlessness against the Bureaucracy conception of the state. That charge seems entirely justified against Nozick-style

¹⁰ I also waive the obvious point that, while no one can ever be outside *all* traditions, still outside *some* tradition is often a useful place to be: it can highlight problems that are real, but invisible to those within the tradition. So I have argued, in my “Why wasn’t Socrates a Cosmopolitan?” (forthcoming), that for most Greeks of Plato’s time the conflict between the universal principle of the *Crito* (“Harm *no one*”) and the *Euthyphro*’s indifference to the rights of slaves was virtually invisible. To them, the idea that slaves were among those whom we should never harm would have seemed a preposterously literalistic reading of the *Crito*’s principle, just as many gentlemen in early America would have thought it preposterously literal-minded to assume that the ‘All men’ who were ‘equal’ according to their own Declaration of Independence included those men (and come to that women) who were black slaves.

libertarianism, but can be accommodated by a better understanding of what the Bureaucracy should be.

Nozick offers a *historical entitlement* account of distributive justice: “whatever arises from a just situation by just steps is itself just” (1974, 151). If there was no injustice already present in a given distribution, and if no unjust transfers have taken place since, then there can be no injustice in the present situation. Nozick’s arguments for this account are three. First, he apparently takes the account to be self-evident, in something like the way of physical conservation principles: “if we start with justice, and we add nothing but justice, and, in particular, no injustice, how can we end up with injustice?” (Cohen 1995, 41). Second, Nozick thinks that anyone rejecting his account of distributive justice must accept a pattern-based account instead—egalitarianism or prioritarianism or something like that—and he offers cogent arguments against pattern-based accounts. Third, he describes his own project as that of providing a “potential explanation” of why certain developments have taken place in political philosophy, and why certain views of a broadly Lockean sort look plausible there, which derives the political from the non-political, i.e. moral, background (1974, 7–9). He disclaims any ambition to explain or defend the moral views that he finds in this background, which he identifies with “the law of nature in [Locke’s] *Second Treatise*”.

This third argument is almost, but not quite, an appeal to intuition. If it *were* an appeal to intuition, we could respond that the intuitions to which Nozick appeals run no deeper than the intuition that *when someone is in dire need, he can have a right to our assistance*. However it is not an appeal to intuition, but rather to the authority of Locke. And Locke writes this, though Nozick does not quote it:

“The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions [. . .] Every one, as he is bound to preserve himself, and not to quit his station wilfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.” (Locke, *Second Treatise* II. 2.6)

Locke himself tells us that others (and not only the direly needy) can have a right to our assistance—and that in virtually the same breath as he tells us about the rights of self-ownership and property that Nozick so much stresses.

This merely exegetical fact demolishes Nozick’s third argument for his account of distributive justice. The third argument was just the authority of Locke, and Locke’s authority is not on Nozick’s side at all; Locke recognises a duty to help those who are in need when we are not in need ourselves. To neglect this duty would be a breach, not only of justice, but specifically of distributive justice, because what the duty requires is precisely redistribution: from my surplus

to someone else's deficit. If there is, as Locke says, a duty to assist—and I see no reason to doubt that there is—then the existence of this duty destroys Nozick's first argument too, because it shows how his principle that “whatever arises from a just situation by just steps is itself just” is not only not self-evident, but not even true: it faces compelling counter-examples. Given the world's familiar vicissitudes, the situation where X is in dire need and Y is not can easily be a situation which has “arisen from a just situation by just steps”. An earthquake, for instance, does not arise by *injustice*. That does nothing whatever, if X is an earthquake victim, to abridge the stringency of X's right to Y's help, and of Y's duty to help X. Finally, the existence of a duty to assist also destroys Nozick's second argument for his account of distributive justice, namely that anyone rejecting it will have to accept an unattractive pattern-based account instead, such as egalitarianism. I agree with Nozick in rejecting egalitarianism (and I will resist the temptation to say that there is more than a whiff of egalitarianism in Locke's *Second Treatise*—or at least, I will resist the temptation to say more than this about it). When someone claims, like Jerry Cohen, that “in socialist perception, there is injustice in a system which confers high rewards on people who happen to be unusually talented” (Cohen 1995, 256), I just find myself having bizarreness reactions. If everyone has enough, why it should matter, from the point of view of justice, that some have much more than enough? Any argument that I can imagine for Cohen's ‘socialist perception’ will have to use the premiss that any inequality of distribution is intrinsically unjust. But that premiss is obviously false. How is it unjust for you to be, say, better at darts than me?

