George Grant and Modern Justice

Gregory S. Butler

IN THE POPULAR PRESS one is increasingly presented with the common opinion that the modern political world is characterized by an ongoing struggle between the forces of totalitarian socialism and the forces of enlightened democratic liberalism. Recent events in Eastern Europe and the Far East have fueled the perception that the two forces are essentially contradictory and imply vastly different interpretations of man, politics, and society. This perception is perhaps understandable since the decline in power of the two great totalitarian empires of the twentieth century has been attended, in each case, by the strong and vocal presence of liberal democrats. Therefore the choice between totalitarianism and liberalism would appear as one of the most fundamental political issues of our time. Indeed, some have gone so far as to suggest that on one level the choice has already been made in decisive fashion. Francis Fukuyama's recent essay entitled "The End of History?" has sparked lively debate over the possibility that the age of the ideological and totalitarian interpretation of man in history is over and that democratic liberalism has won the war on the level of political theory if not yet actual political practice. It is only a matter of time, it is argued, before the Marxist world finally collapses and recognizes once and for all the truth of the liberal understanding of justice.

While I believe such ideas are thought-provoking and worthy of study, I also believe that they indicate a basic misunderstanding of the nature of modern liberal justice. My aim in this essay is to question the common opinion that totalitarianism and liberalism are essentially contradictory interpretations of man and society. Drawing on the work of George Grant, I shall argue that the contradiction is really within liberalism itself, and ultimately the contradiction is one that encourages liberal regimes to act as unwitting theoretical accomplices in totalitarian politics. If valid, this argument would call into question the value of the persistent liberal rhetoric concerning freedom and human rights, and would cast doubt on the notion that the two ideologies are meaningful alternatives to one another in anything but the short term. It may turn out that liberalism and its assumptions about justice are not sufficiently independent of the assumptions of totalitarianism to justify the late death sentence of modern ideological politics. Such a proposition would certainly carry with it some far-reaching implications. Are we further away than we thought from a resolution of the crisis of modernity? How well prepared is the West to deal with the collapse of Marxist ideology? And, perhaps most importantly, how close is the West to undermining the claims of its own liberal ideology by participating in the

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same systematic denial of equal justice that it has historically deplored?

George Parkin Grant is a contemporary Canadian political philosopher who has written extensively on the subject of modernity, and has done so in terms which help clarify the complex relationship between totalitarian and liberal varieties of modern justice. Part of what makes Grant a useful figure is his practice of understanding the modern world in terms of its philosophical and spiritual origins, or its root premises about what human beings are. For Grant it is a mistake to overemphasize the differences between liberal and totalitarian political thought precisely because they have a common philosophical patrimony. The reasoning process that produced the contractarian view of justice

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is the same process that later produced the ideology of control-oriented "scientific socialism," whether of the National Socialist, Marxist, or "technocratic" type.

In explaining Grant’s position it might be best to start with a brief overview of exactly what is meant by the liberal or contractarian idea of justice. John Locke, the great progenitor of the idea, argued that the primal truth of human existence is revealed through the imaginative recreation of the "state of nature." Under the conditions of this pre-civilized and pre-political existence human beings are given no "innate" knowledge of the highest human good (summum bonum); in fact, the only goods they are given in common are the goods of the material creation. Ultimately it is from the basic truth of the state of nature that Locke’s understanding of politics and justice is constructed. As radically autonomous individuals human beings have no natural inclination to seek communion with their fellows through participation in the life of the polis. Indeed, relations with other autonomous individuals are apt to be quite unpleasant at times. The empiricism of Locke leads him to conclude that individuals by nature are driven by certain passions, with the primary one being the passion for self-preservation. Conflicts inevitably arise, and consequently life is filled with some serious "inconveniences."

