

## Preface

In the early 1980s Alasdair MacIntyre argued that philosophy, and indeed Western culture, faced a fundamental alternative: Nietzsche or Aristotle. If understood in terms of essentials, we accept MacIntyre's claim regarding the fundamentality of this alternative. Further, we, like MacIntyre, but for mostly different reasons, choose Aristotle. We think that the resources of the Aristotelian tradition are crucial to avoiding the numerous pitfalls and intellectual dead-ends that we have inherited from modern philosophy. Yet, unlike MacIntyre, who has from *After Virtue* to *Dependent Rational Animals* assumed that if one chooses Aristotle then one must also reject modern political philosophy, especially liberalism, we hold that there is value in the modern approach to political philosophy and that there is at least a version of neo-Aristotelian ethics and a version of liberalism that are compatible. Moreover, we hold not only that such compatibility is possible, but that this version of liberalism—that is, a natural rights classical liberalism—is best understood and defended by an ethics of Aristotelian inspiration. We argued for this thesis in our earlier work, *Liberty and Nature: An Aristotelian Defense of Liberal Order* (1991), and we have since then in various essays and a small monograph, *Liberalism Defended: The Challenge of Post-Modernity* (1997), developed this argument further.

We believe our current work to be both the mature expression of this thesis and our best statement to date of the argument for it. We indeed make many aspects of our earlier argument clearer and more precise. Yet we also expand an idea noted, but not fully developed, in those earlier works—namely, that neither the unique nature of liberalism nor the true character of political philosophy can be appreciated until it is understood that liberalism is a political philosophy of *metanorms* and that political philosophy should, contrary to what most Ancients and Medievals thought, give a central place to metanorms as well.

In this work we spend much time explaining the ethical typology of “metanormative principles” and showing their importance for political philosophy. We argue that the key to understanding the fundamental character of, and need for, metanormative principles is found in an account

of neo-Aristotelian ethics, which we call “individualistic perfectionism.” According to this account, human flourishing—the term for perfection (and virtuous activity) in Aristotelian ethics—is something real, but it is at the same time highly individualized, agent-relative, inclusive, self-directed, and profoundly social. These features of human flourishing generate a problem that cannot be reduced to those of normative ethics. It is the unique problem of the political and legal order that requires the existence of ethical principles that seek not to guide human conduct in moral activity, but rather to regulate conduct so that conditions might be obtained where moral action can take place. Such principles are metanormative principles, and we label this problem “liberalism’s problem.” We do so because liberalism has been, by and large, the only political tradition whose principles are consistent with an appreciation of this philosophical insight and because a pluralism of the forms of human flourishing points to liberalism as the *appropriate* solution to the political problem of integrated diversity.

We explain liberalism’s problem in detail and show that it is a basic problem of political philosophy and one that in various forms has been the concern of many modern political philosophers. Briefly stated, liberalism’s problem asks: What are the principles by which to establish a political and legal order whose structure will allow for the *possibility* that different individuals might be able to flourish and realize virtue in very different ways? We argue that the key to solving liberalism’s problem is the protection of the possibility of self-direction, since self-direction is the common critical element in all the concrete forms of human flourishing. We use this insight as the basis for our claim that the basic, negative, natural right to liberty is, together with its corollary rights of life and property, a metanormative principle, because it protects the possibility of self-direction in a social context. We further argue that such concepts as “social justice” and “the common good of the political community” are, as normally understood, not metanormative principles and that no ethical principles associated with these concepts, nor any other ethical principles, for that matter, can claim priority over the basic right to liberty as a metanormative principle. Overall, we defend, then, what we call “liberalism’s basic tenet”—namely, that protecting liberty, as understood in terms of basic negative rights, should be the paramount aim of the political and legal order.

Since our argument for this understanding and defense of liberalism is conceptual rather than historical, and since our approach is original, we should note some of the considerations that have shaped our argument. By

making these considerations explicit we hope to assist the reader in navigating this work's theoretical waters.

First, although we regard the presentation and defense of the basic structure of our argument as necessary to make our argument clear and persuasive—indeed, Chapter 11 is devoted entirely to the presentation of our argument's basic structure—we do not think this is sufficient. We think it is also necessary for us to compare and contrast our approach to, and defense of, liberalism with more traditional ones. Further, since our version of human flourishing belongs to the natural law tradition, we also make an effort to compare our version with that found in both traditional and new descriptions of natural law ethics. It is our hope that these comparisons will enable the reader to appreciate better our account and defense of both liberalism and individualistic perfectionism.

Second, the implications of what we are arguing are a critical means of understanding our argument, and in the diverse arena of competing positions in political philosophy, we can only differentiate ourselves at times by showing how we cannot be reduced to one of the competitors already in that arena and can meet the objections posed by others. Thus, we not only engage in comparisons, we consider how our argument fares against criticisms launched from other perspectives. The danger in this approach is repetition, since the basic insights of our argument recur when we engage in comparisons, meet criticisms, and defend liberalism. We have striven, of course, to eliminate all needless repetition.