Perhaps what drives the ‘socialist perception’—more broadly, the theory of egalitarianism—is the thought that, where there is a marked inequality between the holdings or positions of A and B, this is bound to give A, who holds more or is better positioned, power over B, who holds less or is worse positioned. But this is highly doubtful; it would be absurd to say that your superior darts ability delivers me into your power, doubly absurd to say that it is *bound* to, and triply absurd to describe your superiority in darts as unjust because it inevitably so delivers me. There are many sorts of inequality, and they do not all cut the same way. If A is a publisher and B is a bank manager, A has positional power over B when B asks A to publish B's novel, and B has positional power over A when A asks B for a loan. Even differences in holdings of money, which no doubt is what egalitarians are mainly thinking of, need not deliver the poor into the hands of the rich, and need not in any obvious way operate unjustly. The fact that, say, Donald Trump is far richer than I am has no general tendency to deliver me into Trump's hands, and even in the special case where Trump and I are engaged in litigation, will not necessarily win the day for him.

Perhaps egalitarianism might also be derived from the thought that when I am allocating resources that I have the right to allocate, and when an indifference argument applies to those to whom I allocate, then I act irrationally if I do not allocate equal shares to all. But not even this thought seems correct. If I have the right to allocate these resources, then I will typically have discretion about how to allocate them. Where I do not have such discretion, that is most likely to

be either because the indifference argument does not apply, or else because I am in one of the familiar situations where we take equal shares as a mark of equal respect, and equal respect to be morally required. (Some decisions about wills, for instance, are like this—though even here not all.) But where I do have this discretion (as I sometimes do), I can without irrationality allocate the resources however I please, notwithstanding the indifference argument.

The thought that rationality always requires equal allocations *of all resources that I have the right to allocate* is wrong. Even if it were right, the words in it that I have just italicised would still be crucial. One capital issue between the egalitarian and the non-egalitarian is *which* resources ‘we’ have the right to allocate. Nozick says: Only those resources that we hold by just acquisition. I say: Only those resources that we hold by just acquisition, *plus* whatever else we need to appropriate to meet dire needs. The egalitarian, apparently, says, or just assumes, that we have the right to allocate *everything*. (Perhaps he holds that a refusal actively to allocate is tantamount to a decision to allocate by abstention. In this rejection of the act-omission distinction, and adoption of a global model of agency¹¹, the egalitarian shows up, interestingly, as the ally in political philosophy of the act-consequentialist in ethics. Now that’s what I call guilt by association.) So, for instance, Thomas Christiano quietly builds this assumption into his defence of egalitarianism by way of what we might call The Egregious Passive: “The key idea is that if there is a reason for any person *to be brought* to a certain level of well-being, then the same reason holds for every person *to be brought* to that level of well-being.” (Christiano 2007, 62, my italics) Who is supposed to have the right to do this “bringing”, and what are they allowed to appropriate in order to do it? The egalitarian idea that we at least start from the presumption that *everybody* has that right, and can appropriate *anything*, begs one of the main questions at issue. But to say, as I do, that there is a duty to assist the seriously needy which forms an important part of any plausible theory of justice is not to buy into any sort of egalitarianism.¹² All

¹¹ On these see further Chappell 2007, especially chts. 5 and 8 (available online at my OU webpage).

¹² Unless perhaps it is to buy into some sophisticated and diluted sort of egalitarianism such as that defended by Michael Walzer under the name “complex equality” (1983, 19–20): “The regime of complex equality is the opposite of tyranny. It establishes a set of relationships such that domination is impossible [...] complex equality means that no citizen’s standing in one sphere or with regard to one social good can be undercut by his standing in some other sphere, with regard to some other good. Thus, citizen X may be chosen over citizen Y for political office, and then the two of them will be unequal in the sphere of politics. But they will not be unequal generally so long as X’s office gives him no advantages over Y in any other sphere [...] So long as office is not a dominant good, is not generally convertible, officer holders will stand, or at least can stand, in a relation of equality to the men and women they govern.”

There is much to agree with in this passage. It brings out nicely, for instance, some of the deeper and less obvious reasons why political corruption matters so much. But it is not clearly an advocacy of any distinctively egalitarian thesis, unless it is egalitarianism to believe that all citizens in the state should (in general) be treated with equal justice, and (as a particular application of that general requirement) given equal protection against what Walzer calls “tyranny”. This requirement of equal justice is not, it seems to me, a requirement of *equality*; it is a requirement of *justice*. Thus I agree with the substance of Walzer’s thesis of complex equality, but disagree with him that it is well labelled egalitarianism.

justice requires is what we *do* have the right to bring about by redistribution via the instruments of the Bureaucracy: that every member of society should have a *minimally decent* level of well-being, resources, and opportunity. To say that is not to advocate a pattern at all; as many patterns are consistent with this requirement as are consistent with Nozick's own.