Fortunately, however, Lockean man is also endowed with a rudimentary capacity for rational calculation, and it is out of this capacity that justice and politics are rescued. Reflection on life in the state of nature prompts us to recognize that our common quest for individual self-preservation and commodious living will be more successful if we all agree to lay down certain rules of behaviour. In forming this “social contract,” we agree to establish a political power responsible for creating certain convenient arrangements which will best allow all individuals to lead a life of comfortable preservation as each sees fit, provided each does not infringe on the like interests of others. This process of creating such pragmatic arrangements is the essence of what is meant by the liberal or contractarian view of justice. It is a view which claims to be both empirical and scientific; it rejects the view that man can discern from the nature of things a knowledge of the highest good which goes beyond the basic tenets of liberal morality itself. Our knowledge of what constitutes public justice cannot be derived from what cannot be known. It is for this reason that liberalism is committed to the privatization of what later came to be called non-empirical "values," and why justice is understood exclusively in terms of contractual arrangements among consenting adults. The Lockean idea of self-interest and the privatization of spirituality and metaphysics as the key components of justice seemed tailor-
made for resolving the political and social fragmentation which followed the breakup of medieval Christendom and the surge of post-Reformation apocalyptic revolutionary fervor. Under the influence of liberal political thought, and through the practical medium of limited consent-based constitutional government, Western man could hope at last to free himself from the oppressive and arbitrary will of theocratic and nationalistic political power.

The basic thrust of the contractarian view of justice continues to exert a powerful influence on the Western political mind, in part because the basic social conditions of intellectual, religious, and cultural fragmentation have persisted. Grant cites as evidence the highly influential defense of liberalism represented by John Rawls' *A Theory of Justice*. Although in many ways Rawls' work closely approximates the view of man and society found in Locke's *The Second Treatise of Government*, the work differs in some respects as well. For one, Rawls is reluctant to accept Locke's reliance on the very concrete and historical reality he calls “nature” or Locke's empirical view of the way things are. For Locke human beings consent to live in society and abide by the rules of justice for the very concrete (although somewhat negative) reason that their lives depend on it. For Rawls, though, the principles of justice are derived from a more abstract way of calculating our mutual interests, one that does not rely on an understanding of the way things are beyond simple common sense. We understand justice, he says, when we posit an “original position,” or an imagined situation in which we have a very limited knowledge of our actual life circumstances. Like J. S. Mill, Rawls asks us to choose the principles of justice for society under an imagined “veil of ignorance,” so that our own actual station in life (wealth, skills, health, ambitions, *et cetera*) will not corrupt the fairness of our decision. Under the terms of what he calls the “original position” we would have an interest in choosing those principles that would be best for society as a whole, since we can never be sure that we would not be among the losers in a prejudiced decision.

Despite these differences, the basics of the contractarian view of justice found in Locke have remained largely intact in *A Theory of Justice*. For both Locke and Rawls justice is at bottom defined in terms of an act of individualistic calculation of self-interest. Indeed, this definition would appear to be the dominant opinion among nearly all American statesmen, past and present, “liberal” and “conservative.” The sheer popularity of the opinion, however, does not settle the issue on the level of political philosophy. The staying power of the contractarian solution should not prevent the theorist from exploring the extent to which the account of man that underlies it is likely to sustain the conditions of individual liberty that the contractarian approach was so successful in establishing in the first place.

Such an exploration might begin with several observations concerning the liberal conception of what rational human beings do with their private lives. On the surface it would appear that most liberal political theorists care little about what individuals believe in the private realm. Upon closer examination, though, the common opinion is revealed as a superficial one. There can be no doubt that within the basic tenets of liberalism there are clear assumptions made about what constitutes the private interests of rational, calculating individuals. It is not difficult to discern from the argument of *The Second Treatise of Government* that Locke believes reasonable human beings to have as their primary concern and as the one true measure of happiness the accumulation of private property for the sake of maintaining a comfortable existence. Although he frequently mentions the need to abide by certain precepts of Christian morality, and even at times appears as a genuine advocate of that tradition, he always ends up subordinating this morality to that which is useful and commodious. As Sandoz has remarked, the effect of Locke's naturalistic reductionism is to emphasize the immediacy of sensual experience and legitimate “the most vulgar experience of self and of existence.”

