Gus diZerega

SCALE AND MAGNANIMITY IN CIVIC LIBERALISM

ABSTRACT: Thomas Spragens attempts to rebuild liberal theory by arguing that realist, libertarian, egalitarian, and identity liberals all have valid insights, but develop them one-sidedly. Re-examining the work of sixteenth- and seventeenth-century liberals leads, he contends, to a more balanced liberalism. Spragens's often-impressive effort to reconstruct liberalism is undermined by insufficient appreciation of the role of the scale of the polity and by confusions about civic friendship. Appreciation of Hayekian insights about spontaneous order, and of the limits of citizen knowledge in large polities, would help him solve the first problem. Distinguishing between friendship, friendliness, and social capital would help resolve the second.

Liberalism today is far more contested than the institutions to which it gave birth. Internally it continues to fragment, while externally communitarian, postmodern, and other contemporary schools of thought seek to undermine its legitimacy. Thomas Spragens's Civic Liberalism: Reflections on Our Democratic Ideals (Lanham, Md.: Rowan and Littlefield, 1999) seeks to establish a strong foundation for an invigorated liberalism able to prevail against its intellectual critics and offer wise counsel on complex issues of public policy.

In seeking to place liberal political thought on a

stronger foundation, Spragens divides contemporary liberal perspectives into libertarian, egalitarian, realist, and identity liberalisms. The first two arise when the key liberal themes of freedom and equality take on independent lives of their own and battle for ideological supremacy. Spragens contrasts them to a pragmatic "democratic realist" liberalism, intent on the simple preservation of liberal democracy against the many forces that buffet and challenge it, internally and externally. These perspectives are familiar contestants in liberal debate.

The postmodern politics of difference adds a fourth variant to the traditional types of liberalism. "Identity liberalism" adapts the common liberal commitment to some kind of equality to analyses shaped by the views of Michel Foucault and Jacques Derrida, among others. Difference liberals challenge more familiar liberalisms as covertly importing inegalitarian principles of hegemonic domination by some groups over others.

Civic Liberalism seeks to perform two tasks. First it argues that while these contending approaches each grasp portions of an adequate liberal perspective, all ultimately fail. It then makes the case for a more adequate framework for liberalism today, which Sprague terms "civic liberalism."

What's Wrong with Realism

Liberal democratic realism emphasizes the difficulties and dangers in creating viable democratic polities. Realists remind us that liberal principles fly in the face of most human history, warning that the durability of liberal institutions should not be taken for granted. A misguided liberal utopianism can be as destructive as explicitly antiliberal views. In the realist tradition Spragens includes Hobbes, Hume, Montesquieu, Montaigne, and Madison. More recent democratic realists include Arthur Bentley, David Truman, and Robert Dahl (in his early work).

According to Spragens, democratic realists portray the

political prerequisites of liberalism accurately, but they set their sights too low. Invaluable as a foundation, realist perspectives provide a poor roof and walls for the liberal edifice. By emphasizing the complexities and dangers facing liberal regimes, too often democratic realists become apologists for the failure to pursue liberal values vigorously.

What's Wrong with Libertarianism

By contrast, libertarian liberals emphasize individual freedom from coercion as the ultimate human value. The contemporary theorists Spragens puts under this heading include Milton Friedman, Ludwig von Mises, Murray Rothbard, Ayn Rand, Robert Nozick, Charles Murray, Jan Narveson, and F. A. Hayek.

Spragens argues that the many libertarian perspectives generally coalesce around two propositions: self-ownership, and the efficacy of the market for ordering virtually all human affairs. Both principles make individual freedom the highest and ultimate value in society. While superficially appealing, Spragens argues that this absolute privileging of freedom is ultimately not persuasive.

First, Spragens contends that it is hard to know just what libertarians mean by claiming that we "own" ourselves. Most property arises directly or indirectly from our creative efforts, and this provides a vital part of the ethical case for private property. But none of us is our own creation. Equating "self-ownership" with property ownership is thus fallacious. "By the same logic libertarians use to make their claims about the sanctity of private property, we are disqualified from claiming to own ourselves. Instead, we would by that logic . . . have to recognize that we are . . . God's property, nature's property, our parents' property, our society's property, or some mixture thereof" (37).

Libertarians also tend to subsume civil society into market relations. However, much of civil society relies on motives opposed to those rewarded by the market.

Spragens opposes the commodification of civil society, which he sees as implicit in most libertarian thinking. Even libertarians who stop short of equating the market with civil society seem unaware of how a dynamic market can ultimately subordinate other social institutions to the logic and processes of economics.

What's Wrong with Egalitarianism

Spragens criticizes egalitarian liberalism more narrowly, focusing on a single exemplar. Himself once an advocate of John Rawls's form of egalitarian liberalism, Spragens's careful attention to Rawls's justification for egalitarianism makes for an effective and powerful critique.

In evaluating Rawls's conception of justice, Spragens targets Rawls's claim that we are responsible for our desires, but not for our actions. We can choose our life goals, but our ability to achieve them relies on qualities that are not really attributable to ourselves. Rawls contends that while we can freely choose, our capacity to act on our choices depends in part on traits such as perseverance that we possess or lack through no merit of our own.

Rawls's view is the opposite of our common-sense experience that we are sometimes at the mercy of our desires, but can still be held responsible for how we act in response to them (63). Spragens points out that Rawls himself is inconsistent in holding such a thesis. He abandons his argument when he considers retributive justice, holding people responsible for their actions so as to make them fit objects of retribution (62). But Rawls must maintain his odd thesis in order to remove any legitimate individual claim to unequal results from differing talents and attitudes.

Rawls concludes that the distribution of resources should be left in the hands of society as a whole. But where, Spragens asks (following Nozick), does the community get the right to control distribution? Rawls's position is "the functional equivalent but substantive oppo-

site of the standard libertarian doctrine of self-ownership" (68).

