

Epilogue

Michael Novak

Not a few of the essays in *Freedom, Virtue, and The Common Good* open with an allusion to the moral “crisis” of our time, and even more, by the time they reach their final lines, express a certain dismay at the “malaise” and infirmity of the moral life—and moral thinking—of our society. Well they should.

The reader notes, too, the immense learning reflected in these pages. How many hours, days, years went into the reading of and reflection on documents ancient and new in order to produce these essays.

Still, arduous efforts yet await us before we can make our work as a philosophical society bite into the realities of our current civilization as the work of our models, Jacques Maritain and Yves R. Simon, altered the realities of theirs. Consider the role of Maritain in inspiring the worldwide movement of Christian Democratic parties and in helping to found UNESCO, as well as to formulate the Universal Declaration of Human Rights. The work of Simon was, perhaps, more purely philosophical and yet it, too, was directed toward expounding the moral foundations of democracy, the common good, authority, and moral liberty, in preparation for the new world order that both of them, and their colleagues, hoped would follow on the successful conclusion of World War II. Both thinkers took controversial positions on hotly contested issues of their generation, such as opposition to the Vichy government of France, the role and limits of existentialism, the Civil War in Spain, and the character of “real existing Socialism.”

Both of these masters understood quite well the nobility and limits of the philosophical vocation, its “poverty and misery,” and its high moral demands. But they also knew themselves to be incarnated historical creatures, called to master the maelstrom of their

own time (surely even more confusing and desperate than our own) and responsible in their time and place for speaking to the needs of their fellow voyagers through that time. Indeed, it is not possible to read their work without seeing how many of their keenest insights arose from the pressure—necessity even—to find ways out of the sharpest contemporary perplexities. Far from being disengaged, they were—Maritain, in particular, was—on the front line of social disputes and creative (that is to say, bitterly contested) practical arguments about the shape of postwar institutions. They were philosophers first, but also philosophers of the concrete and the practical. (Again, this is more true of Maritain than of Simon; yet even the latter had a sharper prudential eye than he is often given credit for even by his followers.) When historical duty called, they did not hesitate to become publicly committed—to choose *this* course rather than *that*, and to accept responsibility for the “ideology” implied by such practical action.

Thus, in reading through this book I asked myself: What comes next? What would Maritain and Simon have us do now? The example of what they did offers clues.

Now that the two great totalitarianisms that dominated their lifetimes—Fascism and Communism—have been defeated, we need an equivalent to Maritain’s *True Humanism*, a statement of a proximate practical ideal for the civilization to come. We need an analysis of the great philosophical-cultural forces at play on the stage of our era, and an inspiring statement of the best practical response to them. That we *ought* to produce such a response may be taken for granted, since we are bound by the example of those whom we have chosen to be our masters. *Freedom, Virtue and The Common Good* does not take this last step, but it does suggest some steps that need to be taken *before* that vision can be set forth.

In “Private Morality and Public Enforcement,” for example, Peter Redpath takes one such step and points the way to further necessary steps. He takes up “two positions” on the limits of government enforcement of private morality, Mortimer Adler’s and mine, that appear to him, on first glance, as he puts it, “somewhat odd, to say the least; yet at the same time I think they are in a way expressing truths about the nature of political government which are traceable to St. Thomas, and which, if framed in a slightly different fashion, can throw a great deal of light.” In other words, he finds in Adler and myself a distinction about governmental enforcement of morality that, on the face of it,

seems “liberal,” not Thomist, and yet it evokes in his memory an oddly Thomistic echo. He then explores this hunch and validates it.

This first experience of oddity and then, on reflection and in a slightly different frame of reference, of recognition of something familiar, is altogether common among those brought up in the tradition of natural law, practical wisdom the virtues, and the philosophy of being, as they begin to explore the roots and intellectual grounding of the Madisonian “commercial republic.” This sense of oddity, indeed, lends some real credence to an observation made by the followers of Leo Strauss, *viz.*, that a decisive rupture yawns between the ancient (including early medieval) world and the modern world. Words and concepts no longer mean the same thing. Starting points are quite different. From the ancient and medieval point of view, modern thinking is off-kilter, inefficacious. Every time one tries to mediate between the one and the other, the Straussians say, the rupture between these two incompatible intellectual horizons causes dissonance and shock.

