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STATES

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## **ABSTRACT**

This thesis sets out to achieve two goals: first, to present both an analysis and a critique of both Classical and Modern political theory in order to offer a justifiable prescription of government; secondly, this thesis presents a new civic educational program befitting the United States. Building from the argument that the Framers of the U.S. Constitution fulfilled only half of a theoretical equation concerned with political stability, sustainability, civil rights, and political liberties, this work additionally sets out to identify the various points of theoretical origin from which many of the contemporary dilemmas facing the United States have arisen. By identifying such points of theoretical origin, this work moves forward to provide a restructuring of American political governance and a reformation of American civic education to ensure that such dilemmas are extirpated.

## TABLE OF CONTENTS

Abstract.....	i
Table of Contents.....	ii
Acknowledgements.....	iv
Chapter 1 Introduction.....	1
Chapter 2 Stating the Problem: Why We Need Civic Education.....	6
Chapter 3 An Analysis of Antiquity: Classical Civic Education.....	10
Socrates and Plato.....	11
Isocrates.....	15
Aristotle.....	22
Chapter 4 An Analysis of Modernity: Modern Civic Education.....	26
A Break with the Past.....	26
The Rise of the Leviathan.....	29
Cogito Ergo Sum.....	31
Experience as Education.....	33
Modernity in the Twentieth Century.....	36
Chapter 5 A Syncretistic Approach: Framing the U.S. Constitution.....	43
The State of Nature, Liberty, and Property Rights.....	44
The Hobbesian State of Nature.....	45
The Lockean State of Nature.....	47
The Framers' Solution: Life for Life v. Life for Happiness.....	49
Antiquity and Modernity: The Abandonment of Republican Virtue.....	50
A Truly Republican Form.....	51
A Call for Liberty.....	53
The Framers' Solution: A Mixed Approach.....	54
Civic Education in the New Republic.....	56
Chapter 6 Past and Present: A Critique of Political Theory and Civic Education.....	60
A Critique of Classical Political Theory and Civic Education.....	60
A Critique of Modern Political Theory and Civic Education.....	64
Past & Present: Salvaging Political Theory and Civic Education.....	70

Chapter 7 The Cult of Democracy, Demagoguery, Altruism, and the Fallacy of Our Time ...	74
A Critique of Mill’s “Utilitarianism” .....	74
Jean-Jacques Rousseau and the General Will to the General Interest .....	75
The Reappearance of Civic Virtue in the Cult of Democracy.....	78
A Critique of Gutmann’s “Democratic Deliberation” .....	79
The Bliss of Democratic Ignorance.....	81
Demagoguery and Democracy .....	83
Altruism: The Fallacy of Our Time.....	84
Quis Custodiet Ipsos Custodes? .....	87
Chapter 8 Unity through Division: Reconsidering Civic Education in the United States .....	90
Why Do the United States Require a New Direction for Government?.....	91
Understanding the Justifications for Governance: Purpose and Methods.....	93
Unity through Division: A Civic Education in Selfishness.....	101
Selfishness: A Reclamation.....	104
A Tradition of Selfishness.....	105
Closing Remarks .....	111
BIBLIOGRAPHY .....	113
ACADEMIC VITA.....	120

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## Chapter 1

### Introduction

The United States, in the wake of recent and historical crises, has reached the precipice at which change, for better or worse, is inevitable. Ranging from the chaos that ensued as a result of the revolving door of political economy in 2008 to the disturbing reports of enhanced interrogation techniques being employed by the Central Intelligence Agency, the obstacles the U.S. faces both domestically and internationally are only compounded by its inability to arrive at solutions that are anything more than stop-gap maneuvers intended to allow our leaders to table the underlying issues for further consideration, whether that time for further consideration be conveniently after the next election, the next financial crisis, the next act of terrorism, or the next mass shooting. The U.S. is enveloped by what is termed as *demosclerosis*.<sup>1</sup> The paralysis of the U.S. political system is caricatured by *The Daily Show* with Jon Stewart and formerly by *The Colbert Report* with Stephen Colbert, and individuals across the country harbor feelings of helplessness in the face of what many are convinced is the impending doom of the U.S. Whether this doomsday should arrive by way of defaulting on financial obligations or through a further entrenching by each political party resulting in a further paralysis is becoming quickly irrelevant. The point of no return for the U.S. is approaching yet, after each consecutive catastrophe, the hope and change U.S. citizens are promised by their elected officials, on both sides of the aisle, translate into more of the same: waste, inefficiency, hypocrisy, corruption, and irresponsibility.

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<sup>1</sup> Johnathan Rauch defines “demosclerosis” as a paralysis within the political system, the causes of which are myriad and controversial depending upon the source of the cause.

Although each states' political situation differs in unique ways, the dissatisfaction held with the U.S. federal government by citizens from all political persuasions is universally displayed in all fifty states. When pressed in conversation to offer a solution to the current woes of the republic as a whole, however, citizens often spend more time laying the blame at the feet of the officials at the upper echelon of government than they do in offering actual resolutions to current and recurring problems that stem from the uniquely republican disease of factionalism. Republics, as well as democracies, are historically plagued by the existence of factions, special interests, and the like. It was a concern for this very disease of factionalism that led James Madison, Alexander Hamilton, and John Jay to write the *Federalist Papers* during the ratification process of the U.S. Constitution. On the other side of the argument are those academics who, spending their time locked away in ivory towers, decry the ignorance of the general public and the deplorable levels of voter turnout, yet postulate theoretical solutions that are based in no less an amount of bias than is held by the average American. They then promulgate their quixotic notions throughout the higher education system of the United States. As Alexis de Tocqueville observed, "everyone senses the malaise[,] but no one has the necessary courage or energy to pursue any better course."<sup>2</sup> With so much energy being expended in identifying the culprits for our collective misfortunes, when will the time arise at which these very problems can begin to be resolved? Are the problems of the U.S. so that no resolution is possible? Was the American experiment of the eighteenth century doomed to follow the fate of all great republics before it?

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<sup>2</sup> Alexis de Tocqueville, *Democracy in America*, trans. Gerald E. Bevan (New York: Penguin Books, 2003), 20.

The first goal of this work is to propose that any meaningful resolution can only be met by engaging in a thoughtful discussion considering both the proper size and scope of government as well as the necessary civic educational reforms that must be carried out in order for such changes to government to be both efficacious and lasting. As mentioned earlier, late night talk show hosts earn a living in part by revealing the general ignorance of America's citizens on the most basic questions of American history, political processes, and governmental institutions. As Ilya Somin avers, "The reality that most voters are often ignorant of even very basic political information is one of the better-established findings of social science."<sup>3</sup> In part, this work shows how, in order for meaningful civic educational reform to take place, a new *paideia* must be formed with an inquiry into the nature of existing incentives for citizens forming its basis. Simply put, the question is *why should citizens be informed? What do they stand to gain from such knowledge that requires vast investments of time and intellectual energy?* Additionally, a secondary goal of this work is to show how, through the implementation of an American form of civic education that draws from antiquity, the Framers, and modernity, that an antidote for demoscclerosis can be crafted. The scope of this endeavor is limited to civic education within the United States' primary, secondary, and higher educational programs. Any inquiry into civic education, however, must also include an inquiry into the prevailing form of government that citizens live under. In combination, this work proposes both a new direction for American civic education and American government. Amid the morass of economic and political turmoil, the time for such a reform in civic education could not be better. Only when driven to the point of destruction that individuals are capable of meaningful, lasting change. It must be made clear, from this point onward, that the focus of this work is not the U.S. political system, the U.S.

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<sup>3</sup> Ilya Somin, *Democracy and Political Ignorance* (Stanford: Stanford University Press, 2013), 17.

Constitution, political parties, or citizens in general. Rather, the only proper unit of analysis for this inquiry, that can be used when attempting to design a system of civic education that is uniquely American, is the *individual*. Only the individual can make the conscious, rationally self-interested choice to change. As Nietzsche argued, “madness is something rare in individuals – but in groups, parties, peoples, [and] ages – it is the rule.”<sup>4</sup>

The work that follows begins in Chapter 2 with a defense and justification for the existence of civic education today. Just as often as the efficacy of civic education is questioned, so too is the supposed desirability of just such an education. Chapters 3 and 4 follow the preceding chapter by reviewing the works of Classical civic educators and Modern civic educators, respectively. These two chapters are designed to identify the purposes and methods of educators in both antiquity and modernity, as well as a review of the developments of Classical and Modern political philosophy with regard to the proper size, scope, and constituency of political orders. Chapter 5 builds upon arguments carried forward from Chapters 3 and 4 by reviewing the multiple sources from which the Framers of the U.S. Constitution drew the in the cause of their bold experiment with government-by-design. This chapter will also focus on the purposes and methods of the Framers with a view towards their aspirations for the republic. Chapter 6 provides a critical analysis of Classical, Modern, and early U.S. political theories and civic education formulations. Chapter 7 then challenges the prevailing notions Americans hold with regard to democracy: its desirability, its limitations, and its efficacy. Chapter 8 builds from the minimalist arguments for civic education and attempts to show *why* the United States in particular requires an American civic education in order for the republic to survive. Chapter 8

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<sup>4</sup> Friedrich Nietzsche, *Beyond Good and Evil*, trans. R. J. Hollingdale (New York: Penguin Books, 1990), 103.

also consists of the most challenging aspect of this work: the actual crafting and recrafting of bases for civic educational programs within the United States.

The purpose of this work is to offer (1) a new direction and structure for American government and (2) a civic educational program that will complement and reinforce the structure of the government to ensure the observance of civil rights and political liberties while also protecting the life, liberty, and property of the individual American. Contrary to what many modern Libertarians or Objectivists may argue, simply tackling the evils of “big government” fails in recognizing the factors that *led* to such evils. Civic education has the potential to either maintain or debilitate an existing regime. Unfortunately in the United States, “the theory and practice of contemporary citizenship risk turning the school system into an instrument of moral coercion, jeopardizing its role as an instrument of social governance.”<sup>5</sup> The simplistic approach of eliminating government whenever and wherever possible is naïve; the underlying causal factors that have culminated in an expansive government will persist. Civic education must be reformed for any limitations placed on government to be both cogent and indelible.

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<sup>5</sup> Ian Hunter and Meredyth Hunter, “Popular Sovereignty and Civic Education,” *The American Behavioral Scientist* 43, no. 9 (Jun/Jul 2000): 1463, accessed October 20, 2014, doi: 10.1177/00027640021955991.

## Chapter 2

### Stating the Problem: Why We Need Civic Education

Over the course of two millennia, educational theorists and philosophers have grappled with attaining the proper balance between public and private with regard to education. Specifically today in the United States a consensus exists on both sides of the political spectrum that, at the very least, supports a minimalist approach to education and governmental involvement. On the more particular query of government's role in *civic* education, the consensus for governmental involvement grows stronger, yet the ends sought by such governmental involvement are myriad. The differences in ends sought find their origins at the dawning of Western civilization. It would be pretentious to assign to either of the two major political parties an important formative role in the evolution of sentiments held toward civic education. The root cause of the unease of many who question, not only the efficacy of civic education, but its very desirability can be traced back to Ancient Greece and the Roman Republic as it neared its end. Certainly, events in the twentieth century turned many theorists away from proposing reforms in civic educational programs. Proposing reforms to strengthen civic education might lead one to be labeled as a racist, nationalist, or, for the more extreme critic, a fascist. Surely the educational abuses of the Nazis during their reign would lead even the most ardent supporter of civic education to question their premises, but the response in the United States has been a failure of distinction. In the aftermath of World War II and in the wake of the Cold War, education in general began to experience far greater federal involvement while, concomitantly, a greater push for privatization occurred on the state level. This *general* push for

privatization is controversial, but its proponents have glazed over much of educational theory and fail to make the distinction between what *can* be privatized and what *should be*. Education in the fields of mathematics, the sciences, music, and even physical education can readily be identified as candidates for privatization, but the question of civic education is one that many within the push for privatization fail to consider. It is therefore important to make such a distinction.<sup>6</sup>

It is obvious to all that the brainwashing and indoctrination of Nazi-era education in Germany is a predicament that all educational programs wish to avoid, yet to jump from one extreme to the other, as if no other possibilities existed, is reactionary and not thoughtful. To make this distinction requires an inquiry into the basic purposes of the varying fields of education. This thesis focuses little on general education, yet this topic must necessarily be included in any discussion of distinction. What the general fields of primary and secondary education (e.g., mathematics, the sciences, music, home economics, metal working, etc.) share with civic education in particular is where the distinction between the two groups can be found. This distinction, however, would be meaningless if civic education is understood in its merely post-No Child Left Behind formulation. Following the increase of federal entanglement with education, as prescribed by No Child Left Behind, arose a movement that seeks to measure the “progress” in high schools across the country. The result of this movement has been standardized testing, a phenomenon that has proven to be burdensome for the general educator, and disastrous for the civic educator. The level of disruption wrought by No Child Left Being that varies between the general educator and the civic educator is, once again, the result of a failure of

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<sup>6</sup> Again it is important to note that this work is limited to civic education; the question of privatization in relation to the more general fields of education are better tackled in another separate work, such as Murray Rothbard’s *Education: Free & Compulsory* (Auburn: The Ludwig von Mises Institute, 2010).

distinction. For while measuring the progress of a student's progress in mathematics, literacy, the sciences, and the like is difficult enough; how can civic education be standardized or measured within the limits of a multiple-choice examination or short-answer responses?

The distinction that has been referenced several times now is one of purpose. Mathematics, the sciences, and vocational training generally seek to impart students in the United States today with *technical* skill for *practical* application. It is not the goal of this work to undermine such educational goals, but for the Founders and Framers, technical expertise was only a valid educational pursuit *after* civic education as "their main worry was whether the Republic would survive at all."<sup>7</sup> According to the Framers, before American schools could dedicate time, energy, and resources to the *private* pursuits of students, these institutions needed to focus on the necessary *character education* that would allow for the maintenance of the Republic. Thus arises the first major distinction between the general fields of education and civic education. Civic education will here forward be treated as the equivalent to *character education*, one with the goal of forming civic character around a thorough knowledge of individual rights or civil liberties that enable such practical knowledge to be utilized freely for private ends. As Bruce Cole argues, "To understand the Constitution is to understand more than the words of the document themselves; it is to interrogate why Americans have certain rights and responsibilities, and why we need to exercise them."<sup>8</sup> Technical expertise does not raise individual students to the level of understanding that is necessary for them to both contemplate *why* rights and liberties are protected and observed in the United States, nor does it inform them *how* they must be carefully

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<sup>7</sup> E.D. Hirsch, "The Inspiring Idea of the Common School," in *Civic Education and the Future of American Citizenship*, ed. Elizabeth Kaufer Busch and Jonathan W. White, 15-36 (Lanham: Lexington Books, 2013), 15.

<sup>8</sup> Bruce Cole, "American Amnesia," in *Civic Education and the Future of American Citizenship*, ed. Elizabeth Kaufer Busch and Jonathan W. White, 67-77 (Lanham: Lexington Books, 2013), 73.

watched over to ensure the continual maintenance of the Republic in order to avoid its degradation into a lesser form of regime.

Whereas contemporary educational programs within the United States have become “more concerned that youth become economically self-sufficient than be good citizens,” the need for a reemergence of civic education has never been greater.<sup>9</sup> With the United States’ federal government levying a barrage of attacks on individual rights while observing little the civil liberties outlined in the Bill of Rights (consider the dragnet surveillance programs carried out by the N.S.A.), the time for educational programs in the United States to return again to civic education has arrived. But what particular program of civic education is befitting of the United States? The remainder of this work is dedicated to answering that question.

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<sup>9</sup> Lorraine M. McDonnell, “Defining Democratic Purposes,” in *Rediscovering the Democratic Purposes of Education*, ed. Lorraine M. McDonnell, P. Michael Timpane, and Roger Benjamin, 1-18 (Lawrence: University of Kansas Press, 2000), 1.

## Chapter 3

### **An Analysis of Antiquity: Classical Civic Education**

Civic education in its current form embodies neither what is best in Classical nor Modern theories of civic education and political philosophy. Rather, the current course of civic education in the United States continually vitiates what little has remained from these earlier traditions, traditions upon which the Founders and Framers built in their effort to provide the young Republic of the United States with a firm theoretical basis. Due to either extreme hubris or a proclivity for simplicity, civic education, in its current formulation, has been widely relegated to the margins of educational practice. Due to the ever increasing involvement of the U.S. federal government in education and calls for standardization for the purposes of measuring efficiency, progress, and desirability, civic education has suffered greatly. Simply put, the uniqueness of civic education does not make it amenable to the strictures of standardization, multiple-choice examinations, or other forms of top-down, simplistic approaches that seek to render our educational system as a catapult from which the youth of the United States is launched to fulfill future economic activity and growth through professional careers or vocational employment. It is the formation of character that is lacking in this formulation.

Technical educational pursuits carried out for the purposes of attaining practical skills fundamentally lack the ability to inculcate students with the necessary character development that enables these young individuals to reflect on *how* these skills should be employed. Skills of a technical nature are neither moral nor immoral; they are simply tools that can be utilized for either the enrichment of individuals through voluntary exchanges to mutual benefit, or these

skillsets can be utilized by a tyrannical regime to further its own ends at the cost of individual freedoms, liberties, and rights. Contemporary programs of civic education merely suggest to our young citizens that it is sufficient to *know*, but not *understand*. As Schopenhauer observed:

The fatal tendency to be satisfied with words instead of trying to understand things – to learn phrases by heart, so that they may prove a refuge in time of need exists, as a rule, even in children; and the tendency lasts on into manhood, making the knowledge of many learned persons to consist in mere verbiage.<sup>10</sup>

Without the proper development in character, therefore, technical expertise falls short of ensuring the maintenance of any form of government, especially the republican form that exists in the United States. It was the development of character through education that was, arguably, what weighed heaviest on Classical educational theorists. Although my work will reject much of both Classical and Modern theories of civic education, each theoretical approach offers a discourse that heavily influenced the Founders and Framers of the United States. By reviewing these discourses, the points of epistemological and teleological origin from which the United States was forged can be rediscovered and examined. Three Classical educational theorists are of immense importance when carrying out a review of antiquity and its purposes and methods with regard to civic education. These theorists are Socrates (as viewed through the relevant texts by Plato), Isocrates, and Aristotle.