As a theory of justice, Rawls's efforts fail because he "respects the inviolability of persons but not their wholeness." Rawls's persons are (again following Nozick) inhumanly abstract. Ultimately, for Rawls, "no one deserves to have more than anyone else because no one really deserves anything" (69). Such a conception is not logically persuasive.

Perhaps because of the unreal characteristics of Rawlsian individuals—individuals without individuality—there is also no affective element in Rawls's vision of the good society. This is a particularly serious shortcoming, in Spragens's view. He holds with Hume (and Sandel) that, far from being a society's highest good, justice is a remedial good, making up for a lack of higher virtues that are preferable (60). For Rawls, however, there are no higher virtues.

What's Wrong with Identity Politics

"Identity liberalism" is Spragens's final target. Growing from the work of Foucault, Derrida, Nietzsche, and Heidegger, identity liberals argue that everything human is a social construct. No "essential" human nature exists. Individuals are ultimately constituted by social groups, rather than the other way around. Foucault's genealogical method and Derrida's deconstruction enable their advocates to uncover what they claim are oppressive ideological discourses privileging some groups over others. The resulting inequality in basic identities, identity liberals argue, is a deeper and more pervasive inequality than that focused upon by egalitarians. The result is that liberal societies remain oppressive.

Spragens examines in particular the work of Iris Marion Young and William Connolly, who have moved beyond identitarian critique to outline affirmative identity-liberal approaches to democratic values and practices. Young receives the bulk of Spragens's attention, largely because

she makes very strong demands for transforming society. In Spragens's view, however, her postmodern theoretical framework does not support her proposals. For example, if, as she claims, merit cannot be objectively measured, how can she support the concept of comparable worth (87)?

Furthermore, Young's conception of how law should promote equality among groups is extremely coercive, leaving no room for private thought. She even targets unconscious and unintended actions as suitable targets of political action (86–87). While anything can potentially be the subject of political concern, a liberal society must, Spragens argues, recognize a private realm. A protected private sphere accords freedom and dignity to different ways of life and keeps unnecessarily divisive issues out of politics.

Spragens grants that we are the expression of our social relationships, but he maintains that we are not passively imprinted by them. He regards Young's claim that a person is the sum of socially recognized differences centering on race, gender, and sexual orientation as unconvincing and arbitrary (88). Referring to Roberto Alejandro's critique of Young, Spragens holds that "the practical effects of the politics of identity are actually to suppress rather than encourage human diversity" (89). Liberal toleration, even with its implied disapproval of what is merely tolerated, is a better safeguard for human diversity. To demand more, "that you 'affirm' my identity, when that identity inextricably incorporates behavior that the premises underlying your identity construe as immoral, is to demand that you effectively renounce your own identity" (90). There "can be no hope of eliminating oppression as defined by Young; it is only a question of who shall be oppressed" (92).

Since Young argues for special powers to be given to hitherto marginalized groups, she sets the stage for a society tearing itself apart as different groups seek the status of most oppressed. She privileges the politics of divisiveness over amity. In Spragens's view, this is a pity,

for there is no need to rely on Foucault, Derrida, and similar thinkers who lead to Young's conclusions in order to recognize the importance of cultural diversity in a liberal society. "When it comes to envisioning the way diversity enriches democracy, Whitman and Mill are better prophets" (95).

William Connolly's work is free from Young's utopianism, as well as its coerciveness. But he retains a radical denial of individual responsibility and of any ethical foundation beyond a universal "thrownness" into an ultimately tragic world. Connolly favors an "agonistic" politics in which different individuals are able sympathetically to appreciate the circumstances of even those they oppose, and respectfully contend with one another out of a universal reverence for life. In many ways Spragens finds this vision attractive. But because Connolly denies both individual responsibility and deeper commonalities between people, Spragens doubts whether his ethical vision is up to the work he expects it to perform. Connolly is both "too optimistic and too pessimistic at the same time" (101).

Spragens concludes that all four branches of liberal though contribute important insights, but place far too much weight on their own insights at the expense of others equally important. Democratic realism teaches a respect for the genuine achievement of creating any democratic society, and cautions that it should not be taken for granted. Libertarians teach respect for individuals and a suspicion of coercion in the name of a greater good. Egalitarians teach that human equality is central to liberalism. Finally, identity liberalism teaches how easily a particular culture and its underlying assumptions can become hegemonic and therefore oppressive to others. But because each perspective isolates its insights from wider contexts, they are, ultimately, neither politically nor ethically appealing.

The Case for Civic Liberalism

Spragens's ultimate goal is constructive and, as he says, the second, constructive half of his book can be read independently from his earlier criticisms of the four prevalent forms of liberalism.

Spragens's strategy for rebuilding liberal thought is to take us back to its early advocates. The weaknesses he criticizes in modern liberal traditions are not endemic to liberalism as such, but often reflect one-sided developments of insights present in a more diverse and viable ensemble in sixteenth- and seventeenth-century liberal thought. With the political triumph of liberalism, the contexts in which the animating principles of liberty, equality, and fraternity were emphasized gradually became invisible. In their absence, later liberals attached a kind of free-floating existence to these values. For some, "freedom" became the essence of liberal thought. Others gave the laurel to "equality." Fraternity tended to disappear altogether.

The resulting problems were many. As abstract values, neither freedom nor equality possesses the ethical weight or internal coherence to sustain the burdens that so much later liberal thought placed upon them. Even as liberal democracy enjoys unprecedented and undisputed political triumph, as a system of coherent political thought liberalism spins its wheels.

Spragens's route to recovering the original vitality and unity of liberalism leads us back to the world in which liberalism first rose to prominence. What, he asks, did terms like freedom and equality mean for early liberals?