(“But why should an *individual* duty to assist, fulfilled by voluntary acts, imply a *state's* duty to assist, fulfilled by coercing individuals and appropriating their holdings?” The logic that gets us from the one to the other is Nozick's own. It is Nozick's view that the state's coercive rights depend entirely on what justice is for individuals. If his account of justice for individuals omits a vital duty of individuals to assist the needy, we may expect, by his own reasoning, that that omission will be mirrored by an omission in his account of what the state may permissibly constrain individuals to do.)

This much to develop the heartlessness objection to the Bureaucracy or minimalist or libertarian conception of the state. (Cheap dig: the Index to *Anarchy, State, and Utopia* contains no entry for “compassion”.) As I've said, this seems to be the really telling objection to Bureaucracy; the charges that MacIntyre makes most of in *After Virtue*, about relativism, ideological cloaking, and moral neutrality, are in danger of missing the whole point of the Bureaucracy. But even this charge can, as I've argued, be resisted. And when we articulate a notion of Bureaucracy that can deal with the charge of heartlessness, the upshot is that argument from the kind of evidence that Nozick allows himself will not get us to Nozick's Night Watchman State, but to something rather less minimal—a state that shares the Night Watchman's negative functions of preventing force and fraud, but also accepts a positive duty to assist those in serious need, i.e. those who fall short of a minimally decent welfare level.

This is the shape of the Bureaucracy once these four objections, and particularly the last one about heartlessness, have been given their due. Remember, we arrived at this conception from transcendental considerations alone. No particular conception of the good for humans is required to agree that agency within the state should be protected from violence, force, intimidation, or fraud (whether of external or of internal origin¹³), or that those in dire need should be assisted:

¹³ One important potential source of coercion and other illegitimate pressure on individuals can be either internal or external to a given society: it can also be both internal and external at once. This potential source is, of course, the activities of Big Business. I say ‘*potential* source’, because I wish to leave this issue open here. I am aware of the standard arguments of the Left, that the forces of Big Business effectively deprive many individual citizens of any worthwhile freedom at all, and that a political ‘individualist’ like Nozick is, in reality, no more than an ideological apologist for such forces.

As a matter of fact, I think the first of these claims somewhat exaggerated: in societies like the UK and the US, Big Business does deprive typical individual citizens of *important* freedoms, for example, often, of the freedom to compete with them; but it comes nowhere depriving them of *all worthwhile* freedom. But whether this claim is exaggerated *is* a matter of fact, and I do not wish to get into a factual debate here. What I do want to point out is that, *if* Big Business deliberately or otherwise deprives citizens of important freedoms, then for reasons given in the main text, the Bureaucracy will have a duty to counteract this effect. It follows that the Bureaucracy will then be obliged to appear as the friend of the individual citizen, and the opponent of Big Business, wherever such effects are appearing. This tends to show how the Left's second standard claim, about ‘individualists’ as apologists for Big

these conclusions will follow on any plausible conception of the good for humans.

Thus far the Bureaucracy, *and no further*.¹⁴ To go beyond these limited and minimal roles is to begin to articulate a particular conception of the human good; and this, I've insisted, is not the role of the Bureaucracy, but of particular Communities that live in the space created by the Bureaucracy. "Space" is a good metaphor here: even in its role of addressing dire need, the Bureaucracy needs to be understood as *removing obstacles* to Community. If the Community is a positive institution, promoting what Isaiah Berlin famously called "positive liberty", the Bureaucracy is essentially a negative institution, protecting¹⁵ Berlinian "negative liberty". I said before that the state is for the sake of the individual, not the individual for the sake of the state. We can add that the Bureaucracy is there for the sake of the Communities, not the Communities for the sake of the Bureaucracy.

If these are the characteristic advantages and defects of Bureaucracy and Community, it will be obvious how dangerous it is to confuse them.¹⁶ A Bureaucracy cannot rightfully usurp the Communities' claim to their members' enthusiasm, devotion, and loyalty. The Bureaucracy, to say it once more, is there for the citizens, not the citizens for the Bureaucracy. Conversely, the Communities cannot rightfully usurp the Bureaucracy's claim to coerce: a Community that is not freely entered into, and cannot be freely left, is not a Community at all but a form of slavery. A government which demands our devotion, *and demands it with coercive power*, is one familiar sort of political nightmare, the nightmare of totalitarianism that has tragically dominated so many human lives in the twentieth century. The other extreme would be a government which offered us

Business, is also an exaggeration. Though there is certainly a perturbing silence about the effects of Big Business on individual freedom in Nozick, at any rate political individualism *need not* invariably serve the interests of Big Business, and can be seriously deployed against them.