### **Socrates and Plato**

Any effort to confront the complexities of Classical civic education must start with the theories of Socrates as primarily retold through the relevant texts of Plato. Throughout the works of Plato, Socrates, through discussions and debates with his students and acquaintances, carries out a relentless inquiry into many of the subjects discussed; education is treated in a similar

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<sup>10</sup> Arthur Schopenhauer, *On Education* in *The Works of Arthur Schopenhauer*, ed. Ben Ray Redman, 271-279 (Roslyn: Walter J. Black, 1932), 273.

fashion. In many ways, Plato's Classical civic education is built at the summit of the theoretical world. For Plato, "humans possess different, unequal gifts, which can be developed through education. Thus, he envisions a caste system, fitting each citizen into the carefully designed machinery of the state."<sup>11</sup> Plato, ever the rationalist, attempts to pull the gaze of his students up from the normal day-to-day activities of human life to inculcate an "erotic love for virtue" for the purpose of keeping regimes "from devolving into a dangerous house of relativism."<sup>12</sup> Moral relativism, as combated by Plato, can only be defeated by inculcating students with a love of virtue and an understanding of such virtues. This, however, is where the Socratic approach to civic education falls short of realizing its lofty goals: moral absolutism, which appears throughout Socrates's *City in Speech*, often is tinged with prejudice masquerading as rationalism. This becomes evident when any reader of Plato's *Republic* reaches the conclusion that Socrates merely sets up a *City in Speech* with philosopher-kings at the helm for the purpose of embellishing philosophers with a status that mirrors their *self-identified* worth to the world. The error in reasoning here arises from human nature: all professionals believe themselves to be irreplaceable to the extent that they mistake their profession in one given field as being overly valuable to those of other professions. It is this "jack-of-trades" approach that sets *City in Speech*'s education system up for its inevitable fall. This unravelling of the *City in Speech*'s programs, however, may have been deliberate. It would appear to readers of the *Republic* that Socrates employs this thought experiment to show the limits of political power and,

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<sup>11</sup> Patricia M. Lines, "Shackling the Imagination: Education for Virtue in Plato and Rousseau," *Humanitas* 22, no. 1 and 2 (2009): 60, accessed October 18, 2014, <http://www.nhinet.org/22-1&2.htm>. Allan Bloom's reading of Plato's *Republic* avers that neither Socrates nor Plato advocated for such a *City in Speech* – the thought experiment was designed to show the limits of political ordering in a top-down fashion. In essence, the *City in Speech* was designed to appear as a nightmare, but it was just this nightmare that would later be advocated by hyperrationalists in Modern political philosophy as is discussed in Chapter 4.

<sup>12</sup> Mark J. Lutz, *Socrates' Education to Virtue: Learning the Love of the Noble* (Albany: State University of New York Press, 1998), 15; 3.

consequently, the limits that exist on humanity's ability to order all aspects of human life.

Reaching this conclusion does not, however, undermine the goal of Socrates's educational program. Just as before, during, and after the discussion of the City in Speech, Socrates's aims are the inculcation of civic virtues for the purpose of maintaining a just regime. As stated earlier, Socrates's lofty education goals were forged at the peak of the theoretical world; a perfect Socratic educational system would result in a populace that reflected *kaloskagathia* (gentlemanliness). These individuals would be "noble, spiritually beautiful, as well as good."<sup>13</sup> As occurs later in Aristotle, the aim of an education to virtue must be adjusted due to purely human, and not theoretical, considerations. Socrates's love of understanding the nature of things eternal pulls the aim of his approach to civic education above and beyond practical concerns of human life and human governance. In order to avoid "throwing the baby out with bathwater," a look at Plato's and Socrates's methods is necessary.

Uniformity of education is the first method employed by the educational program found in the City in Speech. Although Socrates places a great deal of importance on varying levels of natural ability in his City in Speech, each of the relative classes within the City will be given a uniform education prescribed to be compatible with their future place in the social hierarchy. The obvious outcome of such a move, ironically, would be the abolition of *private* education by either parents or hired tutors.<sup>14</sup> This is justified for children are "even more the property of the state than of [their] parents."<sup>15</sup> Along with the elimination of private education, Socrates also

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<sup>13</sup> Thomas L. Pangle, *Aristotle's Teaching in the Politics* (Chicago: The University of Chicago Press, 2013), 67.

<sup>14</sup> The irony of this statement is considered deliberate when following Allan Bloom's reading of Plato's *Republic* (Allan Bloom, trans., "Interpretive Essay," in *The Republic of Plato*, by Plato [New York: Basic Books, 1991], 307-436).

<sup>15</sup> A. E. Taylor, trans., *Laws*, by Plato in *Plato: Collected Dialogues*, ed. Edith Hamilton and Huntington Cairns, 1225-1513 (Princeton: Princeton University Press, 1989), 1376 (804d). Classical references in this work will contain

attempts to vitiate anything that could compete with the regime for the loyalty and devotion of the populace; thus religion, myths, rapacity, and individuality itself are to be extirpated. It is at this point that Socrates's polemic against poetry and imitation in Book III of the *Republic* comes to the forefront. This maneuver by Socrates, however, is again ironic for he then seeks to replace the prevailing mythologies with new ones of his own design. This occurs, interestingly enough, only after Socrates shows his detailed knowledge of the poetry of Homer. By arguing against poetry and imitation, only to end up embracing what had been rejected, does Socrates present what his actual target is; poetry and imitation are not at odds with a Socratic education, but Homeric virtue is. Socrates rejected the Homeric virtues, which revolved around the individual, and redesigned the same virtues to revolve around the collective or the regime.

The methodology of Socrates, as portrayed through the works of Plato, consisted of a rewiring of human nature. To rid his students of their "graspingness," Socrates envisioned an educational system that aimed too high to be practicable; human nature cannot be overcome or designed away by mere humans. The quintessential error of the Socratic approach to civic education is that it relied solely upon a select number of individuals, philosopher-kings for example, to educate away the corrupting and stultifying influence of human passion and human self-centeredness. What Socrates failed to see, however, is that to educate away human nature would require almost divine guidance, but Socrates settled for the guidance of other humans. Regardless of whether philosopher-kings are intellectually superior to the masses, the truth remains that they too are only human.<sup>16</sup>

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both the page number from the source cited and the relevant Stephanus page numbers for the works of Plato and Bekker line numbers for the works of Aristotle.

<sup>16</sup> The question of whether the term "philosopher-kings" is a contradiction of terms is also of interest, but is not particularly relevant to the current discussion.

Although the City in Speech's approach to civic education may prove to be impossible to realize, the basic goals and methods of Socrates's approach proved useful to civic educators during his own time and even today. Socrates's education was devoted to inculcating virtue, such as courage, wisdom, and moderation (or discipline). Although the words may have remained unchanged, the meanings were altered due to Socrates's abandonment of the Homeric versions of the same. The underlying methodology of Socrates is where the great majority of disagreement arises between Classic educators. The goals, as will be shown, remained on relatively equal footing with one another through Isocrates's approach to civic education as well.

Before moving forward to an analysis of Isocrates's purposes and methods, it is important to note the following. Civic education in the Classical form requires the existence of an expansive and powerful government. Although horrifying to contemporary theorists, the idea behind such an authoritarian regime was that it could be directed virtuously by its leaders when they were educated in a way that developed within them an erotic love of virtue. Civic virtue, therefore, would keep such a powerful regime from decaying and becoming arbitrarily oppressive or immoral. The efficacy of this reliance on civic virtue, however, is in part a target of this work and will be reviewed further later on.

### **Isocrates**

The *sine qua non* of Isocratean civic education is *mimesis* (performance). Ekaterina Haskins avers "Isocrates defends a program of civic education in which the traditional Greek association between speech and conduct (*legein kai prattein*) is upheld. Isocrates thereby promotes a performative view of training in speech as a *mimesis* of civic excellence."<sup>17</sup> To

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<sup>17</sup> Ekaterina V. Haskins, "'Mimesis' between Poetics and Rhetoric: Performance Culture in Civic Education in Plato, Isocrates, and Aristotle" *Rhetoric Society Quarterly* 30, no. 3 (Summer 2000): 7, accessed February 02, 2014, <http://associationdatabase.com/aws/RSA/pt/sp/rsq>.

enable students to embody civic excellence, Isocrates required the necessary tools; such tools were found within the compositions, speeches, and literature of the past. Through a process of review, performance, and composition, Isocrates asserted that his students would be capable of mastering the art of rhetoric. At this point, however, Isocrates's methods come into conflict with the teachings of the Platonists. In Isocrates's *Against the Sophists*, he affirms that students of rhetoric ought "to adorn the whole speech with striking thoughts and to clothe it in flowing and melodious phrase – these things, I hold, require much study and are the task of a vigorous and imaginative mind."<sup>18</sup>

Isocrates's suggestions liken prose to poetry – a thought that ran counter to the Platonists. In a reversal of Socrates's banishment of poetry from the City in Speech in Book X of the *Republic*, Isocrates not only allows poetry a place within his *paideia*, but offers it up as a necessary element within a rhetorical education. Socrates, fearing the licentious proclivity of poets and their poetry, dismisses poetry from the City in Speech as poets offer mere "imitations," that are "far from the truth"; therefore, poets are liars who could potentially be subversive to the regime.<sup>19</sup> Isocrates acknowledges this charge against poetry in the *Antidosis* and provides the counter-argument that imitation within his educational program is not for the purpose of transforming students, through imitation, into that which they imitate (*i.e.*, Pericles, whom Plato was no great supporter of, or other past orators).<sup>20</sup> Rather, through imitation and the rehearsal of great speeches of revered statesmen, a student graduating from an Isocratean civic education would "contemplate and appraise such examples," and "feel their influence not only in the

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<sup>18</sup> Isocrates, *Against the Sophists*, vol. 2 of *Isocrates*, trans. George Norlin and ed. Jeffrey Henderson, 159-177 (Cambridge: Harvard University Press, 1929), 173.

<sup>19</sup> Allan Bloom, trans., *The Republic of Plato*, by Plato (New York: Basic Books, 1991), 281 (598<sup>b</sup>).

<sup>20</sup> *Cf. Gorgias* 515<sup>a</sup>-517.

preparation of a given discourse but in all the actions of his life.”<sup>21</sup> Socrates’s employment of Noble Lies, such as the myth of metals in the City in Speech, was an implicit acceptance of poetry. Isocrates’s rebuttal, taken in light of Socrates’s Noble Lies and *volte face* with regard to poetry in the City in Speech of Book III of the *Republic*, suggests that the aims of these two seemingly irreconcilable educators may not have been as far from each other as would appear upon a first glance. Plato’s polemic against poetry might be more clearly understood as an argument against the frivolous uses of poetry as a means of entertainment in fifth-century Athens, rather than a condemnation of the poetry altogether.<sup>22</sup>

Whereas it may be possible for a reconciliation between Plato and Isocrates with regard to poetry to be achieved, a further conflict between these two educators may prove insurmountable, at first. Isocrates argued that, because all interactions between humans take place through the medium of language, the art of rhetoric is *true* philosophy “and is most employed by those who have the *most* wisdom.” The contemplative life of seeking the nature of things eternal, however, is merely a gymnastic for the mind and is best suited for those in their youth as a sort of precursor to the rhetorical education they will undertake in the years to come. As though such an asseveration was not controversial enough, Isocrates adds insult to injury when he announced in the *Antidosis* “I hold that man to be wise who is able by his powers of conjecture to arrive generally at the best course, and I hold that man to be a *philosopher* who

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<sup>21</sup> Isocrates, *Antidosis*, vol. 2 of *Isocrates*, trans. George Norlin and ed. Jeffrey Henderson, 179-365 (Cambridge: Harvard University Press, 1929), 339.

<sup>22</sup> Throughout the *Republic* Socrates returns again and again to such poetic devices as metaphors and imagery within the parable of the Ship of State (Book VI) and the allegory of the Cave (Book VII). Additionally, consider the portrayal of Socrates in Aristophanes’s *The Clouds*. This work in poetry, although entertaining, was a serious educative work that presented many of the subsequent calumnies that would reappear during Socrates’s trial. Cf. *Apology* of Plato and *The Clouds* by Aristophanes.

occupies himself with the studies from which he will most quickly gain that kind of insight.”<sup>23</sup>

Isocrates’s statement is tantamount to placing Plato’s *episteme* in subservience to *doxa*.<sup>24</sup> This deep division between Plato and Isocrates is in essence the battle between *a priori* and *a posteriori* for dominance over the other. Raphael may have been more correct in depicting Isocrates, rather than Aristotle, at Plato’s side in *The School of Athens* as the former gestures towards the earth with respect to things practical while the latter gestures upwards towards those things eternal.<sup>25</sup>

At this moment it would seem as though the programs of Isocrates and Plato are split by the conflict separating the *a priori* from the *a posteriori*; but how far can this argument really be carried? Through a review of Isocrates’s assertions in his *Areopagiticus* and the capitulations of Plato’s Socrates in Book IX of Plato’s *Republic*, I will argue that a narrowing of the distance between these two educators can be achieved; Isocrates’s aspirations for his students rose to meet the level to which Socrates lowered his students. The result of this shift is a far more practical approach to understanding the aim of education for citizenship. Although Socrates’s reliance upon such civic virtues as moderation and inquiry were never compromised during this lowering of aspirations, Socrates did require that his students reflect upon the practicability of using such virtues as guiding principles in *ruling* a state. Rather than relying upon these virtues to rule, Socrates may have been attempting to convince his young interlocutors that these virtues are those of the *citizen*, as moderation and inquiry are effective means to ensuring stability, order, liberty, and limits on political power.

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<sup>23</sup> Ibid, 329; 335 (italics mine).

<sup>24</sup> For Isocrates, *doxa* was not merely an “opinion,” but rather a reasoned response reached through debate among individuals that represented practical wisdom.

<sup>25</sup> Raphael’s *The School of Athens* depicts Plato and Aristotle walking together surrounded by ancient philosophers of varying schools of thought.

Within his *Areopagiticus*, Isocrates sets forth to provide a rough sketch of his ideal, Hellenic model of democracy. For Isocrates, the ideal form of democracy was not Aristotle's description of the extreme or ultimate form of democracy that embodied the characteristics of tyranny, but rather a form more closely resembling an aristocracy.<sup>26</sup> For a democracy to prosper, and for Greece to live up to the hallowed words of Pericles's *Funeral Oration*,<sup>27</sup> Isocrates appealed again to legendary statesmen, namely Solon and Cleisthenes. When writing of the achievements of Solon and Cleisthenes, Isocrates assigns them such achievements as recognizing the type of equality that "gives to each man his due," while rejecting the notion that equality is "that which makes the same award to all alike." For Isocrates, this was important for it allowed these two men to fill the offices of the city by "selecting the best and the ablest," with the hope that "the rest of the people would reflect the character of those who were placed in charge of their affairs."<sup>28</sup> This formulation served the purpose of avoiding the impetuosity of the extreme forms of democracy. Simultaneously, this formulation also allowed Isocrates to retain the title *democracy* as those with the greatest, natural gifts for rhetoric would rise to not only lead the regime, but to also provide it with a template for proper living and governance – a template that would serve to educate the future leaders of the regime. Thus Isocrates avoids Socrates's condemnation of democracy in Book VIII of the *Republic* by recasting democracy as quasi-aristocracy.

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<sup>26</sup> Carnes Lord, trans., *The Politics*, by Aristotle (Chicago: The University of Chicago Press, 1985), 174 (1313<sup>b</sup>32-42).

<sup>27</sup> Pericles, numerous times throughout his *Funeral Oration*, praised the character of the Greeks and noted their exceptional standing in comparison to the "barbarians", a remark made in an all-to-obvious jab at the Lacedaemonians. Throughout Pericles's speech, he made references to the past great deeds of the Greeks and beseeched his audience to "(...) preserve the same spirit and warmth of courage against" their enemies as well as "making the daily-increasing grandeur of this community (Athens) the object" of their thoughts (Pericles, *Funeral Oration in The World's Great Speeches*, ed. Lewis Copeland [New York: Garden City Publishing, 1942], 6-7.)

<sup>28</sup> Isocrates, *Areopagiticus*, vol. 2 of *Isocrates*, trans. George Norlin and ed. Jeffrey Henderson, 99-157 (Cambridge: Harvard University Press, 1929), 117.

The heightened aspirations of Isocrates's educational program are paired with the inevitable lowering of aspirations that occurs at the end of Book IX of Plato's *Republic* where Socrates presents his City in Speech to the imperfect reality within which political life takes place; in essence, Socrates is forced to retreat from the clouds to the reality of human life and offer concessions to it. Up until now, the outline of the City in Speech approached the topic of civic education as a program that could be easily executed through the introduction of the proper laws and myths, but at the end of Book IX, Socrates resigns that "perhaps, a pattern is laid up for the man who wants to see and found a city within himself on the basis of what he sees," for such a city exists only in speeches.<sup>29</sup> This lowering of aspirations, as I have termed Socrates's later arguments in the *Republic*, finds a similar argument in Isocrates's assertion that his educational program prescribes imitation and recitation for the purpose of enabling his students to "contemplate and appraise such examples," and "feel their influence not only in the preparation of a given discourse but in all the actions of his life."<sup>30</sup> This approach is strikingly similar to one made by Socrates in Book 3 of the *Republic* where Socrates asserts "if there are any speeches and deeds of endurance by famous men in the face of everything, *surely they must be seen and heard...*"<sup>31</sup> The difference here is not so much that Socrates and Isocrates disagreed on *which* virtues ought to be focused upon, but rather *where* these virtues originated from and *how* they were to be imparted. For Isocrates, the past held the key for the longevity of prosperity. For Plato and Socrates, the good life could only be found through attempting to understand the nature of those things that exist eternally above the Divided Line, but such an approach did not offer a

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<sup>29</sup> Allan Bloom, trans., *The Republic of Plato*, by Plato (New York: Basic Books, 1991), 275 (592<sup>b</sup>).

<sup>30</sup> Isocrates, *Antidosis*, vol. 2 of *Isocrates*, trans. George Norlin and ed. Jeffrey Henderson, 179-365 (Cambridge: Harvard University Press, 1929), 339.

<sup>31</sup> Allan Bloom, trans., *The Republic of Plato*, by Plato (New York: Basic Books, 1991), 68 (390<sup>d</sup>) (italics mine).

practicable solution to civic education. Ironically enough, one of the lasting effects of Socrates's trial and execution is that his work as the "gad-fly" of Athens became a standard of good citizenship to many later philosophers and statesmen.<sup>32</sup> The virtues dealt with by Socrates and Isocrates originate from different sources within civic education; however, this does not deny the results of each educational program being remarkably similar: inculcating the youth with civic virtues that would lead them to set aside their private interests for the purpose of serving the state in a variety of ways, such as military service (*i.e.*, the virtue of martial courage).

Although Plato and Isocrates disagree from where the love of civic virtue arises, they both aver that the maintenance of a regime is dependent upon the inculcation of such civic virtues. For Plato, civic virtue arises from contemplation that allows one to transcend the world of flux and change, whereas Isocrates asserts that man's proclivity for civic virtue in ordering political affairs arises "for the sake of pleasure or gain or honour."<sup>33</sup> These differences, with regard to their conclusion, are nugatory: the continuity of political life is dependent upon civic virtue.

With Aristotle Classical political philosophy again laid claim to political stability and civic education by asserting the primacy of civic virtue. Yet, amid the works of Aristotle a relatively new concern arises, one held in regard to the possibility of defining specifically the universally good citizen and the universally good regime. Rather than attempting to declare a program that seeks to set up the ideal state which is populated by ideal citizens, Aristotle begins to unravel the case for commonality and instead focuses on varying regimes and the citizens that inhabit them.

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<sup>32</sup> Consider Marcus Tullius Cicero, a student of Plato's Academy, and his works such as *De re publica*.

<sup>33</sup> Isocrates, *Antidosis*, vol. 2 of *Isocrates*, trans. George Norlin and ed. Jeffrey Henderson, 179-365 (Cambridge: Harvard University Press, 1929), 307.