In one of the strongest sections of his book, Spragens dissects Isaiah Berlin's famous distinction between positive and negative freedom, demonstrating that Berlin's analysis leads to some very strange classifications indeed. For example, Locke becomes an ally of politically dangerous positive freedom and Hobbes a defender of the supposedly politically safer negative freedom. Spragens reminds us that Berlin also wrote that some forms of "autocracy"

were compatible with negative freedom. Hobbes would agree. But what other political liberal would?

Spragens argues that the early liberals cannot really be understood in these terms. Freedom was important to them, but what they meant by the word was neither negative nor positive liberty. Instead, they emphasized "autonomy."

Autonomy meant self-governance. The means and the opportunity for genuine self-governance require "positive" freedom. But self-governance can be meaningful only if there is a substantial realm of significant choice, or negative freedom. Autonomy was the objective of early liberals, who therefore tried to overturn laws and governments based on prescribed status and aristocratic privilege. Berlin's distinction between positive and negative freedom "slices apart the idea of autonomy" (117).

According to Spragens, autonomy is not an intrinsic good, because autonomous people can be evil. Nor is autonomy an instrumental good, because it is not external to our well-being. Instead, it is a "constitutive" good, central to a good life but not definitive of it. Autonomy is also a "threshold good." While a minimum of autonomy is necessary, it is impossible to be wholly autonomous because we are social beings.

In the process of making this argument Spragens offers an insightful critique of Michael Sandel's attack on Rawlsian liberal proceduralism as entailing an "unencumbered self." Sandel unjustifiably links the metaphysically free abstract self with Rawls's politically autonomous concrete individual, who is simply free to exercise his or her own political judgment. It is to make that freedom—the freedom of self-governance—possible that liberal political procedures, and not the individuals to whom they apply, are abstract. Indeed, it is the very concreteness of politically free individuals that makes it so desirable for abstract procedures to structure their political relationships.

Nor is autonomy a purely individualistic concept, for

social enterprises such as schools, corporations, and families can be self-governing. In fact, it is primarily within such frameworks that individuals' autonomy can be realized. Spragens argues that "an embodied liberty . . . is to a greater extent than generally realized a function of flourishing, well institutionalized and broadly autonomous civic enterprises" (140). A liberal government's primary task is "supporting, coordinating, and regulating" these enterprises (137).

Like individuals, however, collective enterprises can seek domination over others. Bureaucracies and corporations, churches and families can all pursue aggrandizement at the expense of other groups and of society as a whole, as Madison well knew. Thus, while egalitarians worry about the market and libertarians worry about the state, "civic liberals worry about both" (142).

Like autonomy, equality became a liberal value within a particular context. It originally represented "a moral protest against historically distinct political distinctions and privileges" (147). The liberal emphasis on equality is rooted in a sense of specific injustice rather than an overarching theory of justice.

Equality is important because "human lives are valuable and what makes them valuable in the last reckoning is something they have in common" (150). What they have in common, Spragens argues, is that all competent people have a conscience and are potentially rationally self-governing. This emphasis upon responsibility as central to self-governance gives civic liberalism a very different flavor from either Rawlsian liberalism or Benthamite utilitarianism, let alone identity politics. Indeed, for Spragens

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"equal concern without equal respect . . . is positively dangerous" (157), and respect depends on responsibility.

Equality serves purely instrumental purposes. It is not an independent value. Some degree of equality is necessary if autonomy is to apply to all, but equality is not central to our being, as is autonomy. Even so, for Spragens, equality is "on a par" with autonomy, although only as a moral postulate and an instrumental goal—not, as Rawls would have it, a maximizing good or all-embracing principle of distributive justice (163).

Spragens's perspective on equality recognizes that there are valid ethical grounds for recognizing some people's rights to having more than others. No simple rule can determine the tradeoffs between these values, and so their specification must always be the outcome of the democratic process. Even so, Spragens privileges equality as the default value (158).

Bringing Friendship Back In

Civic liberalism is also dependent on the values of civic friendship and civic virtue, which, while not themselves distinctively liberal, are necessary for a society of self-governing autonomous people. Rooting his analysis in Aristotle, Spragens argues that civic friendship is a vital liberal value. However, in a liberal order civic friendship is not what it meant for the ancient Greeks. Liberal friendship will not be as strong as that existing among intimates. Even so, Spragens argues that such friendship is possible in "a somewhat attenuated fashion" in a larger group than the Greek polis. It is a kind of neighborly virtue (186).

The friendship of civic liberalism is rooted in an active but limited conception of community. The problem, Spragens holds, is that most modern liberals deny the value of community. They argue that society is fundamentally a collection of self-interested members who need no sense of constituting a larger whole. But, he argues, such a so-

ciety cannot be relied upon to preserve either social tolerance or a commitment to civic liberty.

A liberal society cannot take friendship for granted, and needs to encourage its growth and development among citizens. Here Spragens finds an interesting connection with the value of equality. Just as friendship is difficult, if not impossible, between people who are very unequal, so also does a certain degree of equality encourage wider friendship, which will in turn act to keep inequality within bounds.

Spragens grants that friendships can develop into "collective egoisms of partial association"—Madisonian factions, ready to sacrifice the larger community for their advantage (187). At the same time, he argues, civic friendship nurtures capacities for trust, goodwill, cooperation, and concern. A liberal polity needs civic friendship, even if it can be abused.

A sharper contract between liberal friendship and the Aristotelian ideal is needed, and Spragens recognizes this need. So he compares his analysis to Robert Dahl's distinction between the "polyarchy" actually possible in human society and the utopian "democracy" that in its full sense is not (188).

Aristotelian friendship is analogous to Dahl's democracy—an unattainable ideal. Civic friendship is similarly related to polyarchy: it is the practical expression of that ideal in the human world. Spragens also equates civic friendship with Francis Fukuyama's and Robert Putnam's concept of "social capital," the emotional affiliation needed to create and sustain social institutions, especially among those who do not know one another well.