Third, we do not consider either ethics or political philosophy to be enterprises that can be conducted apart from philosophical anthropology. Thus, we think it is perfectly legitimate to note the superiority of one account of human nature as compared to another when evaluating ethical and political theories. Further, we believe that once philosophers acknowledge the importance of philosophical anthropology, they are already knocking on the metaphysical and epistemological door. In this work, we do not, of course, walk through this door, but we do note some of the furniture that can be seen through its opening, for example, moderate essentialism and natural teleology. Thus, unlike the dominant philosophical fashions of the last century, we do not regard it a philosophical virtue to advance arguments in ethics and political philosophy as if the existence of deeper commitments can be denied, ignored, or at least not called to mind. Such commitments are crucial to the interpretative context of arguments in ethics and political philosophy, and if they are not made explicit, then they may be supplied by others, often with disastrous results for the intelligibility

of these arguments. And if those commitments are not supplied, political philosophy will simply rest on a kind of irreconcilable intuitionism. Either way, to ignore these deeper commitments accomplishes very little for philosophical understanding or the advancement of knowledge.

Yet, it should be acknowledged that laying all of one's intellectual cards on the table has a price. Since not everything can be done in a single work, and since there are always more issues to be explored, a defense of these deeper commitments, though called to mind, must remain less than fully developed. Nevertheless, we have tried either to provide the reader with reasons for thinking our deeper commitments plausible or to point to places where this is done. The example of MacIntyre with which we opened is instructive here in that, to his credit, he has over the last twenty years come to recognize fully the importance of these deeper issues when doing ethics and political philosophy.

"Deeper issues" calls to mind philosophy, and philosophy concerns the perennial. In this work, despite its political focus, we pursue the philosophical. We are thus not paying that much attention to current ideological wars, political conflicts, or what is fashionable or politically correct. We expect that elements of what follows here will appeal to, but also repel, members of the "left" and the "right," not to mention the always prevalent "middle." What we have to say may indeed be too radical for them. If this is so, then all we can say is simply "so be it." We are trying to get at the truth regarding some very important issues in political philosophy, and what matters most for us as philosophers is not how to win the next election, change the culture, influence friends in high places, or appeal to intellectual fashion. Rather, what matters most is whether or not we make a contribution to understanding the issues we have chosen to examine. The ways in which our views may have currency in debates of the moment seems to us not the sort of thing to which we, as philosophers, are particularly well suited. Since Plato went to Syracuse, the hubris of philosophers has been the belief that they can serve well as political consultants. Consultant is not a role to which we aspire.

Second, precisely because we aspire to do some philosophy, this is not a book for one's coffee table. Yet, this work is not just addressed to the professional philosopher. We believe anyone who is seriously interested in the central and basic issues of political philosophy will find this work accessible.

We thus offer the following recommendations to the reader. If the reader is not particularly interested in all of the philosophical details of our view and would simply like to learn about our account of liberalism's crisis, how

our approach to liberalism is distinguished from that of others, and in what our defense of liberalism generally consists, then reading the first five chapters of this book—Part I—should suffice. If the reader is interested in a fuller understanding of what we call the new deep structure of liberalism, that is, “individualistic perfectionism,” then we suggest that the reader tackle as well Part II, namely, Chapters 6 through 9. Finally, if the reader would like to see how we respond to criticisms of liberalism that are of a communitarian and conservative bent and to those of a more analytical nature, then the reader should continue all the way through Part III of the book, Chapters 10 through 12. The reader will also find there what the overall logical structure of our argument for individual rights looks like. Finally, we suggest a look at the epilogue if for no other reason than it will give the reader some insights into how we approach and conceive that most wonderful and difficult of intellectual enterprises—that is, philosophy.

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- “The Natural Right to Private Property,” in *Liberty and Nature: An Aristotelian Defense of Liberal Order* (La Salle, Ill.: Open Court, 1991), 115–28;
- “Reply to Critics,” *Reason Papers* 18 (Fall 1993): 115–32;
- “Reclaiming Liberalism,” *The Thomist* 58 (January 1994): 109–19;
- “Rights as Metanormative Principles” and “Community versus Liberty?” in *Liberty for the Twenty-First Century*, ed. Tibor R. Machan and Douglas B. Rasmussen (Lanham, Md.: Rowman & Littlefield, 1995), 59–75 and 259–87;
- “Liberalism Defended: The Challenge of Post-Modernity,” in *Classical Liberalism and Civil Society*, vol. 7 of *The John Locke Series in Classical Liberal Political Economy, The Shaftesbury Papers*, ed. Charles K. Rowley (Fairfax, Va.: The Locke Institute, 1997), 9–1–9–81;
- “Human Flourishing and the Appeal to Human Nature,” *Social Philosophy & Policy* 16, no. 1 (Winter 1999): 1–43;
- “Liberalism and Virtue,” in *Public Morality, Civic Virtue, and the Problem of Modern Liberalism*, ed. T. William Boxx and Gary M. Quinlivan (Grand Rapids, Mich.: William B. Eerdmans, 2000), 58–88;
- “Ethical Individualism, Natural Law, and the Primacy of Natural Rights,” *Social Philosophy & Policy* 18, no. 1 (Winter 2001): 34–69;
- “Why Individual Rights?” Reprinted from *Individual Rights Reconsidered: Are the Truths of the U.S. Declaration of Independence Lasting?* ed. Tibor R. Machan, 113–37, with the permission of the publisher, Hoover Institution Press. Copyright 2001 by the Board of Trustees of the Leland Stanford Junior University; and
- “Self-Ownership,” *The Good Society* 12, no. 3 (2003): 50–57.

Finally, we would like to dedicate this book to our parents—Ethan and Maxine Rasmussen and Robert and Andrea Den Uyl. They taught us not what to believe and value, but what it means to make beliefs and values one’s own.