Politically speaking, of course, large stretches of today’s world still live under authoritarian systems of the type known to the ancients and medievals—under sheiks, ayatollahs, and kings; under dictators and authoritarian presidents; under party chiefs and ruling committees. Paternalistically, whether with benevolence or with indifference, such rulers still have autocratic sway over the common good; and the personal rights of their subjects have only so much freedom of exercise as their rulers permit. Quite often, this is not much. Unique in world history, and now established in only a few places, is a regime of the Madisonian type, whose *government* is limited, constitutionally confined, and self-confessedly incompetent (“shall make no law”) concerning the free exercise of religion (conscience), nor restricting the freedom of the press and speech; and whose *economy* is to an unprecedented degree free of state management and control. In such regimes the people are sovereign, and governments are not exactly democratic (under unchecked majority rule)—since everyone fears tyranny by a majority—but more precisely of a type called the democratic republic, characterized by constitutional limits, the rule of law, checks and balances, and representative government. The economic order of such regimes, unlike those in ancient, medieval, or other modern states, is not controlled, managed, and directed by government officials. Rather, it is organized to offer social supports to the economic creativity, initiative, and enterprise of individuals (working, mostly, in free associations and linked cooperatively by a desire to conclude multiple and long-term acts of mutual consent).

The intellectual roots of such a novel type of human polity—a kind of *novus ordo seclorum*, to use the motto chosen by its founders—reach back through medieval thinkers to ancient times, and not last to the Jewish and Christian scriptures, it is true. Nonetheless, it must be confessed that many of the insights making such a system practical awaited modern discovery. Further, these new insights (“the new science of politics”) require modes of reasoning that extend ancient and medieval thinking in new ways. Neither ancient nor medieval modes of thinking, not those, at least, of the *philosophia perennis*, are stationary, closed, fixed, and nonhistorical. The *philosophia perennis*, is, in principle, open to development. From systems that are in accord with the truth about human nature and human liberty, it not only can learn but it must learn. Its vocation is to follow truth where it leads, through following evidence.

In *The Tradition of Natural Law*, Yves R. Simon makes a distinction between the objective, eternal realities that are the object of philosophy, properly so-called, and the historical, contingent events that are suffused with aspiration, vision, and dream that are proper to ideology.

Regimes of the Madisonian type are, today, both a historical reality and systems in pursuit of a dream. They claim to represent, to some unpretentious and determinable degree, “the system of natural liberty,” that is, a systemic representation of what the truth about human liberty in society demands. This is a claim about truth. “We hold these truths,” the Continental Congress declared on July 4, 1776.

Of course, July 4 was an event in history, one pregnant with “aspiration” rather than with fulfillment. To this extent, one must confess, in the distinction drawn by Yves R. Simon, “We hold these truths” is an expression of “ideology” rather than of merely objective, detached, nonhistorical philosophy. As Simon points out, however, an ideology of this sort is not necessarily lacking in philosophical truth about human nature. Hear him out:

In spite of all the dangers of error to which every ideological belief is exposed, let it be repeated that the content of an ideology is not necessarily at variance with the truth of philosophy. . . . What expresses the aspirations of a society may also express a real state of affairs. *That society is blessed whose aspirations coincide with truth.* No doubt something can be done to promote such happy coincidence. (*The Tradition of Natural Law*, p. 24, italics added.)

To promote the coincidence between ideology and truth is, of course, one historical mission of the philosopher. There are many

accidental reasons why the philosopher *qua* philosopher is not likely to have the practical experience and the resulting prudence necessary for guiding concrete action. Philosophy, in Simon's view, is strictly about the universal eternal truth in things, and not about the historical visions to which humans aspire. But regarding national aspirations, the philosopher can contribute some distinctions and some standards by which to measure their degree of truth. "The need for such an ability is obvious when there is a question of contributing as much truth as possible to the visions which animate a community, to its role in mankind and history—to its ideology, if this word could be freed from all bad connotations" (*ibid.*, p. 26.) In short, the term ideology does have a good use, related to the degree of truth it attains.

"Without a vision, the people perish," *Proverbs* admonishes us. Simon has no hesitation in praising the visions which express the concrete vocation of particular peoples. "It is too bad," he complains, "that philosophers should generally be so ill-prepared to understand the contingencies of political history, for their help is certainly needed to formulate, in a spirit of uncompromising objectivity, the visions which express and inspire the vocation of a people." He commends Jacques Maritain for formulating a good phrase for this necessary and useful kind of ideology, as Maritain did in *True Humanism*: "a concrete historical ideal."