Because of its role in sustaining civil society and democratic politics, Spragens contends, civic friendship is necessary to preserve genuine autonomy. We can only be autonomous within networks of social relationships, and the possibilities open to us for self-governance grow as we find it easier to cooperate with one another. "The real opposite of state power," Spragens argues, "turns out to be not individual liberty negatively defined, but self-gov-

ernance" (194). With a nod to liberal realists, Spragens points out that friendship not only strengthens liberal values of toleration and compromise, it makes "it easier for the perpetually somewhat disappointed citizenry who never get exactly what they want to swallow the bitter pill of partial concession" (199).

Although Spragens does not use the phrase, it is a venerable pluralist observation that "cross-cutting cleavages" make civic friendship possible even within the most diverse societies. As such, civic friendship need not rely on common agreement about a single "moral creed" so long as citizens' interlinking spheres of connection are sufficiently numerous.

Such observations lead Spragens to reconsider civic virtue, so often slighted by modern liberals as well as some earlier ones. While key liberal institutions are not value-neutral (as some have argued), in that they depend on the value of "reasonableness," where this reasonableness might lead is an open question. Liberals should not presume to know what is reasonable, which would mean succumbing to the "Platonic temptation" (227).

Civic virtue, Spragens reminds us, consists of those virtues that promote and maintain a particular society. All societies benefit from their inhabitants having virtues congruent with their fundamental institutions. Even an individualistic, libertarian society depends on mutual respect and forbearance. But civic liberalism asks more of us than this. Its goals are more complex than seeking to enter consumer heaven. Civic liberalism values "responsible self-reliance, respect for the human dignity of all fellow citizens, law-abiding self-restraint, democratic humility, reasonableness and good judgment, neighborly *eunoia*, and the public spirited willingness to participate in civic service" (229). In making this argument, Spragens challenges the dominant decisionistic ethos of twentieth-century liberals, who endorse such values as freedom and even equality because they are allegedly neutral as to citizens' purposes. Spragens insists instead that liberty and equality are themselves "contestable moral goods

requiring endorsement and defense on that basis" (219). Civic friendship and civic virtue provide vital support for that defense.

The final section of Spragen's book explores some policy implications of civic liberalism for issues currently facing American government. Social services, abortion, education, and affirmative action all take on new dimensions when viewed from a liberal perspective that is neither traditionally Left nor traditionally Right. Spragens brings to this section both a sensitivity to the strengths of different liberal perspectives and a solid good sense that makes his views worth considering, although I shall deal only tangentially with specific policies in the following discussion.

There is much to admire in Spragens's argument. His defense of autonomy as the central liberal value is compelling. Setting the freedom-versus-equality debate within this larger context is very helpful. His emphasis on the centrality of civil society as comprising more than market institutions and as the principle expression of autonomy is also powerful. His argument that liberalism is not and cannot be ethically neutral in any very strong sense is compelling. His critiques of alternative liberal perspectives raise important objections to them without denying the positive insights they offer. Many of these arguments have been made by others, and Spragens is generous in his citations. However, his is a new synthesis.

But there are also weaknesses that, in my opinion, prevent Spragens's effort from being a fully adequate defense of liberalism. These problems can be reduced to two. First, and most fundamentally, he does not pay adequate attention to issues of scale and their implications for democratic values. Second, Spragens's concept of civic friendship carries too many internal tensions, leading to confusing prescriptions and doomed expectations.

The Problem of Scale

Spragens is certainly aware of the importance of scale in

politics. Yet he often writes as if the difference between a liberal Aristotelian polis and a liberal democracy is purely quantitative. The way he sees it, as citizens increase in number, the impact of any particular citizen ideally will remain equal to that of all others, but as a smaller fraction of the whole.

This is not quite right. In an Aristotelian polis or New England town democracy, attentive citizens confronted relatively few and usually well known issues. Such matters could be discussed and evaluated continually in the daily encounters characteristic of small communities. Citizens could be expected to have more than trivial knowledge of political affairs simply by paying attention to their immediate surroundings.

The Federalist suggests that the American Founders imagined Congress as a kind of town meeting writ large, presumably with similar dynamics. Discussions would take place first among representatives and their constituents, and later among the representatives themselves as issues were, in Madison's words, "refined and enlarged." Whatever may have been the case earlier, however, such a vision is misleading today.

In 1978 Hugh Heclo estimated that on average, members of Congress each enjoyed about eleven minutes a day to study public issues. They had another twelve minutes daily to write speeches and prepare legislation. Since then the task has gotten no easier. Political issues at the level of the modern state are unimaginably complex, overwhelming in number, and far beyond the capacity of even the most dedicated legislator—let alone citizen—to understand.

The modern liberal polity is called upon to devise and implement public policies that neither citizen nor representative can be expected to be aware of in much detail or understand in any depth. Furthermore, the number of proposed public measures far exceeds the capacity of any legislative body to consider. In short, the modern liberal polity is a framework for policy discovery and implementation serving a community so complex that no mem-

ber can grasp it or its problems adequately. "Deliberation" in such a context cannot resemble a town meeting, nor can "self-governance" mean the same thing as it does in a more intimate context.

By failing to take account of any of this, Spragens remains only an incompletely disillusioned egalitarian democrat (158). He argues "not only that everybody should count for one in any decision-making calculus, but also that everybody should prima facie have equal say in the making of these decisions. That is what self-governance in a community of equals means" (163). Spragens's views here seem almost indistinguishable from another major democratic theorist, Robert Dahl (Dahl 1956, 71; 1982, 6).[1] Like Dahl, Spragens grants that his ideal is unachievable, but he overestimates how close we can come to attaining even a less-ambitious form of democracy as long as we insulate the political process "from the distortions that unequal power, social standing, and wealth will create absent some defenses against their colonization of the political domain" (164).