## Aristotle

In accordance with the theme of civic education being synonymous with character education, Aristotle asserts that “the aim of all good legislation is to make citizens good by training them in good habits.”<sup>34</sup> Once again, this approach is top-down; the regime is responsible for ensuring that, through the correct prescription of civic education and laws, citizens of any regime can be molded to be the “good” citizen of that particular type of regime. Rather than showing the essential nature of the universally good citizen, an attempt Aristotle does make in his *Nicomachean Ethics*, Aristotle additionally proposes that varying regimes will necessarily contain varying types of citizen. The varying types of citizens also necessarily contain certain attributes that are fundamental to preserving the political order of any particular regime. Aristotle does not set out to defend all types of regimes or the citizens within them, but he does provide a prescription in *The Politics* that outlines how the various regimes can maintain themselves and avoid degradation into a lesser regime or worse.

Aristotle’s approach to civic education, as it is rooted in the same adherence to civic virtue as the means to achieving the desired ends of political stability, virtuous governance, and the like, attempts to reassert the dominance of wisdom over prudence – wisdom leads to happiness just as healthfulness leads to health.<sup>35</sup> As argued earlier with regard to technical expertise in Chapter 2, Aristotle would agree that practical wisdom (*phronēsis*) allows a legislator to know what he or she *can* do in terms of effectiveness, but practical wisdom, also known as prudence, is mute when it is asked what a legislator *should* do. Thus, practical wisdom

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<sup>34</sup> Aristide Tessitore, *Reading Aristotle’s Ethics* (Albany: State University of New York Press, 1996), 25. Here Tessitore is citing Aristotle’s *Nicomachean Ethics* 2.1.1103<sup>b</sup>3-6.

<sup>35</sup> This is not to suggest that Aristotle turned his nose up to the subject of prudence; practical wisdom that could be employed in the day-to-day activities was a form of wisdom that could be achieved *a posteriori*, therefore Aristotle conceives of a system in which prudence is important yet subservient to true wisdom (*sophia*).

is subservient to civic virtue. Although Aristotle's civic education begins with habituation, he also argues that "It is not sufficient to know the dictates of law, but one must also be possessed of a certain kind of wisdom (*sophos*)" so that laws, when proven to be deficient in either their form or execution, can be rectified.<sup>36</sup> To understand that laws themselves are *not* absolutes, but are the creations of men for the purpose of "making the citizens good and just," it must also be understood what the ends, goodness and justice, are.<sup>37</sup> To do this requires wisdom (*sophia*).

Aristotle's engagement with the problem of *phronēsis* versus *sophia* runs along similar lines to the earlier question of primacy with regard to *a priori* versus *a posteriori*. Aristotle, although he asserts that each are valuable to the civic educator and the legislator alike, it is *sophia* that is of primary importance. Without *sophia*, civic virtue cannot guide the prudent and keep them from falling into nihilistic tendencies where relativism is embraced and political order breaks down at the feet of competing factions who are able to, due to the lack of moral guidance, discredit every legislative act as mere opinion and not truly authoritative.

Just as with Socrates, Plato, and Isocrates, the inculcation of civic virtue was necessary in maintaining political order for Aristotle. In addition to maintenance, Aristotle believed that *eudaimonia*<sup>38</sup> (human flourishing) could only exist "through maximally rational self government."<sup>39</sup> To achieve this, Aristotle would rely, during the earlier stages of a student's development, upon habituation and, like Isocrates, *mimesis*. As Ekaterina Haskin's suggests,

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<sup>36</sup> Aristide Tessitore, *Reading Aristotle's Ethics* (Albany: State University of New York Press, 1996), 40.

<sup>37</sup> *Ibid*, 36.

<sup>38</sup> *Eudaimonia*, a word found throughout Aristotle's *Ethics*, roughly translates to "human flourishing." By flourishing, Aristotle means activity in accord with excellence, which includes forms of excellence that serve the community – such as courage in battle, willingly and freely sharing what one has, and refraining from taking from others. Although this concept calls for individuals to *share* their property, intellectual talents, etc. with others, this must be a *voluntary*, individual act, not a forced one. To allow one to force another to do these things would be tantamount to embracing an extreme form of democracy where each individual attempts to enrich himself or herself by taking from another.

<sup>39</sup> Thomas L. Pangle, *Aristotle's Teaching in the Politics* (Chicago: The University of Chicago Press, 2013), 162.

“[Aristotle’s] reaction is to limit the role of performative *mimesis* to early stages of education in *mousike* in the *Politics*, and to style (*lexis*) in the *Poetics* and the *Rhetoric*.”<sup>40</sup> This early stage, along with further inculcation through the medium of experience would pave the way for a student to become a virtuous citizen. Aristotle’s reliance upon civic virtue as the basis for his civic educational program also served another purpose that was related to, but separate from, maintaining the political order. As Leo Strauss insisted, “What is absolutely base is to follow one’s appetites, passions, or self-interest and to be indifferent or lukewarm towards ideals or values, towards gods or devils.”<sup>41</sup> Not only is Aristotle concerned with civic education for purposes of state, but also for purposes relating to the private well-being of individual citizens. Individuals, after all, are the final arbiters over what actions will ultimately be carried out, “So the basis of Aristotle’s secure and stable order is not the Philosopher Ruler, but the good citizen who participates actively in the political, social, and economic life of his community.”<sup>42</sup> Along similar lines, Thomas Pangle asserts that Aristotle’s reliance upon civic virtue to tame would-be despots arose from Aristotle’s reasoning that “skilled political rule is properly conceived as service to the good of the rule – rather than, or at the expense of, the good of the ruler (except incidentally).”<sup>43</sup> Civic virtue, which is discovered and taught through *sophia*, was seen as a way

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<sup>40</sup> Ekaterina V. Haskins, ““Mimesis” between Poetics and Rhetoric: Performance Culture in Civic Education in Plato, Isocrates, and Aristotle” *Rhetoric Society Quarterly* 30, no. 3 (summer 2000): 22, accessed February 02, 2014, <http://associationdatabase.com/aws/RSA/pt/sp/rsq>.

<sup>41</sup> Leo Strauss, *Natural Right and History* (Chicago: The University of Chicago Press, 1965), 45.

<sup>42</sup> Arthur Herman, *The Cave and the Light: Plato Versus Aristotle, and the Struggle for the Soul of Western Civilization* (New York: Random House, 2014), 73.

<sup>43</sup> Thomas L. Pangle, *Aristotle’s Teaching in the Politics* (Chicago: The University of Chicago Press, 2013), 233.

for individuals to rise above their basest and most primitive tendencies, a possibility that at least one later Modernist would assume was an impossibility.<sup>44</sup>

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<sup>44</sup> Among the Modernists who claim the subservience of reason to the prevailing passions was David Hume who argued “Reason is, and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them” (*A Treatise of Human Nature*, ed. L. A. Selby-Bigge [New York: Oxford University Press, 1978], 415).

## Chapter 4

### An Analysis of Modernity: Modern Civic Education

Beginning with the works of Niccolò Machiavelli, Western thought embarked upon a radically new direction both politically and philosophically. Due to advances in the sciences, production techniques, and means of travel, the political landscape of the Western world began to shift as competing claims of legitimacy in order to rule emerged as older traditions and customs began to unravel and fade into the past. Although these changes were slow, at first, they began to increase in frequency just as Western philosophy joined the changing political patterns by proposing a new direction for the soul of Western civilization. Surrounded by an immensity of progress, the philosophical line of the Moderns began to display what will be referred to here forward as hyperrationalism.<sup>45</sup>

#### A Break with the Past

Hyperrationalism is a broad term that covers multiple ideologies frequently referred to as high-modernism and modern rationalism. Although each subcategory differs from one another, these differences are nugatory in light of the one uniting belief held by all: the supremacy of *a priori* over *a posteriori*. Knowledge derived *a posteriori* was considered to be, by many, as inferior to that which was discovered *a priori*. Unlike Aristotle and earlier Classical theorists who saw *a posteriori* fitting neatly into political and philosophic system due to its innate value,

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<sup>45</sup> This is not to suggest that *all* of Modern philosophy is hyperrationalist; several Moderns would develop competing claims within Modern philosophy, and others would cling to the past for its guiding traditions and principles. Just such a traditionalist was Edmund Burke. Cf., *A Philosophical Enquiry into the Sublime and Beautiful* and *Reflections on the Revolution in France* (Edmund Burke [New York: Penguin Books, 2004]).

many Moderns, such as Descartes,<sup>46</sup> would dismiss this claim as *a posteriori* knowledge was presumed to be tinged with bias and inconsistency.<sup>47</sup> Additionally, although many Modern theorists would admit that knowledge in general has a basis in experience, it does not *arise* from experience; therefore, knowledge gained *a priori* is not only preferable, but is closer to absolute, pure truth.<sup>48</sup> This represents a fundamental break with the ancients and set Western political philosophy on a path that would test Socrates's assertions in the *Republic*: that there do exist limits to political power, to man's ability to order things as he wishes, and to men being neatly formed and molded to fit into mathematical formulae. Although both Socrates and Aristotle asserted that *phronēsis* is subservient to *sophia*, neither argued that all of human life, especially political life, could be *solely* determined by knowledge divorced from experience. The absolute truths Socrates's contemplated and tried to understand through his employment of his dialectic were a type of knowledge that is achieved *a priori*; but in the *Republic*, Socrates shows the absurdity that ensues when political life is determined strictly by *a priori* knowledge. The question of whether such knowledge could even be attained during the course of one's life was one that Socrates even doubted.<sup>49</sup> The Modernists, it would seem, missed the irony of Plato's *Republic*, or they accepted it as a challenge. Rather than taking away from the *Republic* a

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<sup>46</sup> It was just this belief that lead Descartes to remark, "when I considered the number of conflicting opinions touching a single matter that may be upheld by learned men, while there can be but one true, I reckoned as well-nigh false all that was only probable." *Discourse on Method & Meditations on First Philosophy*, trans. John Veitch (Lexington: Createspace, 2012), 8.

<sup>47</sup> It is important to note that in *Emile, Or on Education*, Jean-Jacques Rousseau would rely heavily upon the use of experiential learning early in the schooling of Emile. This would appear to be an inconsistency, but the latter course of Rousseau's system of education makes clear that *this* specific type of experiential learning far more resembles learning based in contemplation and logic than in experience and training.

<sup>48</sup> Immanuel Kant remarked, "although all our knowledge begins with experience, it does not follow that it arises from experience." *Critique of Pure Reason*, ed. & trans. Marcus Weigelt (New York: Penguin Books, 2007), 37.

<sup>49</sup> Socrates's dialectic was structured around doubt and inquisitiveness. The end goal of the dialectic was never the arrival at absolute truth, but the process of seeking such truths in a manner which lead those who sought them further from error. In Plato's *Apology*, Socrates asserted that philosophy was the process of learning how to die, only in death would such absolute truths truly be accessible to him. *Cf. Apology*, 40<sup>a</sup>-42<sup>a</sup>.

warning, the hyperrationalists took Socrates's dialectic to an entirely new level. Few hyperrationalists supported this belief with as much fervor as Niccolò Machiavelli.

Machiavelli's works lay the foundations for modern states to reconstruct themselves around a hyperrationalist base. Hyperrationalism, as can be seen through Machiavelli, becomes increasingly radical throughout its development. Early, with Machiavelli, the Isocratean *doxa* still maintains a high value in political life "for if you foresee problems while they are far off (which only a *prudent* man is able to do) they can easily be dealt with."<sup>50</sup> Later, with René Descartes and onward, *doxa* is eliminated and substituted with technical rule by scientific experts.

Starting with Machiavelli, a "jumping off" from classical political philosophy can be seen for, unlike Socrates and other earlier philosophers who argued that the just regime would only come about due to the mixing of philosophy and political power (this occurrence being based upon *fortuna*), Machiavelli avers the view that luck, because it lies outside of human control, must be forgone and substituted with man's conscious action and strength (*virtù*).<sup>51</sup> This hyperrationalism, this reliance on one's reason and ability, is what leads Machiavelli to argue that a ruler is better off being feared than loved. Being feared is something that is solely up to the ruler to decide while being loved is necessarily reliant upon the ideas held by others – ideas that do not necessarily reconcile easily with every individual who would be involved in the situation, for what is lovable by one may be condemnable by another. Therefore, it is easier and more practical to instill fear than to attempt to foster love among the ruled masses. A regime under the

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<sup>50</sup> Niccolò Machiavelli, *The Prince*, ed. & trans. David Wootton (Indianapolis: Hackett, 1995), 11 (italics mine).

<sup>51</sup> This argument was raised by Leo Strauss in his essay on Machiavelli (Leo Strauss, "Niccolò Machiavelli," in *History of Political Philosophy*, ed. Leo Strauss and Joseph Cropsey, 296-317. 3<sup>rd</sup> ed. [Chicago: The University of Chicago Press, 1987])

Machiavellian flavour of hyperrationalism would then be authoritarian with the potential for oppression and an inexhaustible list of other acts of control.

### **The Rise of the Leviathan**

The great leap forward of modern rationalism occurred under Thomas Hobbes. Hobbes was faced in his life with the horrors that accompanied civil war and strife throughout Europe, specifically in England. To eliminate this destructive tendency of humans was to be one of Hobbes's goals in his formulation of the modern state. Such a perfect state, of course, would require extensive planning, a model of planning possible only under the leadership of a statesman for which Hobbes titles his most famous work, *Leviathan*. One of the destructive tendencies Hobbes's attempts to extirpate is individuality. Under a Hobbesian regime, there can be no room for individuality which is the root of dissent. To accomplish this task, Hobbes casts humanity as a large, incongruous, and faceless herd. Men, when physical and mental endowments are averaged out overall, are of such a quality that the "difference between man, and man, is not so considerable, as that one man can thereupon claim himself any benefit, to which another may not pretend, as well as he."<sup>52</sup>

If stability is one of the overarching goals of a Hobbesian regime, how would such a regime be structured legally and politically? Hobbes, relying upon theoretical constructs, constructs that are remarkably similar to those employed by Descartes, sets out to create a moral framework that can be employed to keep the impetuous masses in line. Hobbes, like Machiavelli before him, recognized that the masses had the power to overthrow regimes, an action that would throw humanity into the chaos of the State of Nature. The solution for Hobbes was twofold: first, morality must be understood to be a fabrication, or a Noble Lie, for in the State of Nature there is

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<sup>52</sup> Thomas Hobbes, *Leviathan* (New York: Barnes and Noble, 2004), 75.

no such thing as right or wrong. Second, morality, and the security it offers humanity, is only possible with the creation of an authoritarian regime that retains enormous power for the purpose of enforcing its laws that serve as a codified morality. Hobbes attempted to convince his readers of the necessity of these actions by returning metaphorically to the State of Nature. Hobbes avers that the State of Nature contains no morality, “For these words of Good, Evill, and Contemptible, are ever used with relation to the person that useth them: There being nothing simply and absolutely so.”<sup>53</sup>

Following Hobbes’s reasonings, man’s nature, contrary to the views held by the traditionalist camp, is one of seeking power until death. Humanity, outside of civil society is in a perpetual state of war where no justice or injustice exists. These universal ideas of justice and injustice, according to Hobbes, are mere fabrications created by the masses of the weak to protect themselves collectively from the strong and one another. To form civil society, therefore, is tantamount to creating definitions of justice and injustice, of good and evil, or moral and immoral. Such a task, however, would be unlikely to succeed if the agreement could not be enforced. Correspondingly, it becomes clear that a regime endowed with absolute powers is necessary to see such an agreement through to fruition.

With the structure of political order being reliant upon citizens accepting whichever conqueror came to power, civic education must be rendered in way as to both forbid dissent and foster legitimacy for the current regime. Whereas Aristotle wrote highly of the importance of civic virtues, such as moderation (discipline), under a Hobbesian formulation civic virtues take on an entirely new appearance. Rather than instilling the virtues necessary for individuals to live private lives free from vice, the Hobbesian formulation pays little attention to the education of

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<sup>53</sup> Ibid, 29.

the citizenry. Rather, in a top-down fashion, a Hobbesian regime would do all it could to maintain order and security, all the while the masses are allowed to lead private lives so as to ensure their complacency. Complacency is necessary to ensure that the citizenry does not rise up and rebel; this requires that the totalitarian regime of Hobbes must ensure that private citizens are always on their guard around one another. Free and open political discourse is suppressed as this may give rise to dissent, and any attempt to organize politically must be met with great suspicion. Simply put, the political life of citizens living under such a regime is nonexistent. The architects of state must merely ensure the passive compliance of the citizenry, which requires that they must not, to their greatest ability, interfere with the private pursuits of citizens. Citizens, therefore, are not to be educated by the state in a way that would inculcate civic virtue. Rather, the role of the state is to ensure “commodious living” arrangements to the greatest possible extent in order to ensure the complacency of the masses.<sup>54</sup>

The Hobbesian regime may appear totalitarian, but aside from the political aspects of an individual’s life, Hobbes was certain that the prevailing *passions* (not reason) that ruled men’s actions would be enough to convince them of the necessity of such a state of affairs. These passions, according to Hobbes, “encline men to Peace,” and they are “Feare of Death.”<sup>55</sup> The crusade of hyperrationalism to conquer both nature and history continued within the works of René Descartes.

### **Cogito Ergo Sum**

Descartes undertook the task of leveling the work of past moralists with the zealotry of an *auto-da-fé* when he remarked:

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<sup>54</sup> Ibid, 78.

<sup>55</sup> Ibid, 78.

I compared the disquisitions of the ancient moralists to very towering and magnificent palaces with no better foundation than sand and mud: they laud the virtues very highly, and exhibit them as estimable far above anything on earth; but they give us no adequate criterion of virtue, and frequently that which they designate with so fine a name is but apathy, or pride, or despair, or parricide.<sup>56</sup>

The similarities between Hobbes and Descartes continue as Descartes goes on to argue that value systems, morality, and views of virtue derived from the traditions of the past are fabrications – they are the arbitrary machinations of those who wished to impose their narrow views on the rest of mankind. At best, such things arising from tradition, custom, or culture are Noble lies; at worst they are the greatest tool of the despot. Whereas Hobbes sought to embrace such Noble lies to create a perpetual state of peace, Descartes isn't as enthusiastic about the employment of such devices. Descartes's rejection of Noble lies should not be taken as an embrace of liberty-based governance. Rather, Descartes opts for a new class-based system for both government and society at large.

Descartes endeavored to take full advantage of the promises that science holds for humanity's future, a future devoid of ailments, pain, penury, and ignorance. To accomplish this task, Descartes proposed a technocratic structure for government as “societies, or more precisely, the political authorities, are not competent judges of knowledge. Hence society must not only sanction the competent or the scientists as judges but must sanction all communication of doctrines.”<sup>57</sup> Although Hobbes and Descartes sought different means to achieve their ends, they both agreed to the founding of totalitarian regimes. Under Hobbes, the citizen has no power for all power rests with the sovereign. For Descartes, the citizen, or “society,” has no power, for all

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<sup>56</sup> René Descartes, *Discourse on Method & Meditations on First Philosophy*, trans. John Veitch (Lexington: Createspace, 2012), 8.

<sup>57</sup> Richard Kennington, “René Descartes,” in *History of Political Philosophy*, ed. Leo Strauss and Joseph Cropsey, 421-439. 3<sup>rd</sup> ed. (Chicago: The University of Chicago Press, 1987), 435.

power rests with the technocrats who, like Socrates's Philosopher Kings, know best how to run a city, state, or country. Whereas Socrates's intentions were deliberately ironic, Descartes's were not.