Like other philosophers, Thomists too may be "ill-prepared to understand the contingencies of political history," through not having mastered the philosophical underpinnings of the modern Madisonian republic, with its novel capitalist economy. Even if in the end one rejects such a philosophy, the mastering of a dozen or so basic concepts is required, just to understand it well. It is necessary to test each of its basic philosophical propositions, such as those about the nature of human action (e.g., von Mises), the tacit tradition of experience (e.g., Hayek), catallaxy (a process quite different from what Professors Cochran and Rourke, *supra*, call "chance"), and the organizing cooperative function of markets as a computer-like instrument of human order. Traditionalists are often especially weak in their grasp of the logic of the commercial side of the commercial republic. Many are content merely to reject ideological slogans with which they do not agree, without looking into the empirical arguments that are far more complicated, and have more lasting value, than the slogans.

To some extent, the regime of self-government of the Madisonian type came into existence by historical trial and error and sometimes

through tacit rather than explicit modes of understanding. But to a certain extent, in addition, its coming into existence also depended upon explicit intellectual argument. In fact, arguments were made for it well before its historical triumph. One small example, of which Madison himself was extraordinarily proud: It had been believed at least since the time of Aristotle that for a democracy to succeed, it had to be practiced in a very small area, no larger than one that could be reached by a single human voice in a democratic forum. In small city states like Athens or early Rome, with a very small circle of free men, this could be accomplished. But the young Madison himself saw that, in historical practice, the small-sized democracy was often in fact subject to the mischief of factionalism, including “the superior force of an interested and overbearing majority” (*Federalist* 10). Therefore, he proposed a new theory, also based upon his own historical observation: *viz.*, the principle of “the enlargement of the orbit” (*Federalist* 9). His new hypothesis was that the republican regime is safer in a larger territory (such as that of the federation of all the States of the eastern seaboard in 1787) than it would be in any single smaller state. His reasoning was that in separation each single state could too easily be governed by a majority organized by a single clique of powerful families disdainful of “the rights of the minor party” (*Federalist* 10). In the larger orbit, however, he reasoned, each of these power centers would be balanced by the many others thriving in the other thirteen states. Thus, those whose rights were being violated could make appeal to the body of the whole. Therefore, in the larger orbit, the rights of individuals and minorities would be better defended than in the small jurisdiction.

Madison’s argument, of course, was crucial in the ratification debates, state by suspenseful state, for the new Constitution of 1787. In *Federalist* 14, the young Madison boasted of the historical originality of the American conception, against the revered background of the long history of political philosophy. Indeed, this originality is celebrated in the motto chosen by the founders for the Seal of the United States: *novus ordo seclorum*, with its striking emphasis on *novus*.

Another difficult conceptual breakthrough is visible in *Federalist* 10 and 51, in the theory of factions. Against the notion that a Union will require the topdown imposition of a conceptual order—i.e., what Friedrich Hayek calls “the rationalistic fallacy”—Madison argues that the mischief of faction cannot be prevented by removing the causes of factions. He further argues that relief from the mischief of factions is

to be sought by means of controlling their effects by the “extent and proper structure of the Union,” providing “a republican remedy for the diseases most incident to republican government” (*Federalist* 10). An order produced in this way has the added advantage of protecting a free people from the tyranny of a majority. Here, in making sure that there are many factions, and that the very multiplicity of these factions works in a mysterious, counter-intuitive way toward order, Madison draws on insights of Hume, Montesquieu, and Adam Smith.

For more than a generation before Madison, both in France and in Scotland, there had been sustained reflection on the problem of liberty and order. Such thinkers as Montesquieu and Smith had formulated two novel modern insights. First, they discerned and formulated the principle of unintended consequences, especially the unintended consequences of the social decisions taken by kings or other authorities in every polity. Unlike God, the human being is finite, and particularly so in insight into the future, including the future consequences of present large-scale actions. Whereas God’s mind is able to have a simultaneous and perfect insight into every single detail in every moment in history (even the number of hairs on a human head or the condition of each lily of the field), no human mind is of comparable power. Therefore, actual consequences are always working out quite differently from the intentions of human rulers. These rulers do not—they cannot—know the full concrete panoply of the consequences that flow from their decisions. As Reinhold Niebuhr loved to put it, irony is the primary characteristic of human politics.