Spragens's analysis misses crucial problems. Do we really want everyone, even in an ideal polity, to have, say, 1/250,000,000 influence on political decision making over a great multitude of issues? And would anyone in her right mind want to exert herself to become well informed about such issues—even were that possible—given her insignificant influence on the whole?

Spragens himself demonstrates the insurmountable problems with this ideal, although in a different context. In criticizing proposals for enforcing absolute income equality, Spragens observes that

> these disinterestedly toiling citizens would have to be not only altruistic but irrational. That is, they could not only not govern their actions by self-interest: they could not even be allowed to be disinterested utilitarian welfare maximizers. . . . Assume that I can control only my own work habits. . . . In that case, even adhering disinterestedly (i.e., unselfishly) to the utilitarian maxim would tell me to be a shirker rather than a

> worker. . . . Shirking my chores would produce a clearly discernable gain in pleasure/loss of pain for me, while the effect on everyone else would be—spread out over 250,000,000 others—literally unnoticeable. . . . In short, to work utterly without regard to incentives, people must go beyond public spiritedness to being irrationally (i.e., for no noticeable benefit to anyone) self-sacrificing. (166.)

I think Spragens is correct, but his point also holds regarding his argument for substantive political equality as a democratic ideal in modern polities. Under modern circumstances, it makes little sense to argue that equality is "on a par" with autonomy (163). Policies arise and are evaluated through processes relying on unequal influence. Political elites and Heclo's "policy networks" play a vital role in the political process. Such networks link a wide variety of people concerned with particular policy issues, but without assigning those people any equality or stability of influence (Kingdon 1995).

A weakness in Dahl's similarly egalitarian view of democracy is relevant here. Democratic political liberties—freedom of speech, of organization, and of the press—are politically valuable because citizens possess unequal knowledge and influence. These liberties allow some to tell others what they do not already know, thereby exercising unequal influence (diZerega 1988 and 1991). Self-governance depends on a degree of inequality.

In a complex polity, the political discovery and evaluation process is, and must be, divorced from the ideal of substantive equality among citizens, while remaining dependent on preserving procedural equality. A small community can, to some significant degree, adopt the ideal of substantive equality and maintain its capacity for self-governance. A large community cannot. This is not to reject substantive equality as unimportant. Spragens's criticism of great inequality and of the disturbing role of money in politics are well taken. But equality must always be subordinated to requirements for effective autonomy.

I believe that Spragens's mistake stems from applying democratic ideals suitable for small face-to-face polities to large, complex political orders. Equality is, in principle, inapplicable to large polities, even as an ideal. Something more is needed.

Misunderstanding Hayek

"America has the best politicians money can buy."
—Will Rogers

That "something more" might have been grasped if Spragens had taken the time carefully to examine the work of F. A. Hayek, whom he includes among the libertarian liberals.[2] In my view, Spragens's critique of Hayek is the weakest in his book. And nowhere is it weaker than in its dismissive reference to Hayek's concept of "spontaneous order" as a "myth" akin to "phlogiston in physics" (43). According to Spragens, Hayek meant by the term more than the absence of state action; he also meant "automaticity" and

> an outright absence of external causes or at least the absence of any need to inquire into them. But no social events, much less complicated institutions and patterns of behavior, are automatic and self-generated. The institutions of civil society . . . are the product of a complex panoply of cultural, psychological, sociological, and technological forces at work within a given society. (43–44.)

Spragens suggests that the kernel of truth in the notion of spontaneous order can be found in our "natural" inclinations for security, companionship, and the like which lead to our "spontaneously" forming society.

Unfortunately Spragens get all this about 100 percent wrong.

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Hayek devised the term spontaneous order to describe processes that lead to orderly outcomes that are unforeseen and unintended by participants in those processes. Hayek applied the concept to cultural evolution, market economies, the order of science as a whole, and the common law. Arguably, liberal democracy itself is a "spontaneous order" (diZerega 2000, 165–208).

Because civil society is not an artifact, to the extent that it possesses order it is also spontaneous in Hayek's sense (Hayek 1960, 159–60; idem 1973, 121–22). As Spragens recognizes, civil society arises from a "complex panoply of cultural, psychological, sociological, and technological forces" which is controlled by no one and whose specific interrelations cannot be foreseen. This is precisely why Hayek terms civil society a spontaneous order. The alternatives to Hayek's view are that civil society is either the outcome of deliberate control and planning, which I think Spragens would deny, or that it is a jumble of ultimately incoherent relationships, which he also would deny.

Spragens refers approvingly to the work of Michael Polanyi in his discussion of civic virtue. It is a pity he did not consider Polanyi's essay "The Republic of Science: Its Political and Economic Theory" (Polanyi 1969, 49–72). In that essay Polanyi applies the same kind of analysis as Hayek employs—even using the phrase "spontaneous order"—to the question of how coherence arises in the context of self-chosen research by largely independent scientists.

Spragens's perceptive observation that the early liberal attack on injustice lacked any comprehensive theory of justice could also have benefited from a better understanding of Hayek. As Hayek observed in describing how justice evolves without a universal theory, "a test of injustice may be sufficient to tell us in what direction we must develop an established system of law, though it would be insufficient to enable us to construct a wholly new system of law" (Hayek 1976, 42). (Hayek maintained that the "direction" in question manifested itself

over time in common law—another example of spontaneous order.)

I agree that the term spontaneous order can be misleading, and I prefer "self-organizing system" to express the same concept, as ultimately Hayek did himself (1979, xii). But Hayek chose the original term to make a sharp contrast with deliberately constructed orders, such as businesses, bureaucracies, armies, and the ideal of central economic planning. Hayek's concept enables us to distinguish between orders that are the product of deliberate intent, and those arising largely independent of intent.