### **Experience as Education**

If the hyperrationalists' premises are accepted, a question must necessarily follow: how would we identify our leaders? What is necessary for the realization of a totalitarian regime controlled by either an absolute sovereign or a council of technocrats? In a word, the answer is *education*. It fell to Jean-Jacques Rousseau to pick up where his predecessors left off, and in his *Emile*, Rousseau outlines the civic education that would be necessary to create such a hyperrationalist regime. Although Rousseau claims to be educating his young pupil for the purpose of taking part in a democratic regime guided by the general will's concern for the common good, a closer look at the methods found in *Emile* prove otherwise.<sup>58</sup>

Inherent within Rousseau's educational plan lies a contradiction. Initially, Rousseau makes the claim that "nature" (experience) will be his guide in educating Emile, but soon afterwards Rousseau avers that "One would say nature is at [Emile's] command, so easily does he know how to bend everything to his will."<sup>59</sup> Rousseau carries forward throughout his treatise a thin veneer of consideration for the *a posteriori*, yet the experiences of young Emile are *not* natural as they are planned and executed by Rousseau throughout the course of the program. Rousseau thus carries on the hyperrationalist tradition of endeavoring to conquer nature, not in this instance for mere stability (as with Hobbes) or for technical precision (as with Descartes), but rather for the inculcation of an unerring loyalty to the general will in its quest to realize the

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<sup>58</sup> "(...) only the general will," Rousseau writes, "can direct the forces of the state according to the purpose for which it was instituted which is the common good" (*On the Social Contract* in *Jean-Jacques Rousseau: The Basic Political Writings*, trans. Donald A. Cress, 141-227 [Indianapolis: Hackett, 1987], 153).

<sup>59</sup> Allan Bloom, trans., *Emile or On Education*, by Jean-Jacques Rousseau (New York: Basic Books, 1979), 162.

common good. The success of such an education would allow for the creation of a political society in which “there is no limit to the authority and reach of the general will.”<sup>60</sup>

Rousseau next sets out to dismantle much of what traditionalists argue to uphold. One of the greatest obstacles faced by hyperrationalists has always been the human tendency to favor one’s own. From a hyperrationalist standpoint, this natural characteristic of the human condition serves to destabilize regimes, separate people into factions, classes, religious sects, and ethnicities. Socrates, in Plato’s *Republic*, grappled with this issue and reached the conclusion that citizens within his City in Speech must not be allowed to know who their parents, grandparents, sisters, brothers, or other relations truly are. Rather, in place of natural familial ties, Socrates concocts a new dynamic in which all individuals of a like age would be “brothers” or “sisters” while those of an advanced age would be referred to as “mothers” or “fathers.”<sup>61</sup> Although deliberately preposterous, Socrates’s efforts outline the very nature of the tactics that would be employed by Rousseau and his contemporaries, all in the name of peace and tranquility. Such a radical departure from tradition, however, is only the beginning as Rousseau sets to clearing away much of the traditionalist legacy in his *On the Social Contract*.

Taking aim at the practicality of democracy, Rousseau states “Were there a people of gods, it would govern democratically. So perfect a government is not suited to men.”<sup>62</sup> In what appears first to be a *volte-face*, Rousseau quickly distances himself from the possibility that his anti-democratic sentiments are rooted in the same arguments as those raised by the traditionalist

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<sup>60</sup> Patricia M. Lines, “Shackling the Imagination: Education for Virtue in Plato and Rousseau,” *Humanitas* 22 (2009): 62, accessed October 18, 2014, <http://www.nhinet.org/22-1&2.htm>.

<sup>61</sup> Socrates lays forth this argument throughout Book V of the *Republic*. Aristotle, in his *Politics*, dismisses Socrates’s arguments for he avers that, not only would Socrates’s plans fail because people would be able to physically recognize their relations, but also that within families parents love their children for they are a part of themselves; this being something that fabrication cannot replace (*Politics*, 1262<sup>a</sup>15).

<sup>62</sup> Jean-Jacques Rousseau, *On the Social Contract*, in *Jean-Jacques Rousseau: The Basic Political Writings*, trans. Donald A. Cress, 141-227 (Indianapolis: Hackett, 1987), 180.

camp. For Rousseau, the most practical form of government would be an elective aristocracy as “it is [the] best and most natural order for the *wisest* to govern the multitude, when it is certain that they will govern for its profits and not for their own.”<sup>63</sup> Here, at last, one of the great divides separating traditionalism and hyperrationalism comes to the fore. As is common, the conflict arises over a definition. For traditionalists, wisdom is of the Isocratean formulation which consists of *a posteriori* knowledge. Hyperrationalists, however, find that wisdom should be divorced from experience, thus there is a preference for the *a priori*.<sup>64</sup>

Ultimately within a regime structured around the tenets of hyperrationalism, the government must be both absolute in power and enormous in size. Rousseau, part way through the *Social Contract*, makes the famous statement “that whoever refuses to obey the general will will be forced to do so by the entire body. This means merely that he will be forced to be free.”<sup>65</sup> Such a statement mirrors closely the polemic offered against hyperrationalism at the beginning of this section. The major problem with Rousseau’s use of coercion for the purposes of realizing the common good is that such action necessitates omniscience; how else could anyone claim to know what is best for another? As such omniscience is not granted to human beings, Mises appears correct in averring, “Nobody is in a position to decree what should make a fellow man happier.”<sup>66</sup>

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<sup>63</sup> Ibid, 182 (italics mine).

<sup>64</sup> Although the works of Immanuel Kant will not be dealt with heavily in this work, they are, nevertheless, filled with discussions on this very topic. Cf. Kant’s *Critique of Pure Reason* and his “noumenal” and “phenomenal” realities (New York: Penguin Books, 2007).

<sup>65</sup> Jean-Jacques Rousseau, *On the Social Contract*, in *Jean-Jacques Rousseau: The Basic Political Writings*, trans. Donald A. Cress, 141-227 (Indianapolis: Hackett, 1987), 150.

<sup>66</sup> Ludwig von Mises, *Human Action: A Treatise on Economics* (Auburn: The Ludwig von Mises Institute, 2008), 14.

## Modernity in the Twentieth Century

The Modern paradigm evolved further with the rise of various forms of statism throughout Europe and Asia. Disciples of Marx presented their own interpretations of Marx's writings as the absolute truth; these truths were not presented as mythical, but as historical facts that could be seen by only a select few who understood the materialist basis of historical developments. In the realm of political life, it was Vladimir Ilyich Ulyanov (later, Vladimir Lenin) who would set the stage for the next act of Modern political theory.

Under Lenin, Modern thought embraced much of the underlying hyperrationalist tendencies that had existed in a subdued form previously. Now, hyperrationalism, extensive political ordering, and collectivism came to the fore. Moving from strictly theoretical postulating to actual execution and day-to-day practice would prove nearly impossible for the Bolsheviks after their *coup d'état* proved successful. The theory underlying Lenin's efforts was the equivalent of predestination to the extent that children were seen by the state as fulfilling a specific function in service to the state when they matured. This extensive political ordering and centralization was mirrored by Lenin's party and its secretive, suspicious tactics. Lenin, in *What Is to Be Done?*, stated rather clearly that only a certain minority of any population was fit to rule as they alone possessed the insight, technical expertise, and devotion to carry out, not the general will, but actions that were seen by the leaders as being in the best interest of the state as a whole.

Education under this formulation was used to foster *practical wisdom*, fierce patriotism, and loyalty. What these educational programs lacked, however, was a preparation for civic life to the extent that these programs did not foster a sense of citizenship in which citizens would take an active role in the decision-making processes of government. Rather than train students for their future civic obligations, such as holding office, the Soviet state focused on technical

expertise in the fields of the sciences and mathematics. The running of the state, however, was to follow the dictates of the Party. Although non-Party members were able to hold positions within the government, the overall design and execution of policy was determined by Party members who had little accountability to the citizenry. The communist history of what is today the Russian Federation represents only one of a myriad of possible outcomes springing from the Modernist line of political theory. On the other side of the world in the United States, a different approach was carried out by the Progressive movement and its educational reformer John Dewey.

John Dewey wrote extensively on reforming the American educational system. Dewey's justification for government mandated compulsory education played off of earlier themes of political maintenance. According to Dewey, education is necessary for the maintenance of the political order, because "Without this communication of ideals, hopes, expectations, standards, opinions, from those members of society who are passing out of the group life to those who are coming into it, social life [can] not survive."<sup>67</sup> Dewey's approach to education became student-centered education in which formal schooling played the part of controlling the environment in which students were exposed. Student-centered educational reforms sought to end the traditional schooling procedure in which students were educated merely for the purpose of future employment. This procedure, as Dewey suggests, falls into conflict when the regime citizens live under is democratic. Within the educational system of a democracy, Dewey argues the principles of democratic life are violated "when the attempt is made to fit individuals in advance for definite callings" that were not of their own choosing.<sup>68</sup> Rather than focusing on the necessary content of any educational program, Dewey outlines three major purposes for formal schooling:

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<sup>67</sup> John Dewey, *Democracy and Education* (Hollywood: Simon & Brown, 2011), 6.

<sup>68</sup> *Ibid*, 67.

The first office of the social organ we call the school is to provide a simplified environment. It selects the features which are fairly fundamental and capable of being responded to by the young.

In the second place, it is the business of the school environment to eliminate, so far as possible, the unworthy features of the existing environment from influence upon mental habitudes.

In the third place, it is the office of the school environment to balance the various elements in the social environment, and to see to it that each individual gets an opportunity to escape from the limitations of the social group in which he was born, and to come into living contact with a broader environment.<sup>69</sup>

Education *is* experience, argued Dewey, but not all experiences are equal in their educative quality. The value of experience “lies in the perception of relationships of continuities to which it leads up.”<sup>70</sup> In his next work, *Experience & Education*, Dewey expands upon this tenet of educational reform. For experience to be truly useful, it must be of a certain quality. For Dewey, the quality of experience has two aspects: “There is an immediate aspect of agreeableness or disagreeableness, and there is its influence upon later experiences.”<sup>71</sup> The first aspect is rather obvious, as the students’ reactions to various experiences can be plainly seen in short order. It is the second aspect that provides difficulty. As it is difficult to anticipate the consequences of various experiences acting in tandem, it is the educator’s task to “select the kind of present experiences that live fruitfully and creatively in subsequent experiences.”<sup>72</sup> Much of Dewey’s theory of experience is derived in part from the earlier works of Jean-Jacques Rousseau. Dewey’s influences do not, however, stop with Rousseau alone. Similar to Aristotle’s consideration of Isocratean *doxa*, Dewey asserted that imitation, especially in youth, is beneficial

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<sup>69</sup> Ibid, 15.

<sup>70</sup> Ibid, 78.

<sup>71</sup> John Dewey, *Experience & Education* (New York: Simon & Schuster, 1997), 27.

<sup>72</sup> Ibid, 28.

to education for when “Used for a purpose, the imitative instinct may, like any other instinct, become a factor in the development of effective action.”<sup>73</sup> John Dewey’s epistemology, although highly controversial then and today, has become a highly respected template from which contemporary educational theorists have started when completing their own renditions of civic educational theory.

Amy Gutmann, a theoretical descendant of Dewey’s, paid homage to Dewey in the title of her work: *Democratic Education*. The theory espoused by Gutmann in this volume embraces the relativism of modern thought with the zeal of a prophet. Gutmann’s theory, as implied by the title of her work, calls first for competing views of education with regard to content, execution, and structure to be determined through the utilization of democratic deliberation. From the outset, Gutmann’s work would appear to focus on education, but as the work progresses she continually broadens the horizons of her theory. By the end of *Democratic Education*, education alone is not the target of democratic deliberation, but entire contending views of the *good life* are up for debate with resolution being reached through debate by democratic means. The relativism of Modernity shines through as Gutmann calls for various interpretations of the good life to be set on equal footing with one another with regard to validity, universality, and even desirability.

Although thoroughly Modern in its approach to resolving the questions of educational theory, the bases from which Gutmann sets out are derived from antiquity. As if cited from the pages of Aristotle’s lectures, Gutmann asserts “Education, in a great measure, forms the moral character of citizens, and moral character along with laws and institutions forms the basis of democratic government.”<sup>74</sup> Gutmann’s foundation reaffirms the legitimacy of a common theme

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<sup>73</sup> John Dewey, *Democracy and Education* (Hollywood: Simon & Brown, 2011), 23.

<sup>74</sup> Amy Gutmann, *Democratic Education* (Princeton: Princeton University Press, 1999), 49.

throughout Classical and Modern civic educational theory: civic education *is* character education. The difference, however, is not simply *what* character will be formed, as this cannot be determined beforehand by Gutmann's own admission,<sup>75</sup> but rather *how* the character will be formed. For Gutmann, the answer lies in democratic deliberation. By relying upon competing views of the good life to determine the proper course for a democratic regime, Gutmann again appeals to antiquity via Aristotle. In Aristotle's *Politics* the philosopher contends that democracy, when it is not constructed in what he refers to as an *extreme* form of the regime, is able, due to the existence of a collection of individuals, to provide better counsel, craft better policies, and pass better laws than if only one excellent man were to reign. The analogy Aristotle employs is that of a dinner party:

The many, of whom none is individually an excellent man, nevertheless can when joined together be *better* – not as individuals but all together – than those [who are best], just as dinners contributed [by many] can be better than those equipped from a single expenditure.<sup>76</sup>

Democratically constructed education under the auspices of Gutmann's theoretical design is purposed with achieving this *system*, yet it is not concerned with determining the actual *ends* of such a system. In essence, Gutmann assures readers that the purpose of civic education is merely to prepare them to take part in the democratic system. Earlier, Gutmann affirmed that civic education is character education, but now it is apparent that the character Gutmann's education attempts to inculcate is purely democratic in nature. Although political philosophy experienced an increased reliance upon rationalism after Machiavelli, with Gutmann there arises

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<sup>75</sup> Gutmann's call for democratic deliberation throughout her work can be read as calling for citizens to take a leap of faith. By restraining democracy by principles of non-repression and the like, Gutmann asserts that the outcome of such deliberation will represent the will of the citizenry. Whether or not this representation of will is *good* or *bad*, *ethical* or *unethical* are considerations Gutmann does *not* address.

<sup>76</sup> Carnes Lord, trans., *The Politics*, by Aristotle (Chicago: The University of Chicago Press, 1985), 101 (1281<sup>b1</sup>) (*italics mine*).

an almost religious devotion to an idea: the idea of democracy. Democracy, for Gutmann, is a panacea to all ills and, when restrained properly, can represent the best form of the good life as determined by those who participate in the system through democratic deliberation. Civic education, therefore, currently fails to achieve this goal as “it does not prepare students for democratic citizenship. If they were educated to exercise the rights and to fulfill the responsibilities of democratic citizenship, these future citizens collectively could decide whether to change the way that social institutions (including schools) structure their life chances.”<sup>77</sup> Again, emphasis is placed upon self-determination; the students will determine their collective ends through deliberation yet, at the very least, moral guidance, civic virtue, and thoughtful reflection on the validity of competing ends are not covered in such a preparation for democratic citizenship or, at the very most, the meanings of these words are altered and reduced as has been a common occurrence throughout Modern thought. Civic virtue becomes synonymous with mere participation in democratic processes, and moral guidance is equated with moral relativism which allows all participants who support differing interpretations of the good life to proclaim an equality among all other interpretations.

In theory, Gutmann’s civic education focuses on participation for the purpose of participation. In structure, Gutmann’s formulation attempts to move from theory to practice by instituting that the content of education, such as textbooks, should be judged “first, by their openness to citizen participation, and second, by their potential to open citizens to the merits of unpopular points of view. Such a standard would lead us to criticize textbook committees that were closed to broad citizen participation.”<sup>78</sup> When restrained by the principles of non-repression

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<sup>77</sup> Amy Gutmann, *Democratic Education* (Princeton: Princeton University Press, 1999), 148.

<sup>78</sup> *Ibid*, 101.

and non-discrimination, Gutmann places absolute faith in the democratic process she outlines. Concomitantly, Gutmann dismisses Aristotle's warnings concerning the extreme forms of democracy in which rights and liberties are sacrificed for what are considered by the masses of democratic participants to be the *good life*.

The radical shifts present within Modern political theory are directly the result of Classical political theory and its progenitors. Despite the gulf that separates each tradition of thought, in the eighteenth century the Framers of the U.S. Constitution saw ample uses for both Classical and Modern political philosophies. This eclectic approach, however, posed its own risks to the stability and longevity of the new republic. The Framers, utilizing sources from antiquity and modernity, were tasked with undertaking the monumental endeavor of analyzing and critiquing over two-thousand years of philosophic inquiry and political theory. Simply put, this was no small task.

## Chapter 5

### A Syncretistic Approach: Framing the U.S. Constitution

Faced with massive debts from the Revolutionary War, the political gridlock fostered by the Articles of Confederation, and growing tensions throughout the young country over the direction in which it should grow, the Framers of the U.S. Constitution were presented with one of most challenging problems in all of political theory. The ancients and moderns had grappled with the question of proper political balance for centuries. Some, such as Hobbes, opted for totalitarian forms of government to provide stability while others called for extreme liberality and openness. Absolutist approaches, however, had proven time and time again that failure, by either meddling foreign influences or internal strife, resulted from a strict reliance upon one specific form of political order. The Framing of the U.S. Constitution may not have been decidedly syncretistic from its birth, but as the convention progressed and individual interests combatted with others, the outcome could not have been anything else. The U.S. Constitution would be, by the mere circumstance of its crafting, eclectic in design and content. The problem, as put by Benjamin Rush, was that “In our opposition to monarchy, we forgot that the temple of tyranny has two doors. We bolted one of them by proper restraints; but we left the other open, by neglecting to guard against the effects of our own ignorance and licentiousness.”<sup>79</sup> In essence, the Framers sought a balance: rights and liberties must be maintained to the greatest extent possible; they must be shown to be legitimate through a proper theoretical basis, but they must also be restrained for purposes of stability, longevity, and security. Additionally, even with a proper system and theoretical basis, it would be up to individual citizens to maintain the political

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<sup>79</sup> Quoted in *Novus Ordo Seclorum: The Intellectual Origins of the Constitution* by Forrest McDonald ([Lawrence: University Press of Kansas], 3).

order. Of course, the new republic would require participation, but participation was not enough to maintain such a regime. Even *informed* participants could falter and abuse political prerogatives. Rather, the Republic of the U.S. required that citizens be personally vested in political decision making; in essence the political system would be reliant upon the rational self-interest of individual citizens to compete with others to maintain civil rights, political liberties, and, above all else, individual freedom. As James Madison famously wrote, the new republican system of government was designed so that “the private interest of every individual may be a centinel over the public rights.”<sup>80</sup> How to provide a solution for such contradictory demands was the goal of the Framers; thankfully they were educated individuals who were given the advantage of birth, wealth, and two-thousand years of knowledge concerned with the very question they themselves were posed.

As with any political order at large, the Framing of the U.S. Constitution was not devoid of factions arguing from various standpoints. These factions, however, were not characterized by purely material considerations as are many of today’s interest group. Rather, these factions can be understood as being factions of theory.