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Contemporary liberal theorists are likely to hold such views as well, and are at times quite candid in their descriptions of the type of human being that is fostered by the public culture of contractarian justice. Richard Rorty, for instance, acknowledges the likelihood of liberalism’s producing a notion of the human self as a “centerless web of historically conditioned beliefs and desires,” and in turn producing some rather “despicable” character types that end up despising most of their fellows. For Rorty the prevalence of such unpleasant characters is, unfortunately, the price one must pay in order to enjoy the benefits of political freedom. In addition, for Rawls it is clear that what all sensible calculators end up calculating about are those “primary goods” which lead to a life of individual comfort and self-preservation. These goods are so important to us, he says, that under a “veil of ignorance” we would all choose to have them distributed equally as a comfort and self-preservation. These goods are so important to us, he says, that under a “veil of ignorance” we would all choose to have them distributed equally as a requirement of justice. Grant questions whether Rawls’ understanding of “primary goods” is at all distinguishable from the utilitarian principle of the “maximization of the means” despite Rawls’ own statements to the contrary.

In contrast to the hopes of Rorty and Rawls, Grant is by no means confident that the political freedom so cherished by these thinkers will survive the long-term presence of the character types encouraged by the liberal view of man. This is because Grant places at the focal point of his analysis a key observation about the contractarian understanding of justice and human life: that that understanding is being played out within a civilizational destiny that is more comprehensive than itself. The epistemological and ontological premises of liberal justice, he argues, are inextricably bound up with the larger modern project which he calls “the intellectual oblivion of eternity.” The project is essentially that of the philosophers: it is based on a view of man and society which tells us that our destiny is within time, and that our political justice should be directed exclusively toward the progressive “relief of man’s estate.” In more contemporary language the project could be described in terms of the human creating of “quality life” through the unlimited application of science and technology. This creative process would involve the intelligent control and manipulation of both human and non-human nature so that the material ends of the collective are better served and the deficiencies of nature finally overcome. A necessary part of the unbridled technological ethos, furthermore, is a conscious act of rebellion against the traditional moral authority given in classical and Christian metaphysics, especially insofar as that authority posits limitations on the creative powers of man by a claim to a knowledge of the nature of things. If a deficient creation is to be overcome or re-created, one must break from those who persist in talking about the eternal justice of a benevolent creator-God, or about the inherent worth and dignity of the individual before that God. The will to re-create is strong; it tends to eschew any understanding of man or God which might limit the progressive building of the future.

To be sure, liberalism has traditionally engaged in an admirable attempt to prevent the extremes of manipulation and control suggested by the more radical modern political
thinkers. This attempt, as a point of historical fact, has its origins in the classical and Christian heritage. However, the limits on man that the liberal retains, when proposed by the great theorists of the classical and Christian traditions, carried with them a clear connection to the supreme value of human beings as spiritually akin to God. Liberal theory tends to reject this explicit connection because its premises about human nature make it a product of a civilizational destiny that is unwilling to make any affirmation of what human beings as spiritually akin to God. Liberal theory carries with them a clear connection to the supreme value of the classical and Christian traditions, however, the great thinkers of the classical and Christian traditions, tends to reject this explicit connection because its premises about human nature make it a product of a civilizational destiny that is unwilling to make any affirmation of what human beings are beyond simply self-interested, pleasure-seeking biological units with the ability to calculate interests. The question raised by Grant is derived from Nietzsche: how successful will liberalism be in its attempt to preserve limits to human creativity, particularly in the face of liberalism's own participation in the destruction of the moral foundation that provided the reason for limits in the

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first place? Liberalism, in other words, is asking modern man to accept without question certain limitations on the creative power of man as if those limitations were in the nature of things. Again: how well will those limits hold up to a civilizational attack on such notions as “the nature of things,” particularly when liberalism is a party to that attack by “privatizing” philosophical justifications for even its own “self-evident” or “commonsense” principles?