Two additional observations follow. First, the rules that generate a spontaneous order can be deliberately selected. They are not mysterious or beyond our capacity to grasp. For example, rules of property right and contract generate a market. The rules can be deliberately selected and improved upon, but the patterns of relationships generated by people following these rules cannot be predicted. That pattern is a spontaneous order.

Second, because coherence arises from patterns of relationships rather than deliberate intentions, there is no limit to the complexity of the relationships that can be coordinated within a spontaneous order. The procedural rules can in fact be quite simple, but the relationships they help support are unimaginably complex.

Equality and autonomy both take on different meanings when not only scale, but the spontaneous ordering of democracy, enters our purview. Ways of thinking about equality and democracy based on small-scale organizations no longer suffice. Conceptions of personal responsibility and virtue that come to bear when we individually discuss, evaluate, and vote on a political proposal should not apply when citizens cannot help but be unaware of most proposals, let alone the reasons for and against them. It is even a stretch to try to apply such conceptions of responsibility to elected representatives. To a more than trivial extent, however, liberal democracy can exist independent of deliberate human control.

Hayek's own attack on egalitarianism is a telling cri-

tique of applying standards recognizing deliberate human responsibility for outcomes to processes where this is not the case. While Hayek's argument is aimed at defending the market from claims that its distribution of resources is "unjust," it apples to liberal democracy as well. The language of justice as equal or as a matter of fair outcomes cannot be applied to decision making in complex orders (Hayek 1976).

Magnanimity, Fairness, and Justice

Borrowing from Amy Guttman and Dennis Thompson, Spragens uses an ideal term for describing how liberal democracies can serve humane values, increase equality, and promote human well-being. The term is civic magnanimity (230). Civic magnanimity is not the same as justice, which deals with desert; it is a demonstration of generosity by citizens seeking the best for all. It is a matter of greatness of soul, rather than of deliberate attention to what is required. Civic magnanimity is a capacity absent from Rawls's strange ciphers, but it is potentially present in all genuine human beings.

A deeper exploration of how civil magnanimity differs from justice would have enabled Spragens to consider far more than he does the very real tensions and dilemmas within liberal society, especially those between personal and small-group autonomy in a complex society of strangers. Over and over again the two forms of autonomy collide, but Spragens pays too little attention to them. Yet it is here, and not in the old conflict between freedom and equality (which Spragens does such a good job of laying to rest), that the deepest problems of contemporary liberalism may be located.

Spragens does not totally ignore this issue. He accurately observes that the boundaries between citizen autonomy and the polity can best be determined through politics, because no rule can be found for adjudicating these tensions. But under contemporary conditions, this means that local communities will tend always to come out second

best—especially given Spragens's egalitarianism. If all citizens ideally have equal influence, under what warrant can a smaller community preserve autonomy when a larger majority, or a majority's representatives, decide otherwise?

Spragens does argue that friendship and respect among citizens will help preserve important areas of local autonomy and choice. A liberal realist impressed with the human power to rationalize almost anything will find in this hope inadequate protection. Institutions and procedures are needed.

Ideals imply institutions for their expression. For example, Habermas's principles of communicative competence imply democratic procedures and institutions, not technocratic dictatorship. Ideals of procedural fairness imply institutions that cannot be held responsible for the details of substantive outcomes. Therefore, liberal ideals focusing on substantive outcomes, such as Rawls's model, cannot be squared with procedural freedom and the institutions it allows. I suspect that Spragens would agree with this view when applied to Rawls. It also has implications for his own discussion of equality.

Spragens observes that "no rules of distribution are entirely fair" (154). But this is true only for deciding outcomes—that is, only if we try to work within a Rawlsian-type framework and seek just end-states. Otherwise, we can coherently think of fair procedures by which autonomous parties are able to interact with one another only because the procedures are silent as to specific outcomes. Rules of contract are one example. Constitutional procedures are another. Of course, rules such as the date of an election will favor one candidate over another when an election is close. But if the election date is determined long before the campaigns, and with no awareness of who would be campaigning or what the issues would be, it can be described as fair, even though it is not neutral. Its bias is as unpredictable as it is inevitable.

Distributive outcomes that arise from following pro-

cedures that are fair in this sense are in themselves neither fair nor unfair. They simply are. Therefore the language that Rawls, and even Spragens, use to determine whether distributions of talent or income or opportunity are just or unjust, fair or unfair, apply a standard that is inappropriate.

Libertarians usually stop here. Like Rawls, they are concerned with justice, and in their view, no injustice is involved in unequal outcomes when those outcomes are the unforeseeable results of people acting under fair rules. However, there are liberal grounds of magnanimity that impel us to go beyond libertarian minimalism. Just because the problems in the distribution of resources that Spragens describes are part of the human condition does not mean that they should simply be accepted. Addressing them is a part of civic magnanimity.

A liberal society should be praised for the magnanimity it does show, and it should be encouraged to show more of it, rather than being criticized for "unfairly" falling short of some substantive goal that it is systemcally incapable of attaining. Spragens writes, correctly I believe, that "a society complacent about deep and persistent inequalities in its midst is also a society that fails to acknowledge and to compensate for the profound contingency of human life and fortune" (161). Such a society is not unjust. It can be stonily just. But it is a society without magnanimity, comprised of citizens without heart.

Civic Friendship

Until recently, liberals have largely avoided discussing the affective dimension of social life, perhaps because liberal thought came to prominence, in part, as a reaction against strife flowing from the animosity that can arise between groups whose members are internally linked by affect. And when liberals have addressed affective ties, often they have criticized them as potentially oppressive. Spragens deserves credit for arguing that affective social

ties are essential to liberal societies. However, his effort, suggestive and laudable as it is, leads him into unnecessary difficulties.