### **The State of Nature, Liberty, and Property Rights**

The Framers were faced with many challenges during their renovating endeavors with regard to the structure and function of the U.S. government. The Articles had proven to be largely ineffective and paralytic in design and execution. Before the Framers could move forward with their designs for the new government, however, fundamental questions had to be answered: What is liberty? What is justice? What is the *purpose* of government? These three questions, as well as many more, found opposing answers in the texts of Thomas Hobbes and

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<sup>80</sup> James Madison, “No. 51,” in *The Federalist*, by Alexander Hamilton, James Madison, and John Jay, ed. Robert A. Ferguson, 287-292 (New York: Barnes & Noble, 2006), 289.

John Locke. To answer these questions, the Framers began with a theoretical starting point: the State of Nature.

Thomas Hobbes in his *Leviathan* and John Locke in his *Second Treatise* both devoted large passages to their respective formulations of the State of Nature. Assuredly, neither man believed that just such states of existence ever truly occurred, yet both were convinced that the fundamental questions, as noted earlier, could be answered using this thought-experiment.

### **The Hobbesian State of Nature**

Thomas Hobbes, although a greatly respected theorist today, was a *persona non grata* during his own times. His writings and arguments were relativistic and verging upon nihilism; his rumored atheism did not, however, keep many an educated individual from reviewing his texts, albeit privately and without open reference. As referenced earlier, in his *Leviathan*, Hobbes remarks:

For these words of Good, Evill, and Contemptible, are ever used with relation to the person that useth them: There being nothing simply and absolutely so; nor any common Rule of Good and Evill, to be taken from the nature of the objects themselves.<sup>81</sup>

The moral relativism that permeates the previous statement was carried forward throughout Hobbes's *Leviathan* culminating in his eventual remarks on the State of Nature. As often quoted, Hobbes asserts that within the State of Nature that exists whenever there is no sovereign power to wield the sword, the life of man is "solitary, poore, nasty, brutish, and short."<sup>82</sup> This occurs, according to Hobbes, because the State of Nature of man can be understood as a State of War in which, lacking a coercive authority to maintain peace, stability,

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<sup>81</sup> Thomas Hobbes, *Leviathan* (New York: Barnes & Noble, 2004), 29.

<sup>82</sup> *Ibid*, 77.

and security, every man is at war with every other. At this point Hobbes offers his most stunning statement:

It followeth, that in such a condition, every man has a Right to everything; even to one another[']s body. And therefore, as long as this natural Right of every man to everything endureth, there can be no security to any man.<sup>83</sup>

In an effort to escape this State of War, Hobbes avers the creation of government necessarily follows. Government is created for the purposes of security, stability, and peace. It is not out of a love of life that men create government under which to organize themselves, but out of a fear of their fellows. Seeking their own preservation, men, by many different means including mutual consent or conquest, come together to form regimes. Although Hobbes admits there exists certain Laws of Nature, these same laws are meaningless as they, “without the terrour of some Power, to cause them to be observed, are contrary to our natural Passions, that carry us to Partiality, Pride, Revenge, and the like.”<sup>84</sup> Just as governments are created out of fear, Hobbes continues along a path that would later be adopted by Hume: reason, rationality, and human choice are subservient to and controlled by the prevailing passions.<sup>85</sup> Theorists, in the style of Hume, appear to “agree that ethics is a *subjective* issue and that the three things barred from its field are: reason – mind – reality.”<sup>86</sup>

After the founding of a regime, Hobbes outlines the necessity of a certain level of liberty that should be granted to a country’s citizens. These necessary liberties serve the purpose of strengthening a government’s underlying bases: to provide protection, foster stability, and ensure security. Throughout chapters X, XXI and XXII, Hobbes offers that certain liberties and

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<sup>83</sup> Ibid, 79-80.

<sup>84</sup> Ibid, 105.

<sup>85</sup> See note 44.

<sup>86</sup> Ayn Rand, *The Virtue of Selfishness* (New York: New American Library, 1964), 15.

freedoms, although limited in comparison to the absolute freedom of the State of Nature, are permissible due to convenience (*e.g.*, commodious living). It is for this reason that Hobbes takes affirmative stances on the questions of private property and commerce. These are useful to realizing a regime's end, therefore they should be not only allowed, but protected and encouraged to a certain extent by the sovereign of a regime. These freedoms and liberties, however, are not absolute as they are merely convenient constructs utilized as tools by the sovereign to ensure the ends of government. The powers of the sovereign, therefore, are far-reaching and absolute to the extent that, risking their own ability to rule, they are capable of committing any number of what would be considered crimes if committed by a subject. For the sovereign to commit these acts, however, is not criminal as sovereigns inhabit their own state of nature where no such thing as justice, good, or evil exists. The liberties outlined within the first ten amendments of the U.S. Constitution (the Bill of Rights) do not exist under a Hobbesian regime. Criticism of policy, politician, or any other subject could technically occur under such a regime, yet it is well within a sovereign's prerogative to put down such disruptions through the use of coercion and physical force.

### **The Lockean State of Nature**

John Locke, in his *Second Treatise of Government*, presents a State of Nature and accompanying theory of liberty that is diametrically opposed to the asseverations of Hobbes's *Leviathan*. From the outset, Locke's formulation of the State of Nature embraces the ideas of Natural Law under which men are endowed, as is famously rendered in the Declaration of Independence, with the inalienable rights of life, liberty, and property (pursuit of happiness). Within Locke's State of Nature, all people are free to do as they wish in accordance with Natural Law. Unlike Hobbes, who argued that in the State of Nature men have a right to all things, even

each other's bodies, Locke argues from the fundamental assumption that human reason, rationality, and choice are superior to whatever prevailing passions or fits of emotion an individual may be subject to. This theoretical leap of faith lays the groundwork for Locke's theory of property. In essence, Locke moves forward from the previous assumption and boldly states that a man is property unto himself and that:

Whatsoever, then, he removes out of the state that Nature hath provided and left it in, he hath mixed his labor with it, and joined to it something that is his own, and thereby makes it his property.<sup>87</sup>

Property in the State of Nature, however, endures a precarious existence as individuals, although endowed with the right to protect their life and, by extension, their property, are at the mercy of all other individuals. Individuals who are incapable of defending their property solely through their own efforts must then join with the efforts of like-minded individuals.

The great and chief end, therefore, of men uniting into commonwealths, and putting themselves under government, is the preservation of their property; to which in the state of Nature there are many things wanting.<sup>88</sup>

The *choice* to have government, argued Hobbes, led individuals to come together by mutual compact for the purpose of creating a community designed to ensure the protection of their individual rights, but through the power of a collective will. Locke, in order to cover all of his bases, additionally identifies in the *Second Treatise* the justifications for overthrowing existing regimes that are, either from the outset or have later devolved into, oppressive and licentious. The aim of all such activity is to bring any such regime back to purposeful existence: the protection of life, liberty, and property. Unlike Hobbes, Locke asserts that such governments are not to be absolute in nature. Rather, the citizens under such regimes, as they have created and

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<sup>87</sup> John Locke, *The Second Treatise of Government* (New York: Barnes & Noble, 2004), 16.

<sup>88</sup> *Ibid*, 67.

continue to maintain the regime by mutual consent with an eye towards mutual benefit, are not only allowed, but are expected to voice their concerns with regard to the actions and directions of the current officers of the regime.

### **The Framers' Solution: Life for Life v. Life for Happiness**

The Framers confronted this fundamental conflict between Hobbes and Locke, but ultimately joined Locke in his theoretical leap of faith; in essence, the Framers chose reason over passion. Although varying greatly in their means, Hobbes's and Locke's differing theories of *purpose* were ultimately the deciding factor. As is evident in the Declaration of Independence, the Founders opted for Locke well before the Constitutional Convention was called for. Even in relation to the Framers' views on security, the theme is Lockean. In *Federalist 10*, by James Madison, and *Federalist 23*, by Alexander Hamilton, both men call for a powerful military for the purpose of ensuring stability and peace in the face of both foreign and domestic attempts of usurpation.<sup>89</sup> Although this appears upon first glance to be in alignment with Hobbes's *Leviathan*, the *purpose* of such a powerful military is Lockean. Rather than protecting life simply for the purpose of life, both Madison and Hamilton aver that such a militaristic function is necessary for security of manufacturing, commerce, and private property in general. Life for life's sake was not enough for the Founders, nor later was it for the Framers. Although adopting freely from Hobbes's arguments surrounding security, the deeper purposes of governmental action are clearly rooted in the philosophy of John Locke and his *Second Treatise*.

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<sup>89</sup> James Madison, "No. 10," in *The Federalist*, by Alexander Hamilton, James Madison, and John Jay, ed. Robert A. Ferguson, 51-59 (New York: Barnes & Noble, 2006); Alexander Hamilton, "No. 23," in *The Federalist*, by Alexander Hamilton, James Madison, and John Jay, ed. Robert A. Ferguson, 123-129 (New York: Barnes & Noble, 2006).

## Antiquity and Modernity: The Abandonment of Republican Virtue

Occurring concomitantly alongside the debates that were concerned with the Hobbesian and Lockean justifications for systems of states, another conflict, also concerned with Locke's formulations, was raging between those who clung to antiquity and others who embraced modernity and all it promised. On one side of the Constitutional Convention were what Forrest McDonald referred to as "puritanical republicans" – meaning, believers in the republicanism that arose from antiquity, *i.e.* ancient Rome. Unlike their constituents, the "agrarian" republicans, puritanical republicans were steeped in the philosophy of Cicero, Plutarch, and other ancient Romans. The puritans were also overly familiar with the works of Machiavelli, Trenchard, Gordon, Bolingbroke, Hume, and Montesquieu, although these theorists were far less interested in republican virtue than their predecessors from Rome.<sup>90</sup> The puritans believed a system of government should be formed around the existence of men who acted in accordance with civic virtues (*e.g.*, martial courage). The problem of republican design, in essence the existence of destructive factions, was to be cured through morality brought about by the prescription of civic virtue.

On the other end of the debate were students of the Enlightenment, a period during which, despite its title, a great lowering of aspirations occurred throughout political theory. Rather than relying on civic virtue to secure the existence of a republic, theorists such as John Locke, Adam Smith, and David Ricardo heavily influenced the Framers who held more Classically Liberal beliefs. The Framers, most notably Alexander Hamilton, were convinced that a system of government relying upon *having the correct people in power at the correct time* was not a system that could maintain stability, security, or ensure an individual's freedom to pursue

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<sup>90</sup> Forrest McDonald, *Novus Ordo Seclorum: The Intellectual Origins of the Constitution* (Lawrence: University Press of Kansas, 1985), 70.

his or her own happiness. Rather, such a system would eventually collapse, as with the Republic of Rome, into tyranny when factions led by persuasive demagogues were able to take control of the state. The Classical Liberal design, however, left a regime open to usurpation by force as such a weak government as Classical Liberalism prescribes may find itself paralyzed by limitations during a time of crisis either domestically or abroad. To avoid the mortality of republics, *i.e.* the “republican disease,” was the challenge the Framers faced amidst this debate.

### **A Truly Republican Form**

The puritanical republicans, those who relied upon public virtue in order to ensure the continuity of a regime, presented a case drawn from antiquity. Civic virtue was to guide leaders throughout the policymaking process during which private interests were to be subservient to the collective interests of state. The republican state of this form is familial in design and could be labeled a parent-state (*e.g.*, a “motherland” or “fatherland”). Rather than being primarily concerned with their own interests, citizens of a republic should care first for the well-being of the state as:

she has given us these advantages so that she may appropriate to her own use the greater and more important part of our courage, our talents, and our wisdom, leaving to us for our own private uses only so much as may be left after her needs have been satisfied.<sup>91</sup>

This quixotic belief in the Great Souled Man<sup>92</sup> to lead a regime through all the trials of time appears to many today as naïve, yet this belief system reigned supreme for many years prior to the Fall of Rome. Many of the Framers who subscribed to republicanism recognized this

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<sup>91</sup> Marcus Tullius Cicero, *On the Republic*, vol. 16 of *Cicero*, trans. Clinton W. Keyes and ed. Jeffrey Henderson, 1-285 (Cambridge: Harvard University Press, 1926), 23.

<sup>92</sup> Aristotle’s Great Souled Man from *Nicomachean Ethics* is a prideful individual who is “Content in the knowledge of his virtue,” and strives “always to be the best and to stand above other men” (*Iliad* 6.208; quoted in Jacob Howland’s article “Aristotle’s Great-Souled Man” [*The Review of Politics* 64, no. 1 (Winter 2002): 53, accessed December 06, 2014, <http://search.proquest.com/docview/60141364?accountid=13158>].

weakness in classical republicanism, and therefore opted for the modernization offered by Montesquieu.

Montesquieu played down the overwhelming importance of civic virtue in his approach to republican design, yet he maintained the subservience of private interests to state interests. As Forrest McDonald notes, republican “liberty” stated that “one was free to do that, and only that, which was in the interest of the public, the liberty of the individual being subsumed in the freedom or independence of his political community.”<sup>93</sup> In place of civic virtue, Montesquieu supported the creation of counterbalancing political institutions that would have separated powers. A certain degree of virtue would always be necessary for government to succeed, yet relying solely upon civic virtue as a panacea was ill-fated. Regulation, on the other hand, mixed with a more practical attainment of civic virtue was possible, according to Montesquieu. Montesquieu argued for many institutional regulations, such as the regulation of property. In a republic, Montesquieu argued that property holdings ought to be mediocre as not to cater to the elite and to keep the lower classes from becoming jealous to the point of open rebellion.

The Framers, most of whom were appalled by the idea of totalitarianism, found themselves at an impasse: classical republicanism, as depicted by the historical record, ensured destruction from within and conquest from abroad, yet modern republicanism fell far short of ensuring the liberty and freedom that had been fought for during the Revolutionary War. What was needed was a uniquely American form of republicanism that could both combat the republican disease, ensure stability, and security through the use of a powerful national government, yet would remain limited enough as to not threaten individual liberties or constrain an individual’s freedom. Even if such a design were possible, how could the system be

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<sup>93</sup> Forrest McDonald, *Novus Ordo Seclorum: The Intellectual Origins of the Constitution* (Lawrence: University Press of Kansas, 1985), 71.

maintained? As noted by Benjamin Rush, the enemy of the U.S. system was not foreign, it was domestic: ignorance and apathy.

### **A Call for Liberty**

Juxtaposed with the republicans in the Convention were the Classically Liberal minded Framers. These Framers, men who were also educated in the classics concerning republicanism and civic virtue, were also disciples of Locke, Smith, and the like. Following the arguments laid forth by Locke, the Framers were offered a form of government known as the “night-watchman state” – a state composed of an incredibly limited government that served the purpose of providing protection of property through the use of police and military forces and a judicial system to settle disputes. This model’s sole concern was liberty, freedom, and the protection of property. This form of government, however, was eerily similar to that which was prevailing under the Articles, a system which proved to be largely ineffective due to the existence of independent states, many of which engaged in trade-wars and land-squabbles with their neighbors. Just as the puritanical republicans were faced with totalitarianism, the commercially minded Framers faced anarchism. These latter Framers feared the totalitarianism of republicanism more so than the uncertainty of the night-watchman state, as, under a truly republican form, “the *demos* might rise and, in the name of republican virtue, redistribute all property by force.”<sup>94</sup> Any redistribution of property, from a Lockean stance, signified the negation of life, the institutionalization of slavery as the status quo, and represented the complete abandonment of the only bases for government by mutual consent: life, liberty, and property. Yet maintaining a hardline stance on Lockean principles would only prove to stagnate the Convention and invite foreign intrigue. These concerns, along with many other pressing issues,

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<sup>94</sup> Ibid, 93.

forced the hands of these Framers into negotiations with their republican counterparts to endeavor to devise a resolution. The model that was eventually developed amid intense debate was a theoretical mutation, a form on which all authorities from antiquity and modernity remained mute.

### **The Framers' Solution: A Mixed Approach**

The Framers, in light of their respective needs from government, found themselves theoretically alone. All the volumes of political theory, which were either directly or indirectly available to the Framers, became relatively useless at this point in the debate. Theory posed the problem and pointed towards solutions that would fail, but what the Framers needed was a radically new approach that would succeed. No theorist or philosophy could, when strictly applied, solve the problem of the republican disease, ensure security, provide for stability, *and* allow for liberty and freedom both politically and economically. A mixed approach thus became the only means left to the Framers.

Many of the Founders and Framers were educated men who worked their way through the treatises and letters of antiquity. Many, however, “were compelled to make their own way in the world of letters,” such as Benjamin Franklin did after his formal education “ended at the age of ten.”<sup>95</sup> This mixture of highly-educated elitism and New World industriousness allowed the Framers to find the balance of theory necessary to draft a lasting design of governance that was to realize all of the aforementioned goals of the American people. With regard to the ongoing debate between Montesquieu and Locke, the Framers selected to follow Montesquieu’s *political* recommendations with respect to counterbalancing institutions and separations of power. On the *economic* end of the conflict, the Framers adopted a Lockean approach. The resulting mixture,

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<sup>95</sup> Matthew Stewart, *Nature’s God: The Heretical Origins of the American Republic* (New York: W.W. Norton & Company, 2014), 47.

this Montesquieuan/Lockean political economy, in design at least, would prove to provide a powerful national government with an “energetic” executive capable of acting swiftly in times of need, while also abiding by the liberties and observing the freedoms found in Locke’s Natural Law.<sup>96</sup>

The United States of America was forged through a combination of uniquely American political and economic concerns, yet imbued with political theory that hailed from antiquity. The solutions posed by the Framers to a myriad of theoretical conflicts were meant to be lasting; in many instances, due to circumstance or abandonment, many of the solutions arrived at during the Convention appear to no longer function. Certainly a great deal has changed since the Framing (technological advances, balance of power shifts around the globe, economic interdependency through globalization, etc.). The overwhelming tendency in light of these new challenges has been one of theoretical distancing – the United States is not only abandoning the Constitution, but the entire theoretical tradition that resulted in its creation and eventual ratification. This sort of rejection would prove dangerous to any political system, but especially so for the United States as no alternative has been clearly offered. Unlike the system that was created through the use of political theory and general philosophy, the current course of the United States offers only action, action rooted only in the moment with no theoretical basis. My concerns for the future of the United States are summarized best by Vincent Ostrom and Barbara Allen:

Without an appropriate theory, the people cannot hope to maintain systems of government designed from reflection and choice. Theory provides people with a basic understanding about criteria, methods, and structures that apply to the proper conduct of government. When a people lacks such understanding, they become subjects of apparently uncontrollable forces and, as Tocqueville pointed out, candidates for servitude to a totalizing state. Their fate is

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<sup>96</sup> Alexander Hamilton frequently referred to the need of an “energetic” government in *Federalist 23*. “No. 23,” in *The Federalist*, by Alexander Hamilton, James Madison, and John Jay, ed. Robert A. Ferguson, 123-129 (New York: Barnes & Noble, 2006).

more likely to be determined by *accident* and *force* rather than *reflection* and *choice*.<sup>97</sup>

To continue on down its current path, the United States' disregard is tantamount to voluntarily falling prey to factionalism, demagoguery, and the arbitrary nature of the republican disease – an insidious force the Framers sought to fortify against. Whereas the traditional political theory maintains that “men must necessarily come to an agreement to live together as securely and well as possible if they are to enjoy, as a whole, the rights which naturally belong to them as individuals,” the current course of the United States witnesses policies that are without mutual consent and to the long-term benefit of no one.<sup>98</sup> Without a meaningful reexamination of the founding political theories of the republic, the United States will never enter into a dialogue arising from decisive, yet justifiable reflection, that will prove necessary to provide for security, maintain stability, respect liberty, value freedom, and embrace each citizen's search for happiness. Such a dialogue is only possible when an appetite for such discussions is acquired early on through a truly liberal education. An appetite like this is developed through civic education.