¹⁴ Well, not much further, though there is a pressure for other possible state functions to be included too. For instance, town planning involves appeals to aesthetic criteria, and it is hard to see how a refusal to allow a building to be built by Jones—on land that Jones owns, by Jones' legitimate contracts with construction firms, etc.—can be justified, within Nozick's framework, simply by the consideration that the building will be horrendously ugly. Again, rules can be legitimately imposed by the state simply in the interests of co-ordinating action. Driving on the left is a simple example: what does that have to do with acting against force or fraud, and enforcing contracts? If Nozick's Night Watchman State has no brief to co-ordinate action, or prevent the imposition of gross ugliness on society, in such simple and essential ways as these, that surely casts doubt upon whether it is the state that we want at all.

¹⁵ For more on protecting vs. promoting see Chappell 1998, ch.3; 2003; 2007, ch.6.

¹⁶ Some argue that, on the contrary, there are dangers in *not* running Community and Bureaucracy together. Alasdair MacIntyre might seem to be implying this argument in the first quotation in this paper, when he raises the question why anyone would die for the modern state. Lucas 1966, 292, as quoted by Nozick (1974, 351), spells the argument out in full: "A state which was really morally neutral, which was indifferent to all values, other than that of maintaining law and order, would not command enough allegiance to survive at all. A soldier may sacrifice his life for Queen and Country, but hardly for the Minimum State [...] Some ideals are necessary to inspire those without whose free co-operation that state would not survive." Nozick asks "Why does Lucas assume that the employees of the minimal state cannot be dedicated to the rights it protects?" I echo his rhetorical question. I also note the oddity of supposing that the social utility of belief in a given ideal is any argument at all for the truth of that belief.

nothing to be devoted to, but on the other hand did no coercion either. Such a situation is less common, but no one should think that life would be good in the absence of any sort of state protection from fraud and violence.

The astonishing thing is, of course, just how much in the history of political philosophy has depended on confusing the Community and the Bureaucracy, and arrogating to the Community what rightfully belongs only to the Bureaucracy, or *vice versa*: the political philosophies of Plato, Aristotle, Hobbes, Rousseau, and Marx cannot even be stated without committing this confusion.

But maybe that is now changing. We've already seen how Nozick effectively recognises the distinction that I've made between Bureaucracy and Community in the last chapter of *Anarchy, State, and Utopia*: to quote his illuminating slogan again, "Utopia is a framework for utopias" (1974, 312). But strikingly enough, Nozick is not the only political philosopher now taking the idea seriously. Here is John Rawls:

"I believe that a democratic society is not and cannot be a community, where by a community I mean a body of persons united in affirming the same comprehensive [...] doctrine. The fact of reasonable pluralism which characterises a society with free institutions makes this impossible. This is the fact of profound and irreconcilable differences in citizens' reasonable comprehensive religious and philosophical conceptions of the world, and in their view of the moral and aesthetic values to be sought in human life [...]" (Rawls 2001, 3–4)

And here is Michael Otsuka, who in his recent book expresses his commitment to a vision of

"a left-libertarian national confederation in which like-minded adults are permitted to found profoundly illiberal or inegalitarian towns, cities, or provinces so long as the confederation also contains liberal-egalitarian political societies to which individuals may migrate without difficulty." (Otsuka 2003, 130)

And here, finally, is MacIntyre—for now we come to the second MacIntyre quotation promised at the outset of this section's argument.

"A crucial turning point in that earlier history [the epoch in which the Roman Empire declined into the Dark Ages] occurred when men and women of good will turned aside from the task of shoring up the Roman *imperium* and ceased to identify the continuation of civility and moral community with the maintenance of that *imperium*. What they set themselves to achieve instead [...] was the construction¹⁷

¹⁷ We might worry about this talk of *constructing* new communities of virtue. Surely the point of a MacIntyrean community of virtue is that it's a historically authentic and organic development that happens spontaneously and unselfconsciously. How could such an unself-conscious entity be deliberately *constructed*? The quickest response, no doubt, is simply to deny that communities of virtue do have to be unselfconscious in this way. A sense of unease remains.