For Grant there is little reason to hope that the spiritually impoverished products of liberal culture will give up their rebellion and become defenders of such anachronistic notions as “justice” or “truth” when it is no longer convenient to do so. As he put it, why should one consider constitutional regimes superior to their alternatives if one truly believes that human beings are basically “ids”? It is likely, rather, that the egocentric and self-serving private life of modern man will severely undermine his ability to see human beings as anything other than a series of objects for his manipulation and control. The epistemological and ontological ethos of scientific and technological existence has no place for our partaking of any other relationship to “otherness.” To suggest that our technology should take into account the “beauty” or “goodness” of nature is to enter into a way of thinking that belongs to a dead past. It is to enter into a relationship that is a fundamental violation of the modern assumption that our judgments about such things as “beauty” are simply “historically conditioned beliefs and desires” that are excluded in principle from liberal discussions about politics. Indeed, the irony is that the tighter one holds on to the liberal and scientific paradigm of knowledge the more likely one is to refuse to continue living with the contradictions of liberalism. As a number of post-War philosophers have noted, the great escape for the individual unable to bring himself out of his egocentric state of existence, one devoid of a purpose larger than Lockean or Benthamite self-interest, has been and always will be to submerge himself in a collective personality in which wretched human “ids” are manipulated into fit representatives of noble Humanity. And in today’s world the technological control of human beings makes possible what to many is an attractive and ready-made collective able to fill the existential void left by a contractual public order. Against this backdrop the lip-service paid by liberalism to justice and liberty will hardly be sufficient to fend off their destruction at the hands of such a spiritually powerful symbolism. As we continue to enter into modes of social organization where we will be able to use the power of technology to create anything we wish, why should we limit our power by an outmoded doctrine of “rights” that is founded on some similarly antiquated notions about the objectivity of beauty or right and wrong? The attempt to retain limits to human creativity, through the support of limited constitutional governments, will face the increasingly difficult task of employing an objective moral standard in a civilization that has made it a point of intellectual pride to refuse to think in such terms. On the level of epistemology and ontology, liberal theory is unwilling to “impose” anything on the private lives of autonomous individuals. Yet there are many who nevertheless wish to retain an attachment to the notion that human beings “should” perform in certain ways as actors in the public sphere. The basic contradiction at hand may suggest, ironically, that the enlightenment of the Western mind with regard to our knowledge of “the good” has actually become a threat to the well-being of free and democratic societies.

In English-Speaking Justice Grant explores why it is that liberalism has remained the most dominant and successful form of thought and organization in the Western world despite the contradiction at its core. The answer, he writes, is to be found in the integration of liberalism and Protestant Christianity. For generations the “remarkable religious traditions” of England were able to supply the legalistic form of liberalism with the substance of an essentially non-contractarian understanding of justice. Citizens certainly saw a moral duty to uphold the terms of the “social contract” (if they ever even thought in such terms), but they
did so for reasons derived from outside the narrow conceptions of self-interest described by the great theorists. In Grant’s terms Anglicanism and Calvinism provided that necessary “moral cement” that gives people sufficient reason to sacrifice for the common good, even to the point of risking one’s life. Indeed, the historic vibrancy of Protestant Christianity in both England and America has enabled the public moral vacuum which liberalism ultimately must create to remain long hidden from view. For Grant, in other words, contractarian justice has survived (nay, thrived) because of factors quite beyond its control and largely contrary to its own philosophical underpinnings.

Interestingly, the Protestant faiths have supplied this moral consensus while finding themselves very much at home in the liberal political framework. This easy co-penetration, Grant argues, is mainly attributable to the theological assumptions being made about the divine-human encounter. Calvinism, for instance, makes one of the more radical breaks with Catholic sacramental theology in that it tends toward an intense preoccupation with the very personal and at times lonely encounter between God and his individual creatures. This emphasis, in turn, goes hand in hand with a politics of individual rights and liberties. Protestant millenarianism, in addition, found itself quite at home with the secular idea of progressive egalitarianism, so much so that on a public level the two forces often seemed to act as one. In England this cooperation assumed relatively moderate forms. On the continent, however, there was more of a tendency for Lutheran-inspired Protestantism to distance itself from the conduct of politics, and thereby to free up secularization for more extreme developments. In America, where the Puritan heritage for the most part has assumed more pietist and less thoughtful forms than in England, Grant has noted similar tendencies. American strands of Protestantism, he concludes, have proved somewhat less capable than the English of providing the public moral order necessary for sustaining the justice that contractarian liberalism cannot provide for itself.