### **Civic Education in the New Republic**

Although the primary focus of the Framers was not civic educational theory, but to craft a lasting political order which could withstand factionalism, foreign intrigue, as well as exchanges of power from one administration to the next, a theory of civic education necessarily arose, if not intentionally, then as a direct result of the underlying political theories the Framers used as bases for the new republic. Structurally, as can be found in the arguments of Adam Smith in his *Wealth of Nations*, government would, to varying extents, participate on a local level by administering

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<sup>97</sup> Vincent Ostrom and Barbara Allen, *The Political Theory of a Compound Republic: Designing the American Experiment*, 3<sup>rd</sup> ed. (Lanham: Lexington Books, 2008), 224 (italics mine).

<sup>98</sup> Baruch Spinoza, *The Philosophy of Spinoza* (New York: Carlton House, 1927), 300.

education. The history of public education in the U.S. has been characterized by fits of advancement in one region while others, such as the Southern states, traditionally shied away from taxpayer-funded public education early on. The states of the Northeast embraced public education far more readily, first with parochial schools organized through religious organizations and churches, and later by states themselves who provided funding via taxation as exists today. This transformation, from education being reserved for the privileged to being available to all, uneven in its development and took the greater part of two centuries to accomplish. Even today, public education is a morass of inadequacy, most especially for urban primary and secondary schools that are plagued by mediocre instruction quality and funding shortages. As argued earlier in this piece, certain fields of education may readily be identified as candidates for privatization, yet where the line between civic education and general education can be drawn is one of immense contention.

The Framers of the U.S. Constitution, such as Alexander Hamilton, were not absent from the debate on education and government's involvement in it. Hamilton himself wished to found a National College for the training of future civil servants, officials, and politicians. Other theorists and statesmen of the time, such as Thomas Jefferson, would later devote much of personal energies and financial holdings to the construction of schools, colleges, and universities. Although a general *theory* of education can be seen as arising as an unavoidable consequence of the Framing, educational theory during and after the Framing was applied unevenly, or not at all in some cases. One possible cause for this inequality can be recognized by the lack of any mention of education in the U.S. Constitution. Certainly, due to the vaguely interpreted Tenth Amendment, it can be argued that educational policy is strictly the prerogative of each individual state, but one failure I recognize in the Framing is that no recognizable instruments were created

to ensure that the most necessary and relevant task of education was considered: the maintenance of the republic. Surely the Framers, each with their own respective views of the goal of education, argued in favor of education being used as a tool to ensure the continuity and stability of the regime, yet the necessary foundation for ensuring this goal was never set down during the Framing. After having attempted one of the most daring feats in the history of political philosophy, government-by-design, the Framers failed to provide a framework for ensuring the survival of the experiment beyond the institutional arrangements they had adopted to restrain the government and its expansive, new powers.

In a way, the Framing of the U.S. Constitution provided half of the equation, that half being the necessary limits on, and separation of, governmental powers. The latter half, civic education, was supported by the Framers' theories and considerations, yet ultimately absent from their actions. To complete the second half of this equation and arrive at a uniquely American form of civic education must occur. Without this latter half, the former will lack legitimacy. If the citizenry cannot *understand why* institutional arrangements, limitations on powers, or separations of branches exist, then the entire U.S. Constitution and our political order loses all legitimacy apart from the legitimacy that accompanies the arbitrary force that is found at the end of a gun.

Without a legitimate basis to point to, there can be no guarantee that the rights and liberties guaranteed to the American people will long withstand the barrage of political maneuvering that is time and again disguised beneath a thin veneer of public interest with end results being the interest of no one. My work may not go as far as Allan Bloom did in his

phenomenal *Closing of the American Mind*,<sup>99</sup> yet it attempts to continue where the Framers left off and finish the work left incomplete. The safeguards the Framers saw fit to place within the U.S. Constitution, as suggested earlier, can only defend life, liberty, and property if liberty is cherished within each individual. When the love of liberty is replaced with apathy, diffusion of responsibility, or trusteeship, then no safeguard, separation of powers, or limitation can long prevail in maintaining what had been abandoned. For liberty to survive, citizens must first be able to value the responsibility it assigns to them for their own lives.

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<sup>99</sup> Although I empathize with the late Dr. Bloom, I find his solution to political ignorance, liberal education, as being far too lofty an idea to be achieved in reality. The approach necessarily prohibits the involvement of a great majority of the population as many will never undertake the arduous study of a truly liberal education. This is unacceptable as those individuals who, as taxpayers, fund the regime they live under concomitantly will lack the incentive and ability to be politically active. Most individuals will never undertake a rigorous study of political theory, nor will they attempt to consolidate these theories into a unified understanding of the political order under which they live. Rather, a broader solution must be aimed for; a solution that will include the greatest proportion of the population as possible, otherwise those who do not embrace a liberal education will be left to the mercy of those who do under such an elitist proposition.

## Chapter 6

### **Past and Present: A Critique of Political Theory and Civic Education**

To move forward in search of a solution for the ills that plague the political order of the U.S. without identifying the necessary points of theoretical origin of these ills would be irresponsible and result in, not a solution, but a blind, ignorant *a falsis principiis proficisci*.

Thus far, this work has adumbrated the political theories utilized by the Framers, *i.e.* the Classical and Modern lines of political theory. To continue the tradition of the Framers requires a further critique of the preceding theoretical lines from which they drew, in order to uncover the wherewithal employed in crafting a government-by-design. This chapter will cover both the Classical and Modern tracts of political theory and provide an analysis of their respective shortcomings, inconsistencies, as well as their points of strength and logical consistency.

#### **A Critique of Classical Political Theory and Civic Education**

The Classical theory in general is dependent upon a powerful, expansive, and intrusive government in order for the natural wickedness of man to be countered and for the inevitable decline and degradation of society to be stalled. It would appear as though the logic behind Classical thoughts on government and civic education can be rendered as denying freedom to men, for they cannot be trusted with it, and in granting power to those who, guided by civic virtue, which will be inculcated through a civic education that turns their *eros* away from the vulgar and trivial towards the contemplation of eternal truths and correct conduct, are capable of virtuous conduct in governing. But if our politicians, bureaucrats, and officials are self-interested (which is taken as self-evident), then how can a powerful and expansive government built upon

the self-interest of those running it be concerned with what's best for those being run by it? Certainly, this is an oversimplification of Classical thought for there are assuredly those who would deny that Socrates, Isocrates, Plato, or Aristotle would truly support such an expansive regime, yet inherent in the political theory of each appears a common line of thought: governance, when practiced by those who exemplify the necessary civic virtues, should hold a place of honor in the thoughts and actions of the citizenry. Political life is equated with the very essence of what it means to live as a human, for man, above all other creatures, is a political animal.<sup>100</sup> As Cicero would note centuries later, the thoughts and actions of individual citizens should be devoted first to the state in which they live, "leaving to us for our own private uses only so much as may be left after her needs have been satisfied."<sup>101</sup> The universal reliance on civic virtue to guide the ruler's hand creates a multitude of logical contradictions, circular reasonings, and can be accused of idealistic naivety. Therefore, it is the Classical formulation's reliance upon civic virtue that forms the basis of this critique.

The first offense conducted by Classical theory in regard to governance is naivety. The original fault of this reasoning was that it identified no proper limits on the ability of human beings to organize the political and private lives of their fellows. Whereas Socrates attempted to persuade his young interlocutors of the necessary limitations that must be placed on human actions with regard to governing activities, it appears that the successors of his tradition identified the *Republic* as a manual, rather than a rebuttal of technocracy. Socrates's successors embraced the unintended message of the *Republic* and argued that "What was needed in order to construct the ideal society [...] was good princes and virtuous citizens. With righteous men any

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<sup>100</sup> Carnes Lord, trans., *The Politics*, by Aristotle (Chicago: The University of Chicago Press, 1985), 36 (1253<sup>a</sup>1).

<sup>101</sup> See note 91.

utopia might be realized.”<sup>102</sup> This idea, as innocently naïve as it may first be seen, creates the necessary conditions from which a fountainhead of circular reasonings erupt. If virtuous governance is the end, what are the means? Civic education from Socrates onward, therefore, would be tasked with inculcating the necessary civic virtues that were seen as necessary in the character of a ruler. Although the *means* by which civic virtues were to be inculcated differ (*e.g.*, Socrates’s thoughtful reflection versus Isocrates’s rhetorical imitation), the logical fallacy persists: a regime must, for purposes of necessary maintenance for survival, undertake the task of educating the youth who must be inculcated with virtue. The circular reasoning, however, arises when it is revealed that the reigning regime must be the one to inculcate these virtues, virtues that the governors may or may not exemplify themselves. If the goal is virtue, how can it be taught by those who not only lack the virtues of a leader but would suffer from their inculcation? By suffering I mean the following: when tasked with educating future citizens, the current officers of state would be, as they are naturally self-interested beings, better off with an electorate that neither emulates civic mindedness nor even general awareness. Once again, the failure of this Classical approach is that it relies on the good intentions of mankind for their fellows. Good intentions for oneself, however, almost always trump the good intentions one *should* hold for their fellows.

What would an officer of the state stand to gain from an educated, civic minded electorate? Certainly over the long run a theorist would argue that the answer is stability, security, etc. etc. Yet during the interim, what would state officials gain? Rather than gaining anything of substantive value, the question should be put in its reciprocal form: *what do they stand to lose?* Everything. The justification for the expansive and intrusive regime under

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<sup>102</sup> Ludwig von Mises, *Human Action: A Treatise on Economics* (Auburn: The Ludwig von Mises Institute, 2008), 2.

Classical theory is that, when guided by the proper virtues, the natural political nature of man should be allowed to creep into almost every crevice of human life. With a large governing apparatus in place, the officers of the state stand to gain a great deal personally, as can be seen with the current political culture of the United States. Rather than embodying the characteristics of a *custos morum*, the leaders of any regime would fare better individually by emulating the opposite characteristics: eloquent and mellifluous demagoguery when in the public eye and surreptitious licentiousness when in the trenches of the policy-making processes.

For political entrepreneurs (including business professionals who rely upon government assistance to succeed versus utilizing their own entrepreneurial genius) an informed electorate is problematic and undesirable. “Pork” projects, government contracts for defense projects, and numerous other examples of pelf would potentially be on the proverbial chopping block if there existed an informed, civic minded electorate. In terms of politicians’ self-interest, it would best for the masses to maintain ignorance and, if possible, apathy towards political processes such as these. If intelligence were an attribute of the citizenry, few politicians would be left in office. Yet, according to Classical thought, it is concomitantly the obligation of officers of the state to wear both the hat of civic educator and that of a self-interested individual wielding immense political power.

The focus shifts with the introduction of institutionalism as a panacea to corruption, side-dealing, and all other forms of ilk that accompany an inept democracy. For the ancients, a middle ground had to be reached between *too much* government and *too little*. The perennial question of political degree has been a cornerstone of debates in political theory since the dawn of Western civilization. Moving from the clouds to the earth, however, was possible for some Classicists who believed, as the Framers would when creating the U.S. Constitution, that man’s natural

degradation can be stayed through “good institutions virtuously administered.”<sup>103</sup> This, however, leaves us with half of the equation; the institutions and safeguards may exist, yet the virtue is lacking. If virtue is the answer, from where does it arise? If governmental officials hold a vested interest in suppressing such virtue, what alternative source of virtue can be utilized?

Whereas the fault with Classical thought may lie in its reliance upon civic virtue, its value can be found there as well. Regardless of the political system utilized, a certain degree of civic virtue will always be necessary to maintain the political order. From the minimalist conception of the night-watchman state to the expansive totalitarian regime, civic virtue, to varying degrees, is required to maintain order, provide security and defense, and mete out whichever rendition of justice is being observed. Identifying a source of virtue is therefore necessary when tackling any question with regard to political theory and civic education; this is attempted in Chapter 8 of the present work.

### **A Critique of Modern Political Theory and Civic Education**

To simply state the errors of Modern political theory: good ideas do not require force. Whereas Classical political theory appealed to visions of the good life as viewed through the lenses of tradition (Isocrates) or thoughtful reflection (Socrates), Modern political theory turned to the common good as the basis for ethical inquiry and, therefore, morality. Hyper-rationalists, high-modernists, or whichever title is appropriate to confer, argue that

“society” stands above any principles of ethics, since *it* is the source, standard and criterion of ethics, since “the good” is whatever *it* wills, whatever *it* happens to assert as its own welfare and pleasure. This means that “society” may do anything it pleases, since “the good” is whatever it chooses to do *because* it chooses to do it. And – since there is no such entity as “society,” since society is only a number of individual men – this means that *some* men (the majority of any gang that claims to be its spokesman) are ethically entitled to pursue any whims (or any

<sup>103</sup> John Stuart Mill, *Considerations on Representative Government in On Liberty and Other Essays*, ed. John Gray, 205-467 (New York: Oxford University Press, 2008), 223-224.

atrocities) they desire to pursue, while *other* men are ethically obliged to spend their lives in the service of that gang's desires.<sup>104</sup>

Force and coercion are endemic of Modern political theory in many respects. Often the political theorists of modern thought supply arguments in favor of their particular version of the good life, and then seek to usurp political authority in order to enforce their interpretation upon all others.<sup>105</sup> The problem, as satirically put by H. L. Mencken, is that “The kind of man who demands that government enforce his ideas is always the kind whose ideas are idiotic.”<sup>106</sup> Just as with political theory, the Modern approach to civic education is riddled with pretention on the part of the powerful bureaucracies and technocrats who make them up. Through their supposedly greater wisdom, a specific set of knowledges, skills, and values will be chosen to be instilled in the citizenry of a given system. One opinion of what is best, according to one or a group of individuals, is chosen for application to the whole of a population. No man is a better judge of his own good than himself, yet there are those who believe that they know what is best for everyone else. There are exceptions within Modern thought, such as that of Amy Gutmann. Gutmann opts for a mixed approach – she wants people to be free to communicate through democratic deliberation, yet she still allows for one group of individuals to control the other with *some* limitations. These dilemmas are only compounded by the next tradition of Modern political theory: the placing of human beings into equations.

Modern political philosophy and the civic educational programs that necessarily arise from it requires that humanity be viewed from a mathematical perspective in which the proper additions and subtractions must be made to conquer the inherent wickedness of man. This

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<sup>104</sup> Ayn Rand, *The Virtue of Selfishness* (New York: New American Library, 1964), 15.

<sup>105</sup> Recall Rousseau's argument regarding how individuals who resist the general will must be forced to be free (see note 65).

<sup>106</sup> H. L. Mencken, *A Mencken Chrestomathy* (New York: Vintage Books, 1982), 623.

viewpoint is reflected in Hobbes, whose philosophy supported the notion that “By understanding human nature mechanistically, we become capable of manipulating and finally... conquering it.”<sup>107</sup> Such theoretical predicaments as diversity of opinion must be done away with under such formulations, as they may, if allowed to fester to the point of becoming popular, serve as a contender for political authority. Such direct challenges to reigning orders were to be extirpated by the necessary civic educational programs of Modernity. It is from these educational programs that much of today’s concerns over “brainwashing” and indoctrination arise.

Although Classical political theory may have led unintentionally to large and intrusive governing bodies, Modern political philosophy prescribed the same outright. The difference, of course, is one of purpose, yet the end result of each can be the same despite the difference of means. Continuing with the theme of this critique – good ideas do not require force – Modern political theory’s antidote to the ignorance of the masses, technocratic rule, falls victim to the same circumstances that plagued the previous critique of Classical thought. Whereas Classical thought’s reliance upon civic virtue came undone due to the innate self-interest of human beings, so too does the Modern prescription of mechanistic technocracy. Even with the best intentions, powerful political orders create tempting circumstances that become ripe with arbitrariness and corruption. Though Descartes and his successors vehemently supported technocratic rule,<sup>108</sup> the historical record is stained by the fact that powerful, expansive governments “tend to abuse that

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<sup>107</sup> Laurence Berns, “Thomas Hobbes,” in *History of Political Philosophy*, ed. Leo Strauss and Joseph Cropsey, 396-420. 3<sup>rd</sup> ed. (Chicago: The University of Chicago Press, 1987), 401.

<sup>108</sup> This argument can be found throughout both Descartes’s *Discourse on Method* and his later *Meditations on First Philosophy*.

power and to suppress freedom they had earlier secured in order to enforce their own presumedly greater wisdom and not to allow ‘social institutions to develop in a haphazard manner’.”<sup>109</sup>

It was just such social concerns that lead many Modernists to dive deeply into the hyperrationalist camp. Their efforts to modernize the world around them included attempts to dismantle and eradicate social conventions, customs, and culture overall. The Modern age witnessed numerous political and cultural upheavals; the Revolutionary War of the U.S., the French Revolution, the Bolshevik Revolution, and the Chinese Cultural Revolution are just a few examples.

For purposes of this inquiry it is necessary for the next stage of the critique that a fundamental assumption be made. For the sake of argument, it will be assumed that a technocratic regime is not only possible but that it will unerringly succeed in permeating itself across all social, cultural, religious, racial, and ideological lines in order to organize human life into an empirical, scientific arrangement. Even if such possibilities are assumed as certainties, another conflict arises. Again, the warnings of Socrates in the *Republic* reveal the limitations on human ability with regard to organization. Under a totalitarian technocracy, the problem of information collection, categorization, policy-making, and policy implementation almost ensures that any action by such a regime would be invariably arbitrary. Such regimes would necessarily be myopic for “nobody can consciously balance all the considerations bearing on the decisions of so many individuals, the coordination can clearly be effected not by “conscious control” but only by *arrangements which convey to each agent the information he must possess in order to*

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<sup>109</sup> F. A. Hayek, *The Fatal Conceit: The Errors of Socialism*, vol. 1 of *The Collected Works of F. A. Hayek*, ed. W. W. Bartley III (Chicago: The University of Chicago Press, 1991), 32.

*effectively adjust his decisions to those of others.*”<sup>110</sup> The problem of conscious control becomes dubious in light of the fact that, contrary to the contentions of hyperrationalists, “the totality of resources that one could employ in such a plan is simply not knowable to anybody, and therefore can hardly be centrally controlled.”<sup>111</sup> Despite such limitations, several states, such as revolutionary France, faced them head-on as if to exclaim *vouloir, c'est pouvoir!* was all that was required to succeed.

Hayek’s theoretical reservations are only matched by the reality of technocratic failures throughout history.<sup>112</sup> A further critique of this line of thought requires another assumption: let it be assumed that technocracies can exist *and* that such regimes have access to the limitless sets of constantly changing variables that constitute human life. What next? Even under these two assumptions, a third and final contention comes to the fore: the identification of rulers. As James C. Scott avers:

If a planned social order is better than the accidental, irrational deposit of historical practice, two conclusions follow. Only those who have the scientific knowledge to discern and create this superior social order are fit to rule in the new age. Further, those who through retrograde ignorance refuse to yield to the scientific plan need to be *educated* to its benefits or else swept aside.<sup>113</sup>

Outcomes as described by Scott in the above were eventually the result of such centralization. The holocaust in Nazi Germany under Hitler, the purges of Lenin and Stalin in the U.S.S.R., the Cultural Revolution of Mao Zedong in China, and the atrocities perpetrated by the Khmer Rouge

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<sup>110</sup> F. A. Hayek, *The Road to Serfdom*, vol. 2 of *The Collected Works of F. A. Hayek*, ed. Bruce Caldwell (Chicago: The University of Chicago Press, 2007), 95.