of new forms of community within which the moral life could be sustained so that both morality and civility might survive the coming age of barbarism and darkness. If my account of our moral condition is correct, we ought also to conclude that for some time now we have reached that turning point. What matters at this stage is the construction of local forms of community within which civility and the intellectual and moral life can be sustained through the new dark ages which are already upon us. And if the tradition of the virtues was able to survive the last dark ages, we are not entirely without grounds for hope. This time however the barbarians are not waiting beyond the frontiers; they have already been governing us for some time.” (MacIntyre 1981, 263)

For reasons that I’ve explained, I don’t share the pessimism of MacIntyre’s famous peroration to *After Virtue* about the possibility of “shoring up the *imperium*”, or accept his implied advice that we abandon that task, retreat into our Communities, and pull up the drawbridge behind us. As I’ve argued, we need the Bureaucracy as much as the Communities: we cannot credibly or sensibly pull up the drawbridge, as (e.g.) the great monasteries of Clonmacnoise, Iona, or Lindisfarne very sensibly did in the seventh to ninth centuries AD, both because the world beyond the drawbridge is nowhere near as chaotic as it was then, and also because we need to stay in a position to foster both the Bureaucracy and the Communities.

The interesting thing is that MacIntyre himself apparently no longer accepts *After Virtue*’s pessimism either:

“[. . .] every ruling power that asserts its legitimate and justifiable political and legal sovereignty over its subjects [must be able to] provide at least minimal security for its subjects from external aggression and internal criminality [. . .] But the good of public security, although it is a good served by [the] admirable devotion [of police officers, firefighters, and soldiers], and although it is a good without which none of us in our various local communities could achieve our common goods, must not be allowed to obscure the fact that the shared public goods of the modern nation-state are not the common goods of a genuine nation-wide community and, when the nation masquerades as the guardian of such a common good, the outcome is bound to be either ludicrous or disastrous or both [. . .] In a modern, large scale nation-state no such collectivity is possible and the pretence that it is is always an ideological disguise for sinister realities [. . .] insofar as the nation-state provides necessary and important public goods, these must not be confused with the type of common good for which communal recognition is required by the virtues of acknowledged dependence, and that insofar as the rhetoric of the nation-state presents it as the provider of something that is indeed, in this stronger sense, a common good, that rhetoric is a purveyor of dangerous fictions.” (MacIntyre 1999, 132–133)

On the evidence of this passage (and numerous others like it), MacIntyre and I have reached the same place by different routes. We agree on the need, given modern conditions, for both a Bureaucracy and a Community (or rather Communities). We agree that most of the political goods that make human life good are achieved in Communities, although some ‘executive’ or ‘transcendental’ goods need a Bureaucracy to achieve them. Above all, we agree that—at least in the conditions of modernity—the Bureaucracy is not and cannot be any sort of Community, and in particular, not a super-Community; and that it is extremely dangerous, and a source of pernicious ideological illusions, to confuse the Bureaucracy and the Community. My route to this conclusion was a Kantian argument which began from the question “What does any Community need secured for it, no matter what goods that particular Community distinctively aims at?”, and as it were ‘deduced’ the need for a Bureaucracy as the answer to this question. MacIntyre’s route to it is essentially subtractive: he starts from the notion of a Community, and then points out one by one, or at any rate by way of examples, the features in virtue of which a modern Bureaucracy is bound to fail to be a Community.¹⁸ However we get there, the striking thing is that we get to the same place, and that along the way certain other features of MacIntyre’s approach come into clearer focus.

For one thing, we come to see why MacIntyre is so adamant about the distance between his own views and communitarianism (Footnote 3). The communitarian typically takes it that our Bureaucracy can and should be a Community—a crucial mistake as I have argued, and as MacIntyre too now clearly believes. For another, we can now see, more clearly than in 1981, what *After Virtue* is getting at by complaining about the interminability of moral argument in our society. The real point is not what it all too readily seemed to be at the time, that moral argument is not but ought to be apodeictically cogent as the sciences are, and should procure this cogency by eliminating and/or rationalising large swathes of its own rather chaotic mix of inherited resources. Nor, come to that, did MacIntyre have any genuine need to invoke what in *After Virtue* he so often seemed to be invoking—most puzzlingly, given his own genius for the fine detail of the history of ideas: namely, the apparently uncritical notion of a golden age for practical reason. What really counts is MacIntyre’s thesis that Communities must be nurtured, because they are where humans achieve much the greatest part of the human good; and his concomitant view that the construction of Communities is a feasible (if dauntingly difficult) ambition for us today, living as we do in the context of the modern nation-state, because there are forms of Community that are worth the trouble of constructing or entering that can and do co-exist with the Bureaucracy. About all of this MacIntyre seems crucially right—and to have insights to offer that liberals like me can learn much from. I might go further still, and add that, properly understood, MacIntyre begins to look like a sort of liberal himself.