Secondly, Montesquieu and Smith (the latter drawing on the historical essays of David Hume, as well as on such great predecessors as Adam Ferguson, Francis Hutcheson, and the Salamanca School in Spain) began to look at commercial societies in a way very unprecedented in the tradition of the ancient and the medieval writers. Most of the ancients and medievals (but not all the fathers of the church) had disdained commerce as an inferior human activity. Most had a preference for the aristocratic way of life and some form or other of an aristocratic regime (“the rule of the best”). In historical fact, of course, aristocratic regimes had led a long and most unnecessary series of wars and military campaigns, based upon the pursuit of glory, riches, and pride of arms. Throughout history, the condition of the lower classes—the large majority—remained that of *les misérables* (Victor Hugo). By contrast, the motto of the port city of Amsterdam was *Commercium et Pax*. There is something about commerce that tames the heroic,

warlike virtues and instructs men to prudence, relative gentleness, farsightedness, respect for the rule of law, and a preference for peace rather than annual war. Montesquieu, Adam Smith, and others came to think that the dynamic core of ancient and medieval regimes—the pursuit of power—should give way to a new dynamic core for modern regimes: the pursuit of plenty. This would be, they argued, better for the large majority of the “subjects” of these regimes.

The first liberals argued that under new modern regimes, built on a different sociological basis, “subjects” should become “citizens.” The principle of republican self-government—of government of the people, by the people, and for the people—should become the new concrete historical ideal. To be successful in practice, however, such an experiment would have to be based on some other elite than the three classical elites: the aristocracy, the clergy, and the military. Although ancient and medieval writers had despised commerce, the liberals argued, a regime whose most significant social class was the new commercial and industrial class, the growing middle class, would be more inclined to be peaceful, law-abiding, concerned to maintain a prosperous and progressive social order, inclusive, open, prudent, virtuous, and less vain-glorious, idle, and self-destructive. Such were, as Albert O. Hirschman (who does not approve of them) puts it, “the arguments for capitalism before its triumph.”

Although I have not mentioned all the crucial arguments, only a small sample of them, it is obvious that most of these new arguments flew in the face of the received and conventional wisdom of the ancient and medieval tradition. Furthermore, most of these new insights are counter-intuitive. They do not spring from premises by logical deduction. On the contrary, they arise out of careful observation of the way history has actually worked, combined with strikingly fresh hypotheses about how to escape from the constant repetition of historical mistakes. The emphasis is on finding a “breakthrough.” The preferred method is inductive.

Even in the seventeenth or eighteenth century, the social condition of the large majority had not been substantially changed since the time of Christ. Indeed, the politics of the past had kept the large majority of human beings in varying degrees of misery and subjection. Therefore, it was incumbent on philosophers and practical statesmen to find “a new science of politics” and even to invent a new science altogether, that of “political economy.” The accomplishment of the latter would entail new and sustained reflection on how the economic

world actually works, as distinct from how the conventional wisdom of the past pictured its working.

To recount even the highlights of this intellectual and practical history would take us too far afield. But perhaps I have said enough to conclude on three points. First, most of us (I include myself) have not yet paid enough attention to the rupture between the modern and the ancient/medieval traditions, and particularly to placing in appropriate order the large number of original modern insights into political and economic realities. Secondly, we have not carefully diagnosed the inadequacies of those modern philosophies that attempt to articulate the philosophy of liberty. The latter, after all, develop only weak, hesitant, and self-admittedly anti-intellectual defenses (Rorty) of the fundamental ideas of free societies. Thirdly, we have yet to provide an alternative statement of the intellectual foundations of the free society. Such a statement would both draw upon and add to the tradition of the *philosophia perennis* and the Jewish/Christian anthropology with which it has been in many-centuried dialogue. Maritain and Simon began this task, but they did not complete it.

The present volume, for all its many and varied small contributions to the overall design, still falls short of presenting such a statement. It does not yet present a formidable “concrete historical ideal” for societies that now try, however inadequately, to represent “liberty, virtue, and the common good.” In that larger task, however, if this volume is not yet the beginning of the end, it may well mark the end of the beginning. As God is in the details, so larger visions always depend upon many well-done smaller pieces of work. Conscious of working toward greater things to come, that is the contribution appropriate to our generation and to this volume.