Spragens defines friendship as "a condition of mutual enjoyment, affection, and good will among people who have some degree of mutual understanding" (179). Civic friendships "are partial and constrained subsets of friendship and virtue" (178). However, he acknowledges that friendship not only widens our sphere of care and concern, but that it is exclusive (187). Friends distinguish themselves from those who are not their friends, and nobody can in any meaningful way be friends with everybody. This is a tension Spragens never adequately resolves.

Liberalism as an ideal applies to all human beings equally. This is its greatest strength. But friendship is selective, excluding as well as including. The political virtues and attitudes we treasure in a complex liberal society are not exclusive (229). By valuing autonomy for all people, liberalism requires that we all need to have less substantively in common than can be the case in smaller, more homogeneous communities. This observation is one of Spragens's most telling points against Iris Young. What liberal citizens do need to share are procedural rules and the virtues required to strengthen adherence to those rules.

Spragens largely equates civic friendship with Fukuyama's and Putnam's descriptions of social capital (192–93). Ultimately this does not work. In Bowling Alone (which, however, appeared after Civic Liberalism), Putnam (2000, 22–23) distinguishes between two forms of social capital: that which "bridges," and that which "bonds." The most uniquely liberal social capital consists of customs and attitudes that make it possible for relative strangers to cooperate without fear, bridging rather than bonding. The differences between these two forms of social capital are important for evaluating Spragens's argument.

"Bridging" is too little appreciated, especially by com-

munitarians. Friendship is widespread in every society, except perhaps for the most pathological ones, such as Pol Pot's Cambodia. But bonding can include violent cults, criminal gangs, and racist organizations. The kinds of customs and attitudes that create "bridging" practices have the vital effect of integrating bonding relations back into society. Bridging capital enables these bonds to exist harmoniously within wider societal relationships, increasing the likelihood that bonding will benefit those who are not bonded.

There is a tension between Spragens's excellent defense of liberal toleration and his expansion of friendship so as to encompass all of society. Spragens points out that toleration is the most that can be reasonably asked of people with very different values in a liberal society. I may deeply disapprove of your actions, but nevertheless recognize that you should be free to continue living as you choose. Such toleration, however, does not much resemble "a condition of mutual enjoyment, affection, and good will among people who have some degree of mutual understanding" (179).

Spragens is right to point out that in a pluralistic society, the fact that people can have friends in different groups encourages toleration. Such friendships make it harder for groups to become too polarized. But this can be the outcome even though many members of all the groups concerned cannot know one another, let alone be mutually affectionate. To use Spragens's terminology, a minimal threshold of interpersonal connection is probably needed, although it can be far from an optimal one. This minimal threshold is the context in which people from different groups meet one another and become friends. It is not itself friendship. We need to distinguish between the personal knowledge of and affection for one another inherent in friendship, and in "bonding"; and the more general kinds of trust that can prevail among relative strangers. As a first step, I suggest that we distinguish between friendliness and friendship. I can be friendly without

being a friend. Conversely, I can be a friend without being friendly.

Friendliness reaches out. In principle I can be friendly to everyone, although I cannot be everyone's friend. Friendliness need not result in bonding, yet it remains a most desirable quality. "Bridging" social capital makes it easier for relative strangers to become friends over time. Friendly relationships can turn into friendships, as friendship can turn into love, but just as friendship is not love, so friendliness is not friendship. There is a continuum here, but despite fuzzy boundaries between key terms, the distinctions are quite real, as they are for colors along a spectrum.

In attempting to equate social capital with a kind of friendship, Spragens finds himself changing his definition of the latter. He describes civic friendship as being fully attained when good will and like-mindedness are "coterminous with the boundaries of society as a whole" (187). Gone is any reference to "mutual enjoyment," with its implication that we actually know and enjoy something about one another as individuals. Yet civic friendship has other dimensions that, to some extent, bring it into potential conflict with social capital.

We can distinguish between the two by imagining a national crisis that united citizens in the face of a perceived threat. It is at such times that good will and like-mindedness are most likely to be coterminous with society as a whole. Up to a point, a sense of sharing is highly desirable because it provides a kind of unifying glue, helping us to recognize that a public good exists to which we are all committed. This sense of civic connectedness is a vital underpinning of civic magnanimity. But a still stronger sense of civic connectedness can override the bridging social capital that eases mutual cooperation in independently chosen projects, and can subordinate them all to a national project. A kind of bonding in relation to a common threat (or other project) can replace bridging.

While liberals often recognize the importance of social

capital, they generally deny that a genuine sense of civic connectedness exists. When they do recognize it, they emphasize its dangers. Even Aristotle believed that whenever a polity was united in a single purpose, that purpose was always conquest (Politics VII. ii. 9).

Yet the weaker version of civic connectedness is quite beneficial. I will never forget arguing, with two of my urbanite relatives, against a proposed dam. I emphasized that their taxes would benefit California agricultural interests, not theirs. They granted the truth of my point, but in their view it was a good thing to help farmers, and they did not mind paying taxes to do so.

What my cousins evidenced was a concern for the well-being of the society in which they lived. They did not define that well-being in opposition to that of other communities of interest (nor in opposition to other polities). Theirs was a generalized benevolence—a civic magnanimity—that is vital to a good society. But such magnanimity depends on an institutional framework that does not tend to identify either its overall interests against those of other polities, or against the interests of some of those who have bonded within it against those with whom civic ties are weaker.

Civic connectedness is present in a great many societies, and in its strongest sense can become an aggressive nationalism. Liberalism may weaken this tendency through complex mechanisms, the best evidence being the lack of warfare between liberal democracies (diZerega 1995, 279–308). Surely one such mechanism is that the liberal traditions and values we term "bridging social capital" dilute and soften civic connectedness by encouraging more varied, immediate, and concrete kinds of interpersonal connections. Civic connectedness, then, is not equivalent to social capital. One facilitates a wide variety of individually chosen forms of cooperation; the other encourages a common identity.