<sup>111</sup> F. A. Hayek, *The Fatal Conceit: The Errors of Socialism*, vol. 1 of *The Collected Works of F. A. Hayek*, ed. W. W. Bartley III (Chicago: The University of Chicago Press, 1991), 85.

<sup>112</sup> James C. Scott provides just such historical evidence throughout his *Seeing Like a State* (New Haven: Yale University Press, 1998).

<sup>113</sup> James C. Scott, *Seeing Like a State* (New Haven: Yale University Press, 1998), 95 (italics mine).

regime under Pol Pot in Cambodia are the direct result of such limitless political orderings.<sup>114</sup>

The hyperrationalism inherent in each example lends credence to Rand's argument that "All public projects are mausoleums, not always in shape, but always in cost."<sup>115</sup> Some readers may remain unconvinced that technocracy must necessarily lead to circumstances which, not only allow, but encourage such actions. To these, Scott responds by outlining the necessary conditions that must be met in order for a technocracy to function. One of the greatest obstacles to technocratic hyperrationalism realized, are those posed to it by the liberal democratic values held by many Western thinkers:

The first is the existence and belief in a private sphere of activity in which the state and its agencies may not legitimately interfere.

The second, closely related factor is the private sector in liberal political economy. As Foucault put it: unlike absolutism and mercantilism, "political economy announces the unknowability for the sovereign of the totality of economic processes and, as a consequence, the *impossibility of an economic sovereignty*."

The third and by far most important barrier to thoroughgoing high-modernist schemes has been the existence of working, representative institutions through which a resistant society could make its influence felt.<sup>116</sup>

These obstacles, although formidable, have often failed when democracies or republics have been exposed to either internal or external pressures of a certain degree. It is at the precipice, as argued at the beginning of this work, that individuals are capable of change, yet the change they opt for is not set, nor is it guaranteed to succeed in improving their conditions politically or economically. Again, as with the Classical tradition, we arrive at the same result: half of the equation is satisfied; the necessary value of the latter half, however, is not provided.

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<sup>114</sup> See Robert Gellately's *Lenin, Stalin, and Hitler: The Age of Social Catastrophe* (New York: Vintage Books, 2007).

<sup>115</sup> Ayn Rand, *The Virtue of Selfishness* (New York: New American Library, 1964), 98.

<sup>116</sup> James C. Scott, *Seeing Like a State* (New Haven: Yale University Press, 1998), 101-102.

## Past & Present: Salvaging Political Theory and Civic Education

With a critique of Classical and Modern thought partially complete, what is left that can be taken from both traditions? Both theoretical traditions call for the subjugation of private interests for public interests. Whether those in power are guided by civic virtue, as in the Classical approach, or by the absurd notion of treating humans all alike and denying individuality, as the Modern approach prescribes, the result is the same: the subjugation of the individual's own, selfish interest for the presumed higher interests of the entire political community as represented by individuals who serve as the heads of civil government. The overarching critique of both philosophical traditions, henceforward, takes aim at the collectivism inherent in both.

Whether it is Classical or Modern, both theoretical lines variably stipulate the subjection of the one to the many. Although Aristotle shied away from the issue of the "common good" because "The 'common good' of the political community is not common to, or good for, the finest human specimens,"<sup>117</sup> Classical theory, at large, permits circumstances that could evolve into those which deny the individual life, liberty, or property. This inherent asseveration fails to recognize the logical fallacy it perpetuates. The general will, the general interest, and the common good are nothing more than an aggregation of individual data. As Mises observed, "all actions are performed by individuals. A collective operates always through the intermediary of one or several individuals whose actions are related to the collective as the secondary source."<sup>118</sup>

This final critique of Classical and Modern political theories would appear to leave little, if anything, left for salvage; this is not the case. The most important characteristic that can be

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<sup>117</sup> Thomas L. Pangle, *Aristotle's Teaching in the Politics* (Chicago: The University of Chicago Press, 2013), 153.

<sup>118</sup> Ludwig von Mises, *Human Action: A Treatise on Economics* (Auburn: The Ludwig von Mises Institute, 2008), 42.

gleaned from both Classical and Modern conceptions of civic education is that of the substantive ends sought through educational processes. Although each tradition would see different utilities for educated individuals, both traditions sought to do what has been, contemporarily speaking, abandoned. Education was *not* the rote memorization of boring, disinteresting facts that were of little practical concern for students. Education was to accomplish *understanding*, not simply *knowing*. This theme permeates much of Classical and Modern thought. For Socrates and Plato, “The dialectic is in effect our ticket out of the cave.”<sup>119</sup> Similarly, Michel de Montaigne averred:

Let the tutor not merely require a verbal account of what the boy has been taught but the meaning and the substance of it: let him judge how the child has profited from it not from the evidence of his memory but from that of his life.<sup>120</sup>

Today, especially in the United States, education, specifically civic education, has become nugatory in the eyes of many. This process has been slow in its incubation and the long-term effects are only now beginning to be felt. The deficiency of what currently passes as civic education in the United States is best conveyed in the following quote by a former School Board President of Muncie, Indiana in 1929: “For a long time all boys were trained to be President. Then for a while we trained them all to be professional men. Now we are training boys to get jobs.”<sup>121</sup> Had this individual lived to witness present times, he would’ve been unsurprised, yet disappointed to see, that no longer is the U.S. education system achieving even the last in that series of decline.

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<sup>119</sup> Arthur Herman, *The Cave and the Light: Plato Versus Aristotle, and the Struggle for the Soul of Western Civilization* (New York: Random House, 2014), 24.

<sup>120</sup> Michel de Montaigne, *On educating children* in *Michel de Montaigne: The Complete Essays*, ed. and trans. M. A. Screech, 163-199 (New York: Penguin Books, 2003), 169.

<sup>121</sup> Quoted in *Making Civics Count: Citizenship Education for a New Generation*, ed. David E. Campbell, Meira Levinson, and Frederick M. Hess (Cambridge: Harvard Education Press, 2012), 59.

A secondary development that Classical and, to a greater extent, Modern approaches to civic education have offered is that of child-centered civic education. The theme of an individually centered system of education may have been defined best by Seneca: *Ignis aurum probat, miseria fortes viros*.<sup>122</sup> In the Modern tradition, pupil centered schemes for education were espoused by Jean-Jacques Rousseau and later John Dewey. The focus of such schemes were not limited to one-on-one tutoring, but rather the exposure of individual students to formative, educative experiences. The tutor's job in this form of education was to choose which experiences students were to be exposed to with an eye to interconnectivity: experiences during one lesson were to lend themselves to others later on. These formative experiences were to provide students with practical knowledge that could later be extrapolated and applied to "real-life" decision making. Although this course of action abandons the Socratic dialectic to some degree, it does leave open the possibility for thoughtful reflection on the value of various experiences and could serve as a segue into more intellectual pursuits, such as philosophy.

These two major takeaways from both Classical and Modern formulations of political education are in no way meant to be representative of the *only* useful bits of either theoretical line. Rather, there are numerous educative techniques, such as the *mimesis* of Isocrates, which can be legitimately defended by civic educators. These techniques, however, are of secondary consideration; again, the major concern of this work is to analyze the overall *political system* for which the *purposes* of civic education are aligned. The *methods* of civic educators are dealt with to a lesser degree. As should be apparent by now, this work also revolves around a critique of political theory in order to establish both a theoretically justifiable form of governance as well as

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<sup>122</sup> "Fire tests gold, misfortune brave men." Lucius Annaeus Seneca, *On Providence*, vol. 1 of *Seneca: Moral Essays*, translated by John W. Basore and edited by Jeffrey Henderson, 2-47 (Cambridge: Harvard University Press, 1928), 41.

one which can appeal to the universal element of human nature: selfishness. The goal of the next chapter is to lay bare the contemporary reigning political doctrines in an effort to begin the task of reorganizing the state to conform to the quintessential nature of humans. Only *after* this has been attempted can a system of civic education be rendered that seeks to provide a firm basis in the citizenry from which the continuity, stability, and security of a regime is derived and that simultaneously fosters an inviolable respect for civil liberties, human rights, and liberty in general.

## Chapter 7

### The Cult of Democracy, Demagoguery, Altruism, and the Fallacy of Our Time

The greatest obstacle to liberty in our lifetimes arises from what I term *the cult of democracy*. Throughout the revolutions of the eighteenth, nineteenth, and twentieth centuries, a troubling phenomenon emerged which suggests that, as long as political decision-making is carried out in a *democratic* form, the results are legitimate and, some would argue, just. The cult of democracy has many roots, yet few have had such a delusive impact as John Stuart Mill. Although Mill would pen one of the most convincing and eloquent defenses of liberty in his essay titled *On Liberty*, his thought in this work is contradicted by his more famous pamphlet, *Utilitarianism*. This supposed champion of liberty concomitantly is responsible for fostering one of the greatest fallacies of modern times: the infallibility and justness of majority rule.

#### A Critique of Mill's "Utilitarianism"

The philosophy of Utilitarianism is often used as a justification for the existence of democracy despite its potential drawbacks. Known as the "greatest happiness principle,"<sup>123</sup> Utilitarianism provides an empiricist defense of democracy in that, as long as the pleasure of one action outweighs the pain inflicted, the action is permissible. This translates into a competition of preferences and interests. Whenever these preferences and interests are weighed in the public realm, a policy outcome must, according to Utilitarianism, measure the *utility* of each possible alternative. In an effort to maximize pleasure and minimize pain at the aggregate level, Utilitarianism embraces the possibility that, under the proper circumstances, a democracy is

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<sup>123</sup> John Stuart Mill was heavily influenced by the hedonistic calculus formulated by Jeremy Bentham, who was also a close friend of Mill's father.

justifiably allowed to perpetuate egregious harms upon a minority as long as the greatest proportion of the population, the majority, enjoys gains greater than the harm inflicted upon the minority. Ethically, this appears problematic, but even from an empirical standpoint the philosophy is riddled with unanswered questions. The most important question the employment of Utilitarianism raises is that of measurement: how are gains or losses to be measured? Are the majority to be the judge of utility? Is objectivity possible? What is the unit of measurement? These are questions begged by the philosophy of Utilitarianism, yet are left unanswered by Mill. When compared to his *On Liberty*, an obvious contradiction is produced. Whereas Mill argues in *On Liberty* that individuals ought to be allowed to do as they wish as long as their actions do not interfere with liberty of another,<sup>124</sup> the philosophy of Utilitarianism suggests just the opposite: the actions of the many may infringe upon the liberty of the few or the one as long as the totality of gains outweighs the totality of losses.<sup>125</sup> Such a theory of democracy appears to justify the views of H. L. Mencken when he wrote, “Democracy is the theory that the common people know what they want, and deserve to get it good and hard.”<sup>126</sup>

### **Jean-Jacques Rousseau and the General Will to the General Interest**

The second point to be discussed in respect to the topic of democracy is that of the general interest. Although Jean-Jacques Rousseau based his political theory on relying upon the general will to promote the general interest, the mere existence of such abstractions is far from certain.

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<sup>124</sup> This argument was carried forward in the fourth chapter of Mill’s *On Liberty*, titled “Of the Limits to the Authority of Society Over the Individual” ([New York: Oxford University Press, 2008], 83-103).

<sup>125</sup> Mill’s calculation can be found in the third chapter of his *Utilitarianism* ([New York: Barnes & Noble, 2005], 27-35).

<sup>126</sup> H. L. Mencken, *A Mencken Chrestomathy* (New York: Vintage Books, 1982), 622.

As Rousseau theorized, the general interest would not be merely a collection of individual, selfish interests. Simply put, Rousseau argued that a general interest was greater than the sum of its parts for “There is often a great deal of difference between the will of all and the general will. The latter considers only the general interests, whereas the former considers private interests and is merely the sum of private wills.”<sup>127</sup> Rousseau attempts to fortify his *ignotum per ignotius* by noting, as an apparent caveat, “For the general will to be well articulated, it is therefore important that there should be no partial society in the state and that each citizen make up his own mind.”<sup>128</sup> With such a formulation, what could possibly be objected to? First, such a non-partial society has not existed, is not now in existence, and never shall exist. Second, the naïve belief that citizens could be so well informed, as to make up their own minds when weighing the relative pros and cons of policy options on subjects too numerous to list, is troubling. When the legitimacy of government action is tied to the general will, the limit to government action does not exist. With limitless policy considerations to sift through, a citizen would almost have to make citizenship a full-time occupation with regard to the mental energy and time it would take to become so well-informed. Although it may be comforting for some to profess: “Yes, democracy is a leap of faith, but people will ultimately do the right thing,” such notions are fallacious. Again, expansive democracies that exist outside of the bounds of legitimate government as set by theorists like John Locke, ultimately rest upon the assumption that one knows best for another or all.

Up until this point, this section has operated under the assumption that the general will exists or *could* exist if citizens were informed well enough. For the general will to be converted

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<sup>127</sup> Jean-Jacques Rousseau, *On the Social Contract* in *Jean-Jacques Rousseau: The Basic Political Writings*, trans. Donald A. Cress, 141-227 (Indianapolis: Hackett, 1987), 155.

<sup>128</sup> *Ibid*, 156.

into policy-making there must necessarily arise a consensus. While seeking a consensus there arises, however, the undoing of Rousseau's rendition of the general will. A consensus is rarely achievable for individuals who attempt to organize a leisurely social outing to a local restaurant let alone an entire citizenry attempting to organize political order. Compromise is the next necessary step after consensus, yet compromise serves only to undermine Rousseau's position further. First, compromise requires a varying level of moral relativism. Competing views of the good life are pitted against one another, yet some views, such as those held by a nationalist faction for example, may find themselves with a popular backing, *i.e.* the general will, yet be completely detrimental to another faction, *e.g.* foreigners. Yet, because it is *democratic* to compromise, the foreigners are forced to retreat with regard to possibly their liberty, property, or even their lives. The compromise necessary to maintain such a political order necessarily allows for circumstances under which the general interest is not only contrary to private interests, but to private lives. Minorities, even in restrained democracies as Gutmann formulates, are ever on the edge of a blade, and the smallest minority is the minority of one: the individual. Certainly supporters of liberal democracy would deny that such circumstances could arise given the legal safeguards that are in place, such as the Bill of Rights. A short review of the historical record of democracies, however, would reveal, even to the scantest of readers, the existence of a litany of such circumstances creeping up whenever democracies were placed under a certain degree of pressure. The history of Native Americans, Hitler's rise by democratic means through the Weimar Republic, and the internment of Japanese-Americans during World War II are only a short list of what is assuredly a long list of democratic catastrophes. Out of either an idealistic naivety or paralytic delusion, supporters of democracy attempt to cool the flames of democratic crises by setting a larger fire just opposite the previous in an attempt to rob it of its fuel. All too

often, “The cure for the evils of democracy is more democracy.”<sup>129</sup> Only an aspiring despot has anything to gain through compromise; the individual must necessarily relinquish his or her rights, liberties, property, or lives when forced to compromise with those who would use political power to enrich themselves at the expense of others. The contemporary practice of proselytizing on the virtues of democracy, be it by either politicians, civic educators, or citizens, is delusional. Regardless of the safeguards in place, the limits established, or the immense size of a democracy, the path to tyranny is paved with good intentions.

### **The Reappearance of Civic Virtue in the Cult of Democracy**

Democracy, even the flavor found in a representative republic such as the United States, requires voters, when considering issues of grave importance with regard to their effects on fellow citizens, to reflect on the consequences of various policy alternatives. Unfortunately, “Voters almost never take the next step by critically asking themselves: “Are my favorite policies *effective means* to promote the general interest?”<sup>130</sup> The democratic assumption that voters do, indeed, engage in such thought processes ignores several important points.

First, the question of civic virtue reappears as it is necessary for individuals who are, by their very nature, selfish, to harbor enough concern for their fellows to reflect thoughtfully on what is best for them. Such an appeal to the benevolence of civic virtue is based upon yet another assumption: one individual would know what’s best for another individual. Contradictory claims are unavoidable and eventually result in some political factions making the hubristic claim that they know what is best *better* than those for whom such policies are intended. It was pretentious arrogance of this type that lead Frédéric Bastiat to ask: “Since the natural tendencies of mankind

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<sup>129</sup> H. L. Mencken, *A Mencken Chrestomathy* (New York: Vintage Books, 1982), 154.

<sup>130</sup> Bryan Caplan, *The Myth of the Rational Voter: Why Democracies Choose Bad Policies* (Princeton: Princeton University Press, 2007), 19.

are so bad that it is not safe to allow them liberty, how comes it to pass that the tendencies of organizers are always good? Do not the legislators and their agents form a part of the human race? Do they consider that they are composed of different materials from the rest of mankind?" If so, "They have, therefore, received from heaven, intelligence and virtues that place them beyond and above mankind."<sup>131</sup> As it is unlikely for deities to walk among us, the former, not the latter, must be closer to the mark. Such a mindset serving as the reigning political doctrine of our times, it appears, much to the dismay of the Founders and Framers, that America has found the key to tyranny and is quickly turning the lock.

The necessary requirement of citizens living under a democratic regime, that they be civic minded individuals, is mirrored by yet another ancillary requirement: they be informed as well. The question of voter ignorance is dealt with in the next two sections.

### **A Critique of Gutmann's "Democratic Deliberation"**

For Amy Gutmann, the method of civic education and the purpose of civic education are one and the same: democratic deliberation. Gutmann's formulation is tantamount to declaring that, in an almost Aristotelian sense, the aggregation of all viewpoints into the deliberative processes will yield policy outputs that are equal to, if not greater than, alternative forms of policy-making. This overly Modern theory looks to citizens to educate new citizens through democratic deliberation in order to choose the best purposes and methods of governance. This, as argued earlier, fails the test of logical reasoning: if the average citizen is so ignorant, how could he or she possibly educate a nation with millions of students to become an informed, actively engaged citizenry? Even if the assumption is made that the educators, in essence the citizens determining educational policy via democratic deliberation, *are* informed and capable of

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<sup>131</sup> Frédéric Bastiat, *The Law* (Auburn: The Ludwig von Mises Institute, 2007), 46.

transmitting such information to the younger generations, another problem inevitably arises: the narrowing of the electorate into highly specialized fields of expertise. At first, this may appear as a beneficial development; surely we want those most informed on any given subject to also be the ones responsible for policy relating to it.<sup>132</sup> In a way, this high degree of political specialization even mirrors the free-market to an extent, but with one damning difference. Whereas the free-market utilizes highly technical expertise through voluntary exchanges to mutual benefit, the democratic process allows those with technical expertise to impose their greater wisdom on all others *without* their consent. This is true of voters as well as politicians and bureaucrats. Most *informed* voters are informed on specific issues of great interests to them. Under Gutmann's formulation, this would narrow the field of deliberation and therefore the civic education resulting from democratic deliberation.