The secularization of American religion, Grant suggests, has much to do with some of the philosophical premises of the more liberal Protestant traditions. Most generally these premises are grounded in what may be called the liberalism of the autonomous will. 13

It is precisely because of such contradictions, Grant argues, that liberal Protestantism, however successful it may have been in the past, is itself likely to suffer a breakdown before the modern ethos.

As noted throughout, the modern world has come to be characterized by ever-increasing levels of human control over both nature and humanity. This fact of twentieth-century existence hardly needs elaboration: the National Socialist and Marxist revolutions are the obvious examples. But within the liberal democracies themselves it has become increasingly difficult to ignore the emerging presence of the same symbolism of absolute control and recreation. In contrast to the heavy-handed secret police methods characteristic of full-blown totalitarianism, Grant notes, in the West the tendency toward control has taken more subtle forms associated with the progressive realm of modern technological thinking. Yet, as human beings become increasingly fascinated by the unprecedented achievements and aspirations of the sciences, both natural and social, the more thoughtful are becoming increasingly cognizant of the threat to human freedom and dignity posed by modern technological existence.

To make his case Grant asks us to reflect upon the highly significant though little noticed changes that have taken place in the language we use to describe human life. The
term “person,” for example, has moved from being a mainly neutral word to one having a more positive connotation. Over the past several decades it has come to represent an acknowledgment of respect for another human being, one to whom we have deemed it appropriate to bestow a level of dignity that we would like for ourselves. Implicit in the change in language is the possibility that some humans will be judged non-persons, and consequently denied the rights and justice that attend “personhood” status. The change indicates, according to Grant, the extent to which we have become comfortable with the technological mode of thinking about human life. The designation of “personhood” status is used to assert dogmatically the right to control aspects of life, including the processes of birth and death. A technological society no longer believes there is anything inherent within human beings that makes equal justice their due, and therefore we may sacrifice them to the “true” justice of the modern destiny. Similarly, the popular fascination with the slogan “quality of life” stems not so much from a genuine concern for the welfare of all human beings as from a thinly veiled desire to remove the unpleasantness of human lives judged valueless. Grant argues that the political implications of this slogan are totalitarian; its use suggests that one human being is in a position to judge when another’s life is not worth living. There can be little doubt that these changes in attitude have made it easier for Westerners to accept practices that were once considered moral abominations, such as population control through mass feticide and the control of deformities through euthanasia and eugenic experimentation.

Whatever one may think of any one individual case involving such practices, the fact of the matter is that the life-control technologies that are being used and developed are encountering no prolonged, consistent, or theoretically coherent opposition from liberal democracies. Hence there is little reason to believe that the practices will be arrested or controlled in the near future. Moreover, if Grant’s analysis is correct, there is reason for caution when recommending the extension of the Anglo-American technological empire into the newly liberated nations of Eastern and Central Europe and elsewhere. While it is an obvious fact that the people of England and America have been able historically to avoid the political and social upheavals of the continent as well as to enjoy a materially comfortable existence, it is doubtful that the attempt to export Western liberalism in its present condition will carry with it any sort of therapy for its own moral and ethical vacuity. Most forms of Protestant Christianity will no longer suffice; where they have not been coopted by the forces of secularism in the service of technological society, they have withdrawn into pietism and become largely irrelevant to public life. Perhaps even more unlikely is the possibility that such a therapy will result from a widespread revival of a classical or Catholic understanding of human freedom and dignity, at least from within British or American universities. As Grant attempts to make clear in English-Speaking Justice, the West’s “sheltered confidence” in its own presuppositions about social order has resulted in an intellectual atrophy that undermines the very conditions for any non-liberal philosophical revival. It is no accident, he argues, that Anglo-American political philosophy historically has been little more than “a praise of the fundamental lineaments of their own society.” Indeed, it seems that the more the failures of that society become apparent at home the less critical the West becomes about the need to establish like societies abroad. There would seem to be little serious alternative available; it is almost always the case in practice that the West responds to the breakdown of its own unrestrained technosexistence by the accelerated application of more technology.