¹⁸ Though he now adds a different route: MacIntyre (2006a, 77) spells out the preconditions of dialogue between those who fundamentally disagree in a way which MacIntyre thinks Thomistic, but which to me looks remarkably reminiscent of Habermas’ account of those preconditions. See also “Toleration and the goods of conflict”, in the same volume.

I say this despite his continuing rejections of that description: see e.g. his 1995 paper “Three perspectives on Marxism”. He there gives three reasons why he rejects “liberal democracy” (MacIntyre 2006a, 153). The first of these reasons is that he thinks events have vindicated the Marxist prediction that “liberal democracy” would first domesticate and then destroy “effective trade union power”, leaving workers “returned to the condition of mere instruments of capital formation”. Even if this claim were true, it would not be an argument against ‘liberal democracy’ as such—any more than the fact that “truth” can be used as a name to cloak various lies is an argument against truth as such. In any case, I doubt the claim is true, at least in contemporary Britain. Union power has certainly been diminished here—though not because it sought or accepted “domestication” so much as because of its own strategically unwise militancy. And since the collapse of union power, it simply isn’t the case that “workers” (who are not, by the way, a Marxian proletariat, or anything like one) have been “returned to the condition of mere instruments of capital formation” that they occupied in, say, 1860 or even 1930. It does not seem, then, that the Marxist prediction has been fulfilled.

MacIntyre’s second reason for rejecting liberal democracy is that “liberalism is the politics of a set of elites, whose members [...] predetermine for the most part the range of political choices open to the vast mass of ordinary voters [...] entry into and success in the arenas of liberal politics has increasingly required financial resources that only corporate capitalism can supply [...] Liberalism thus ensures the exclusion of most people from any possibility of active and rational participation in determining the form of community in which they live.” (MacIntyre 2006a, 153) This seems an apt and accurate critique of something immediately recognisable and importantly dysfunctional. But not liberalism, or liberal democracy; what MacIntyre describes here is the US political system as it now operates. Hence what MacIntyre has hold of here is not a reason not to be a liberal. It is a reason to reform American politics. Indeed, it is a liberal reason to do that.

MacIntyre’s third reason for rejecting liberal democracy is that “the moral individualism of liberalism is itself a solvent of participatory community”:

“Liberalism in its practice as well as in much of its theory promotes a vision of the social world as an arena in which each individual, in pursuit of the achievement of whatever she or he takes to be her or his good, needs to be protected from other such individuals by the enforcement of individual rights. Moral argument within liberalism cannot therefore begin from some conception of a genuinely common good that is more than the sum of the preferences of individuals. But argument to, from, and about such a conception of the good is integral to the practice of participatory community.” (MacIntyre 2006a, 153–154)

This misses the possibility that I, following Nozick and MacIntyre himself, have been developing: that a close to minimal state, a Bureaucracy, might protect not only the legitimate negative liberties of individuals, but also, and as a necessary

part of that, the legitimate negative liberties of whatever Communities those individuals may choose to form or join. If that happens, then certainly, in one sense, “moral argument within liberalism” will not be able to “begin from some conception of a genuinely common good”. There is a distinction between moral argument between Communities, and moral argument within any Community. Naturally the first sort of argument cannot begin from agreement on the good: that it begins, instead, from transcendental considerations is (I have argued) its defining feature. That does not mean that the second sort can’t. Nor does it mean that the first sort of argument can take no rational form: as I have argued, its form will be transcendental. Here too I see no reason for MacIntyre to maintain his official self-exclusion from the liberal fold.

3. Conclusions: Two Historical Narratives—and Two Cities

My disagreements with MacIntyre, at any rate the MacIntyre of *After Virtue*, are important ones. But my agreements with his views, especially in their more recent forms, are more important (and the more I redraft this essay, the more salient they become). I have argued that MacIntyre’s viewpoint is best understood as at least compatible with liberalism, perhaps even as a version of liberalism. If we are called on by MacIntyre to build Communities, that is a calling that the liberal can accept too; if we were called on by the MacIntyre of *After Virtue* to reject the Bureaucracy, that is a calling that no sensible person should accept—and especially not the liberal, because the liberal is in a good position to articulate what is *good* about the Bureaucracy.