Politics and Friendship

If we return now to friendship, we can see that these other forms of cooperation that Spragens tends to blend together are in fact quite distinct.

Spragens approvingly quotes Thomas Jefferson's First Inaugural on the subject of "civic friendship." There Jefferson urged the restoration of "that harmony and affection without which liberty and even life are dreary things" (189). Jefferson was hearkening back to the republican ideal of unity, which he distinguished from friendship. He was concerned with civic connectedness. This republican element in the Founders' thought was also demonstrated by their distaste for political parties, even as circumstances forced them to create them. Their unease about forming parties underscores the tension between civic connectedness and liberal principles.

In the final analysis, Jefferson thought friendship and politics antithetical. The story of his and John Adams's sundered relationship is a powerful example from Jefferson's own life. Their friendship was renewed only when both were largely free from political involvement. Throughout their subsequent correspondence, they avoided discussing political affairs, particularly the issues that had separated them.

When people seek to create organizations within civil society, for the most part these organizations pursue some goal that does not face or provoke organized opposition. Not only are they usually internally consensual, as with the Boy Scouts, a church, or a corporation; they also are not usually created in the teeth of vocal and energetic opponents. (There can be exceptions. Labor unions come to mind.) While, as with business associations, there may be competition, it is generally the impersonal and anonymous competition of the marketplace. Opposition does not, as a rule, manifest itself in the form of interpersonal confrontation.

Political organizations are different. They pursue goals that usually face internal opponents. Therefore the quick

and easy transmission of friendship of any sort to the political sphere is far more problematic than Spragens appears to acknowledge.

Politics is primarily a place for allies, not friends. Friendship can grow out of friendly alliances, but so long as the alliance is primary, the friendship is basically instrumental. Disagreement among friends can be handled by choosing "not to go there," as Jefferson and Adams did in their later years. But politics requires going there. Political friendships are usually exclusive, reserved for allies. It is unwise to expect most citizens active in politics to be more magnanimous, as citizens, than that.

Writing to George Washington, Jefferson noted that "the way to make friends quarrel is to pit them in political disputation under the public eye. An experience of near twenty years has taught me that few friendships stand this test; and that public assemblies where everyone is free to speak and to act, are the most powerful looseners of the bonds of private friendship" (Jefferson 1975, 368–9). Jefferson's distancing of friendship from politics preserved and honored friendship. As he asked when writing of his former friendship with John Adams, "with a man possessing so many other estimable qualities, why should we be dissocialized by mere differences of opinion in politics, religion, in philosophy, or anything else? His opinions are as honestly formed as my own" (Jefferson 1905, 174–75).

Spragens is on solid ground in arguing that public policy should seek to make it easier for cooperation and friendship to arise between people in various sectors of society. But this social capital is not civic connectedness; it is the realm of the Nature Conservancy, the Red Cross, and the PTA. Because it focuses on myriad independently chosen projects, social capital is not the same thing as civic connectedness, even when it serves public values.

Liberalism need not try to don the mantle of Aristotelian friendship to address communitarian or postmodernist complaints. Liberalism enlarges the number of people with whom a person might become friends. Liberalism

encourages the maximum enrichment of each individual by expanding the potential relationships into which she might enter. And liberalism provides the most favorable institutional environment within which friendships will be most likely to serve the needs of others, as well as of friends. It is not accidental, as Spragens himself reminds us, that liberal northern Italy possesses greater social capital than the "traditional" south (211n; Putnam 1993, 114).

Liberalism provides a framework of autonomy, equality, and respect that is extraordinarily conducive to friendship. But friendship itself remains inextricably scale dependent, and cannot exist at the broader societal level. While bonding friendship is enabled by liberal social capital, which can exist among perfect strangers, the two are distinct. Liberals can and should seek to increase social capital, but should avoid confusing it with friendship or civic connectedness.

Spragens's "civic friendship" includes too much. It must be disaggregated. First comes genuine friendship, which is a purely private value and depends upon personal and unique knowledge of another. Second comes social capital, which facilitates independent cooperation for mutually acceptable goals, be they private (a business) or public (the PTA, the Nature Conservancy). Finally, social capital fosters civic magnanimity, a benevolence towards the political community as a whole. All are valuable, and the liberal order facilitates them all.[3]

NOTES

1. Spragens misinterprets Dahl as a democratic realist, when he is in fact a strong liberal egalitarian. There is no change in basic normative views from the early to the late Dahl; there is only a change in his assessment of the likelihood that "polyarchy" will approach his egalitarian ideal. Dahl can be termed a "realist" only by failing to appreciate the distinction between his normative and empirical work (Dahl 1966, 298, 302n; diZerega 1988).
2. Actually, Hayek is not a libertarian. He did not regard him-

self as one (1960, 397–411), nor, as a rule, do those who call themselves libertarians regard him as one. He did not regard freedom as the ultimate value, and he explicitly allowed for substantial interventionist policies in a free polity, including some degree of income redistribution. His requirement was only that such policies avoid disturbing the market process as much as possible, to minimize any distortions they might cause the economy (Hayek 1960; 1976: 87; and 129).

3. I find myself wondering whether our different interpretations of liberal thought arise because Spragens's intellectual evolution carries traces of his egalitarian past, whereas my own carries traces of my libertarian past. While my critique of his work depends partly on my argument that autonomy is the most central liberal value, Spragens has made a powerful case that many who focus on autonomy need to take equality more seriously than we have. Fair enough. I hope he will in turn see that equality must be subordinated to the requirements of autonomy that he so well lays out.

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