The foregoing analysis, if accurate, suggests that the widespread perception that technological advancement and liberal democracy constitute fundamental alternatives to socialist totalitarianism is highly suspect. This does not mean, however, that the modern utopian project is destined to rule the future. On the contrary, a renewal of order in portions of the Western world may indeed follow on the heels of the breakup of Marxist hegemony. Yet, it is likely that it will do so in such a way as to create a genuine rather than illusory source of antagonism for the Anglo-American empire. The new nations born out of the ashes of totalitarian destruction will have been hardened by the fire; they will understand the consequences that follow the attempt to deny the reality of a transcendent moral order that places a limit on man’s creative powers. It is possible, in fact, that they will have experienced a spiritual rebirth of a kind largely incomprehensible to the technological mind, a rebirth that will produce a civilizational gulf much wider than any perceived today. In light of such possibilities it would appear that the political thought of George Grant and others like him deserves closer attention than it has yet received, particularly among thoughtful Anglo-Americans who sense that something of supreme value is gradually and perhaps inescapably slipping from their grasp.

Notes
2. Ellis Sandoz analyzes this aspect of Locke in “The Civil Theology of...

3. Ibid., 30.


6. Ibid., 82.


8. Nietzsche, as Grant says, reserved a great deal of ridicule for those who wished to maintain an attachment to "justice, truth and goodness" out of "a corpse that they helped make a corpse" (ESJ, 77).

9. TJ, 85.

10. As Nietzsche argued, the momentum of modernity in this direction is unstoppable as long as the premises about human life are retained. For an accessible example of this moment see B. F. Skinner's *Beyond Freedom and Dignity*, a work which clearly demonstrates one thinker's refusal to be bound by the contradictions and anachronisms of liberalism.

11. Here one is reminded of the quite illuminating passage in *The Second Treatise* in which Locke expects that military discipline will depend upon the foot-soldier's "absolute obedience" to the commands of his superior officer, no matter how unreasonable those commands may be. It is almost as though Locke expects creatures motivated solely by self-interest to become deserters when their fear of the enemy exceeds their fear of a commanding officer.

12. ESJ, 62.

13. Ibid., 59.


15. ESJ, 61.

16. Ibid., 63-65.

17. Grant demonstrates the sense in which John Rawls is influenced by this tradition, as well as the extent to which the foundation for justice in Kantian metaphysics was in the final analysis unable to resolve the liberal contradiction in *A Theory of Justice*. See ESJ, 19-33; 65-66.

18. As Stanley Jaki has remarked, the mere fact that we can now refer to something like "existence" or "society" or even "man" in conjunction with the adjective "technological" should be a clue as to how comprehensive the modern destiny has become ("The Three Faces of Technology," *The Intercollegiate Review* 23:2).

19. TJ, 103-115.

20. ESJ, 51.

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**Dr. James Miclot Named David Alan Scott Scholar**

Dr. James Murray Miclot has been named David Alan Scott Scholar in Political Theory at the National Humanities Institute, NHI President Joseph Baldachino has announced.

"Jim Miclot brings to NHI a strong and varied academic background, and it is fitting that he should assume the post named to honor the late David Alan Scott, one of NHI's earliest and most faithful supporters," said Baldachino.

Miclot recently took his Ph.D. in Political Theory from The Catholic University of America, where his dissertation was directed by Professor Claes G. Ryn, NHI Chairman. Miclot earned his M.A. and A.B. from the University of Michigan. He has also studied at the University of Chicago, where he was a CIC Scholar in Ethics, and at the Institut d'Études Francais, LaRochelle, France.

Miclot, who has lectured widely, has taught at Catholic University, the University of Michigan, and the University of Montana. Among his numerous honors and awards are an H. B. Earhart Fellowship, a Richard Weaver Fellowship, a Thomas More Fellowship, and a National Merit Scholarship. Miclot was an Eastern Regional Finalist for the White House Fellowships.

As the David Alan Scott Scholar in Political Theory, Miclot is working on a book on the tendency of political moralists to seek escape from the concrete realities of politics—from relationships of reciprocity, difference, particularity, and exchange. Such efforts to withdraw from "dirty politics," he argues, often harbor a willful ambition to displace historical politics with an apoliticism of power, with a monotonous state.