But then, MacIntyre himself apparently no longer thinks that we should reject the Bureaucracy:

“[T]hose who practise the virtues will have a double attitude to the nation-state. They will recognise that it is an ineliminable feature of the contemporary landscape and they will not despise the resources that it affords. It may and on occasion does provide the only means for removing obstacles to humane goals and we all have reason, for example, to be very grateful indeed to those who secured the passage of the Americans with Disabilities Act and to those who have used its provisions constructively and creatively. But they will also recognise that the modern state cannot provide a political framework informed by the just generosity necessary to achieve the common goods of networks of giving and receiving.” (MacIntyre 1999, 133)

To the extent that he now accepts the need for a Bureaucracy alongside our Communities, and tells us to engage with it, albeit cautiously, MacIntyre is, at least, closer to liberalism than he used to be.

For us now, I suspect, no credible political vision could be other than liberal in one sense or another. But the reasons why that is so are, I take it, deeply historical ones. I completely agree with MacIntyre that history has a role in securing (or undermining) both moral theory and the rationality of moral action. It is

just for that reason that I am myself a liberal—because I simply do not find any deeply non-liberal position so much as rationally tenable (let alone convincing) at this stage of our history. I therefore think that there is a quasi-MacIntyrean story to be told about how and why liberalism has become rationally unavoidable for us. However exactly it goes, one upshot of that story must be that there can for us *as a whole society* be no going back to anything like the ancient unities of the Athenian *polis*. This too MacIntyre now explicitly accepts:

“[T]he notion of reviving the *polis* at some later time—not only a recurrent phantasy of some eighteenth- and nineteenth-century romantics, but a phantasy recurrently imputed to Aristotelian critics of modernity, such as myself, no matter how vigorously we disown it—has always been absurd, as the emperor Hadrian unintentionally demonstrated, when he tried to restore the *polis* by imperial edict.” (MacIntyre 2006a, 5)

If those ancient unities are to be recovered anywhere, it will have to be in a particular Community sharply distinct from the rest of society—and so in at least one crucial way radically unlike the Athenian *polis*. Another upshot will inevitably be that it is not rationally tenable for us to reject either the eighteenth-century intellectual and moral achievement that we call the Enlightenment, or the twentieth-century achievement that we might call the globalisation of ethical concern. We can of course criticise and refine the details of those intellectual programmes. But we can no more dis-invent their achievements than we can reconvene the Spanish Inquisition. If I am disagreeing with MacIntyre here—but I doubt I am—I am disagreeing with him on historical grounds, of a sort that he might recognise.

Likewise, I began by questioning the historical narrative of *After Virtue*. But I did that because I disagreed with *that* narrative, not because I deny that historical narratives are philosophically important. The historical narrative I should wish to tell—this is the narrative that I think supports my own liberal political philosophy—is a modester and in some ways even a more pessimistic story than *After Virtue*'s; it is certainly a less racy and less shapely narrative. The short name for it is “the cock-up theory of history”. Versions of parts of it have been offered by Isaiah Berlin; his finest contribution to the telling of this tale is perhaps his wonderful denunciation of the notion of “Historical Inevitability”.¹⁹ It is a narrative that places us on Dover Beach, listening to the “turbid ebb and flow Of human misery”, and to ignorant armies clashing by night. It is a tale of continual failure, repetition, and reinvention of the wheel (sometimes, as Bernard Williams tartly remarked of Philippa Foot's neo-Aristotelianism, of the reinvention of the *square* wheel). It is a tale both tragic and farcical; a story, in sum, of beings who given the necessary imperfections of all interference, need

¹⁹ Berlin 1969, 43: “Comte's conception of sociology pointed him in [the direction] of one complete and all-embracing pyramid of scientific knowledge; one method; one truth; one scale of rational, 'scientific' values. This naïve craving for unity and symmetry at the expense of experience is with us still.”

to be as free from others' interference as possible, yet also need some arena in which to pursue their own high ideals.

This vision of an imperfect public world which stands alongside utopian aspirations that (so history repeatedly teaches us²⁰) are best not imposed on it, but expressed some other way, is certainly a liberal one. But it is one that MacIntyre seems to share: see his remarks about a 'double attitude', quoted above. It is also - and here we come, finally, to my deepest agreement with MacIntyre—a Christian, and indeed an Augustinian, vision:²¹

“The city of God we speak of is the same to which testimony is borne by that Scripture [...] For there it is written, "Glorious things are spoken of you, O city of God- [...] From these and similar testimonies [...] we have learned that there is a city of God, and its Founder has inspired us with a love which makes us covet its citizenship. To this Founder of the holy city the citizens of the earthly city prefer their own gods [...] I will endeavour to treat of the origin, and progress, and deserved destinies of the two cities, the earthly and the heavenly, which [...] are in this present world commingled, and as it were entangled together [...]" (Augustine, dCD XI.1)

St Augustine was in more than one mind about how to read history, inclining sometimes, like MacIntyre and Hegel and Marx, to see a particular providence expressing itself through history's grandest architectonic conceptual and cultural changes, at other times, like me and Berlin, to see a much more inscrutable and much more chaotic picture.²² But perhaps that indeterminacy between a *grand récit* and a Dover-beach darkling-plain picture is just what we should expect, if there really are, as Augustine claims, two cities, and if Christians like MacIntyre and me find ourselves landed, one way or another, in both.²³

Bibliography

- Augustine, St (1972), *The City of God*, tr. Owen Chadwick, London
 Belloc, H. (1911), *The French Revolution*, Oxford
 Berlin, I. (1969), *Four Essays on Liberty*, Oxford
 Chappell, T. (1998), *Understanding Human Goods*, Edinburgh

²⁰ In the words of the 'beat poet' Steve Turner:

“History repeats itself.
 Has to.
 No one listens.”

²¹ MacIntyre in fact denies, surprisingly perhaps, that the church is an example of what he means by a Community.

²² As evidence that the providential and chaos theories of history are not, in the last analysis, incompatible—not at least for a Christian—I cite the greatest poem of the nineteenth century: Hopkins' *The Wreck of The Deutschland*. A citizen of both Augustine's cities may perhaps say that he sees the chaos *qua* citizen of the one, and the providence *qua* citizen of the other.

²³ Thanks for helpful discussion to Russell Keat, Anton Leist, Tim Mulgan, Jon Pike, Sean Sayers, Raj Sehgal, and other participants at the Radical MacIntyre conference at London Metropolitan University, July 2007.

- (2002), Two distinctions that do make a difference: The Action/Omission Distinction and the Principle of Double Effect, in: *Philosophy*, 77(2), 211–233
- (2003), Practical Rationality for Plurality about the Goods, *Ethical Theory and Moral Practice*, 6(2), 161–177
- (2005), *The Inescapable Self*, London
- (2007 version), *Ethics and the Vision of Value*. Online at: <http://www.open.ac.uk/Arts/philos/chappell-drafts.htm>
- (forthcoming), Aristotle's Naturalism, forthcoming in: Balot, R. (ed.), *The Blackwell Companion to Aristotle's Political Thought*, Oxford
- Christiano, T. (2006), A Foundation for Egalitarianism, in: Holtung N./Lippert-Rasmussen, K. (eds.), *Egalitarianism*, Oxford
- Cohen, G. A. (1995), *Self-Ownership, Freedom and Equality*, Oxford
- Foster, M. B. (1937), A Mistake of Plato's *The Republic*, in: *Mind* 46, 386–393
- Hegel, G. W. F. (1820), *The Philosophy of Right*, Numerous editions.
- Horton, J./Mendus, S. (eds.) (1994), *After MacIntyre*, Notre Dame
- Knight, K. (ed.) (1998), *The MacIntyre Reader*, Cambridge
- Locke, J. (1690), *Essay concerning Human Understanding*, Numerous editions.
- Lukas, J. (1966), *1966, The Principles of Politics*, Oxford
- Machan, T. (2006), *Libertarianism Defended*, London
- MacIntyre, A. (1981), *After Virtue*, London
- (1988), *Whose Justice? Which Rationality?*, London
- (1990), *Three Rival Versions of Moral Inquiry*, London
- (1999), *Dependent Rational Animals: Why Human Beings Need the Virtues*, Chicago
- (2006a), *The Tasks of Philosophy: Selected Essays 1*, Cambridge
- (2006b), *Ethics and Politics: Selected Essays, volume 2*, Cambridge
- Nozick, R. (1974), *Anarchy, State and Utopia*, Oxford
- Otsuka, M. (2003), *Libertarianism without Inequality*, Oxford
- Rawls, J. (1971), *A Theory of Justice*, Oxford
- (2001), *Justice as Fairness: a Restatement*, Cambridge
- Rousseau, J.-J. (1763), *Du Contrat Social*, Numerous editions.
- Turner, S. (1980), *Up to Date*, London
- Walzer, M. (1983), *Spheres of Justice*, Oxford
- Williams, B. (1985), *Ethics and the Limits of Philosophy*, London