Those who defend this democratic viewpoint suggest that, due to their technical expertise, those individuals with both the interest and knowledge on particular matters should, rightfully so, be the ones to make decisions concerning them. The problem with this free-market to state comparison is one of risk assessment: whereas the individuals operating within a free-market risk their own personal well-being when engaging in economic activities, the same is not so for politicians or bureaucrats. Even given their own level of expertise, a point which I do not deny, this lack of risk assessment and assignment creates the perfect breeding ground for moral hazard. Additionally, the analogy fails when one considers that free-market activities are necessarily voluntary, whereas democratic delegation requires a leap of faith in which those with the expertise are allowed to *force* others to pay for their policies. Given the inherent nature of

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<sup>132</sup> Aristotle made similar arguments in the *Politics* with regard to political decision-making, yet additionally stated that beings capable of such insight did not exist. *Cf. Politics*, 1284<sup>a</sup> where Aristotle observes the practice of ostracism.

mankind to be naturally self-interested, the wielding of such arbitrary power necessarily turns one man into the means of another. This startling phenomenon is compounded additionally when it is revealed that such actions are often reciprocal in nature for “The man who is willing to serve as the means to the ends of others, will necessarily regard others as the means to *his* ends.”<sup>133</sup> The obvious question is one relating to the proper scope of government: why does government *need* to be engaged in so many activities requiring such coercion and technical expertise? Do good ideas really require force?

Gutmann’s *argumentum ad populum* declines to tackle such a basic question as scope, yet Gutmann does assure readers that deliberative democracy must be tamed by self-imposed limitations, such as “the principle of nonrepression.”<sup>134</sup> These safeguards, however, are insufficient. If history is any indication, “There is no justification for the belief that, so long as power is conferred by democratic procedure, it cannot be arbitrary.”<sup>135</sup>

### **The Bliss of Democratic Ignorance**

A recurring question posed by this work has asked “*why should citizens be informed? What do they stand to gain from such knowledge that requires vast investments of time and intellectual energy?*” Whereas Mill argued, “representative institutions are of little value, and may be a mere instrument of tyranny or intrigue, when the generality of electors are not sufficiently interested in their own government,”<sup>136</sup> might it also be possible that voter ignorance

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<sup>133</sup> Ayn Rand, *The Virtue of Selfishness* (New York: New American Library, 1964), 94.

<sup>134</sup> Amy Gutmann, *Democratic Education* (Princeton: Princeton University Press, 1999), 79.

<sup>135</sup> F. A. Hayek, *The Road to Serfdom*, vol. 2 of *The Collected Works of F. A. Hayek*, ed. Bruce Caldwell (Chicago: The University of Chicago Press, 2007), 111.

<sup>136</sup> John Stuart Mill, *Considerations on Representative Government* in *On Liberty and Other Essays*, ed. John Gray, 205-467 (New York: Oxford University Press, 2008), 210.

is valid? According to Bryan Caplan, “Voter ignorance is a product of natural human selfishness, not a transient cultural aberration.”<sup>137</sup>

The question of rational voter ignorance is not new, yet civic educators in the United States and abroad have continually ignored the possibility that citizens aren’t merely *lazy* as much as they are *rational*. As Ilya Somin notes, “Many people conflate political ignorance as sheer “stupidity.” But often, ignorance is actually smart. Even highly intelligent voters can rationally choose to devote little or no effort to acquiring political knowledge.”<sup>138</sup> Political ignorance should not be viewed in terms as a problem to be solved by asking *why are citizens ignorant?* Rather, the question should be, as argued several times in this work, *why should citizens be informed?* On the topic of democratic process, however, the issue of political ignorance on the part of the electorate becomes increasingly thorny. Democratic deliberation, as Gutmann supports, is dependent upon an informed electorate. Presently, much of the political system follows Gutmann’s design of democratic deliberation, yet the citizenry, although active in some sense during election cycles, remains rather ignorant on most issues. Such a system is tantamount to watching a sporting event where the participants are each playing a different sport, with different sets of rules of which they are unaware. A system built around this formulation is chaos, not the theoretical chaos of anarchy, but the real chaos of democracy. Whether the system is hijacked by a minority of politically driven and power-hungry individuals or devolves into a directionless morass of competing claims of entitlement, political ignorance “makes voters more vulnerable to political deception and misinformation.”<sup>139</sup>

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<sup>137</sup> Bryan Caplan, *The Myth of the Rational Voter: Why Democracies Choose Bad Policies* (Princeton: Princeton University Press, 2007), 5.

<sup>138</sup> Ilya Somin, *Democracy and Political Ignorance* (Stanford: Stanford University Press, 2013), 62.

<sup>139</sup> *Ibid*, 63.

## Demagoguery and Democracy

The challenge I am levying – against the inherent statism of the democratic processes promoted by Mill’s Utilitarianism and Gutmann’s deliberative views of political decision-making – may lead a few readers to retort, “End the welfare state? You must *hate* poor people, immigrants, single mothers, and the elderly!” No, such are not my motivations. Quite the contrary, my motives arise from a *love of life*, not harbored sentiments of contempt for the plight of others. The question I raise is merely this: Has the welfare state *really helped* any of these groups in a lasting manner? Have statist policies been nothing more than a stop-gap maneuvers that temporarily cure, to varying degrees, the symptoms but not the causes of the underlying problems? Far worse, one may even go as far as to suggest that such collectivist policies are crafted for the purpose of fostering a dependence upon the state and those technical experts who preside over it. One quick example should prove sufficient to at least raise the question in the mind of even the most ardent support of statism: the government’s push for home ownership in the 1990s and early-to-mid 2000s. Through Fannie Mae and Freddie Mac the government forced, encouraged, and fostered the worst financial disaster since the Great Depression all in the name of increasing home ownership among economically disadvantaged and historically neglected minority groups.<sup>140</sup> The revolving door of political economy is ripe with such instances of scandal and cross purposing. Such events have unfolded over the better part of a century with such rapidity that it rarely appears as though anyone is taking the time to step back and recall Aristotle’s warning that, “if the majority distributes among itself the things of a minority, it is

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<sup>140</sup> This argument is outlined with excruciating detail in both Yaron Brook’s and Don Watkins’s *Free Market Revolution* (New York: Palgrave Macmillan, 2012) and Gretchen Morgenson’s and Joshua Rosner’s *Reckless Endangerment* (New York: St. Martin’s Griffin, 2012).

evident that it will destroy the city.”<sup>141</sup> The housing bubble is just one example of the idiocy of central command, further examples can be elucidated by anyone keeping track of the total unfunded obligations of our national government which, according to the now dated documentary *I.O.U.S.A.*, totals well over \$53 trillion.<sup>142</sup> The United States is heading toward fiscal disaster, the likes of which the presumed good intentions of welfare state policies, bailouts, or stimulus packages cannot save it from. Statism, regardless of the country, its people, or its form of government, ultimately fails because it is impossible “for any mind to comprehend the infinite variety of different needs of different people which compete for the available resources and to attach a definite weight to each.”<sup>143</sup> Again, why should the government try? Although such policies can be readily debased theoretically,<sup>144</sup> it is necessary that, due to the nature of the United States’ political system, that the tangible effects of such policies (*e.g.*, economic crises, “brain drains”, etc.) be felt before any notion of change is truly considered.

### **Altruism: The Fallacy of Our Time**

The Cult of Democracy has been instrumental in the development and promotion of altruism as the prescribed moral compass for democratic citizens. The French economist Frédéric Bastiat once argued, “Legal plunder has two roots: one of them... is in human greed; the other is in misconceived philanthropy.”<sup>145</sup> The moral abhorrence of the former is self-evident and

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<sup>141</sup> Carnes Lord, trans., *The Politics*, by Aristotle (Chicago: The University of Chicago Press, 1985), 100 (1281<sup>a</sup>18).

<sup>142</sup> *I.O.U.S.A.*, directed by Patrick Creadon (2008; Los Angeles, CA: O'Malley Creadon Productions, 2008) DVD.

<sup>143</sup> F. A. Hayek, *The Road to Serfdom*, vol. 2 of *The Collected Works of F. A. Hayek*, ed. Bruce Caldwell (Chicago: The University of Chicago Press, 2007), 102.

<sup>144</sup> Social welfare policies are inherently immoral when considering John Locke’s formulation of property rights. Under such a formulation, social welfare policies can be seen as a form of involuntary indentured servitude or slavery.

<sup>145</sup> Frédéric Bastiat, *The Law* (Auburn: The Ludwig von Mises Institute, 2007), 17.

requires no further explanation; the dilemma posed by the latter, however, requires a further inquiry.

What *is* altruism? Although contemporary Christians, Marxists, or Modern Liberals would suggest that altruism is a boon to society, such arguments are delusive. The reigning belief is that it is *good* to preoccupy oneself with the well-being of others above and beyond concern for one's own life, liberty, or property. Altruism is the doctrine of self-sacrifice, usually for some supposed greater good such as the "common good." The strictest adherents to the doctrine of altruism in the twentieth century, however, were the Bolsheviks in the Soviet Union and the Nazis in Germany after the fall of the Weimar Republic. Each movement preached that individuals ought to subvert their own interests to the interests of the state, the motherland, the party, or the cause. Although it is Niccolò Machiavelli who represents the formal break between Classical and Modern political theory, it was the embrace of altruism during the nineteenth and twentieth centuries that finalized this break with the past. Despite the warnings of Socrates in the *Republic*, Aristotle in the *Politics*, and other theorists of antiquity, Modernity thoroughly engrossed itself in the doctrine of self-sacrifice.

The morality of altruism is negative in the sense that it requires one to relinquish one's life, liberty, and property to varying degrees. Rather than proving that such a formulation is *moral*, altruism's defenders often have sought to eradicate the morality of its only competitor: the individualism that evolved through the Classical era of political philosophy. Whereas individualism proposes that an individual's *own life* is one's highest value, altruism proposes that it is *everyone else's life* that should be the highest concern of any individual. Altruism, as if to retrench itself as a thoroughly Modern construction, appeals to the "common good." The common good, however, is a fallacy. Whether referred to as the "common good," the "general

will,” or the “general interest,” is irrelevant; all such notions represent an undefinable abstraction that is to be imposed arbitrarily upon the individual by the party, the state, or the collective. It is for its very elasticity and inability to be defined that altruism is embraced by would-be despots for, “it becomes a moral blank check for those who attempt to embody it.”<sup>146</sup>

The moral relativism that accompanies the doctrine of altruism is also its greatest defense against those who would point to the atrocities of the Nazis in Germany, the Bolsheviks in the Soviet Union, or the communists under Mao Zedong in China. As though they were waxing Machiavellian, altruistic theorists, such as V.I. Lenin, would suggest that such atrocities (the means) were justified by what they were attempting to accomplish (the ends). In principle, the doctrine of altruism states “that man has no right to exist for his own sake, that service to others is the *only* justification of his existence, and that self-sacrifice is his highest moral duty, virtue and value.”<sup>147</sup> To debase the doctrine of altruism can be accomplished by referring to the following excerpt from Rand’s *Philosophy: Who Needs It*:

Now there is one word – a single word – which can blast the morality of altruism out of existence and which it cannot withstand – the word: “*Why?*” *Why* must man live for the sake of others? *Why* must he be a sacrificial animal? *Why* is that the good?<sup>148</sup>

Readers of this work may suggest that a critique of altruism is unnecessary and out-of-place in a work of political theory and civic education. Such is not the case; the moral dilemmas posed by altruism cannot be settled by the Modern method of claiming them to be merely differences of opinion. Rather, “it’s difference of life and death.”<sup>149</sup>

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<sup>146</sup> Ayn Rand, *Capitalism: The Unknown Ideal* (New York: New American Library, 1967), 12.

<sup>147</sup> Ayn Rand, *Philosophy: Who Needs It* (New York: New American Library, 1984), 83 (italics mine).

<sup>148</sup> *Ibid.*, 84.

<sup>149</sup> Ayn Rand during an interview on *The Phil Donahue Show*. *Ayn Rand: A Sense of Life*, directed by Michael Paxton (1997; Burbank, CA: AG Media Corporation Limited, 1997), DVD.

### **Quis Custodiet Ipsos Custodes?**<sup>150</sup>

When the state integrates itself into all aspects of private and public life (such as the American government is quickly accomplishing via the Patriot Act, NSA surveillance programs, etc.), “the state itself becomes more and more identified with the interests of those who run things than with the interests of the people in general.”<sup>151</sup> The restraints of Gutmann’s formulation have ultimately, unequivocally failed to provide the safeguards necessary to ensure the protection of life, liberty, and property. Not only is the state incapable of centrally commanding or organizing the lives of individuals on a massive scale, it is also unable to carry out effective social-welfare policies without disastrous long-term effects. The state is additionally lacking in its immunity against corruption. Just as a state attempts either central command or executes social welfare policies on the ultimately arbitrary and biased opinions of presumed experts and technocrats, the state is also incapable of insulating itself from the political entrepreneur. The political entrepreneur, an individual who, unable to compete efficiently in the free-market, turns to statist politicians to carry out the necessary preparation and eventual passage of legislation necessary for his or her success, feigns interest in the general welfare by labeling their scheme under the heading of some noble end (remember the efforts of former Presidents Clinton and Bush in pushing for home ownership?). The solution has time and again been to blame the free-market for the failure of such policies. The government then responds by passing new, more expansive regulatory policies. In effect, the people who were corrupted are the ones who are also tasked with punishing the corruption and mending the system to stop

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<sup>150</sup> “Who will watch the watchers?”

<sup>151</sup> F. A. Hayek, *The Road to Serfdom*, vol. 2 of *The Collected Works of F. A. Hayek*, ed. Bruce Caldwell (Chicago: The University of Chicago Press, 2007), 207.

further corruption, acts that are clearly to the detriment of their self-interest. By creating and even larger revolving door, the corruption grows larger and integrates deeper into the various levels of government. Might the solution be to slam shut the revolving door? I am not arguing in favor of the type of deregulation or governmental limitations that merely “scale back” statist activity, as these only allow the cancer to fester.

When considering the gruesome reports of the C.I.A.’s “enhanced interrogation techniques” (torture), Dagnet surveillance, the militarization of police forces across the U.S., and a myriad of other troubling phenomena, many, such as myself, begin to question whether the U.S. government is capable of juggling all of its self-imposed responsibilities with its actual Constitutional obligations. It is high time to raze this City in Speech. What is needed prior to any further consideration on the necessitous structure and content of civic education is an outline of a radical, yet not unheard of approach to American governance. Only after reconstituting the proper size and scope of government for a democratic republic, with the goal being the protection of life, liberty, and property, can a civic educational program be created that will preserve this system of government. One point that has often been repeated in this work is that safeguards, such as the Bill of Rights, are insufficient, for “the best regime is not one based on written [rules] and laws.”<sup>152</sup> *Eudaimonia* requires that both halves of the equation be satisfied; too great a weight on one side, or too little on the other, will inevitably lead to decay. Whereas it is rather in vogue for modern Libertarians or Objectivists to levy barrages of attacks upon governmental institutions, they too fail to see the equation in its entirety. Surely, government will, if not by voluntary acceptance, be forced to downsize its operations in light of practical concerns (*i.e.*, when there is nothing left to redistribute); yet if the proper structures are not in

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<sup>152</sup> Carnes Lord, trans., *The Politics*, by Aristotle (Chicago: The University of Chicago Press, 1985), 110 (1286<sup>a</sup>15).

place to equip citizens with the ability to recognize when their government is betraying them and then being capable of altering political circumstances to a better track, the disease of statism will not be extinguished. The next chapter will attempt to offer just this: a new direction for American government and the necessary civic educational programs to allow for the promulgation of an understanding of civil rights, political liberties, natural freedoms, and the limits on state control over the individual (*i.e.*, liberty).

## Chapter 8

### Unity through Division: Reconsidering Civic Education in the United States

One of the prevailing questions civic educators are faced with is *how can “the state form the political will of its citizens while remaining the expression of this will”?*<sup>153</sup> The formation of wills requires that a common characteristic be identified among the diverse populace of any given state. Identifying such a commonality is difficult even for relatively homogenous states with regard to ethnicity, religious affiliations, customs, and the like; but for a state as large, both geographically and in terms of population, and as disparate as the United States, the disincentive is compounded greatly. Although it would seem an insurmountable task, abandoning it would result in the inevitable decline of the republic as “Things left to take care of themselves inevitably decay.”<sup>154</sup> Such a commonality does exist, yet before it can be utilized, the proper restructuring of government-by-design must occur. This chapter, therefore, is separated into two major components: first, a proposal for restructuring the current political order in an effort to reframe the equation that has only been partially completed by the Framers. Secondly, this chapter prescribes a civic educational program that strives toward a point of universal similarity among humankind.

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<sup>153</sup> Ian Hunter and Meredyth Hunter, “Popular Sovereignty and Civic Education,” *The American Behavioral Scientist* 43, no. 9 (Jun/Jul 2000): 1467 (italics mine), accessed October 20, 2014, doi: 10.1177/00027640021955991.

<sup>154</sup> John Stuart Mill, *Considerations on Representative Government* in *On Liberty and Other Essays*, ed. John Gray, 205-467 (New York: Oxford University Press, 2008), 220.

## Why Do the United States Require a New Direction for Government?

Within the broad realms of Classical and Modern political theory there arise four commonly accepted forms of democracy. Liberal democracy has been touted by the “free world” as a blessing that must be spread to all corners of the earth, yet each form of existing democracy demands a far higher level of involvement and knowledge from the electorate than has ever been achieved, especially in large systems such as the American Republic with over three-hundred and thirty million people. The common deficiency of the four theories of representative government (“retrospective voting, Burkean trusteeship, representation of popular preferences on specific issues, and deliberative democracy”)<sup>155</sup> is that each is dependent upon a high level of voter knowledge of policy issues and a willingness to participate. The various forms are silent on the question of voter incentive aside from an appeal to the “greater good” or “collective will.”

The deficiency is not simply the ignorance of an apathetic citizenry, as is the common argument, but of the scope of knowledge necessary for informed political citizenship that necessarily *results* in ignorance and apathy. For the greater part of a century the solution proposed has been one of increasing access to education, improving information technologies, and interconnectivity to accommodate such a large electorate. Yet, “since the beginning of mass survey research in the late 1930s... A relatively stable level of ignorance has persisted even in the face of massive increases in educational attainment and an unprecedented expansion in the quantity and quality of information available to the general public at little cost.”<sup>156</sup> With all of the advances, the U.S. citizenry remains largely ignorant of the finer points of most policies,

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<sup>155</sup> Ilya Somin, *Democracy and Political Ignorance* (Stanford: Stanford University Press, 2013), 38.

<sup>156</sup> *Ibid.*, 20.

policy alternatives, and the policy-making process in general. Might it be that the goal of such endeavors is as impracticable as the City in Speech?

There is no way of knowing, at any given point in time, what the proper level of knowledge for all voters to possess is in order for them to carry out informed voting, political activism, or even opinion formation, especially when the system citizens live under is so large, intrusive, and continually, rapidly expanding. Simply put, the government is too big for this to be possible. An example from economics fits well with this point: just as governments fail to centrally plan economies due to the multitude of ever-changing variables at play, so too is it impossible to expect citizens, who have many other concerns, especially *their own lives*, to balance all their private concerns with public concerns. As argued earlier, citizenship as such becomes almost a full-time occupation. It is unreasonable to assume that, even when given access to the best education and the best forms of information technology, that citizens can be expected to dedicate the time and energy necessary to become informed enough to make a decision at the ballot-box that reflects concomitant consideration of the well-being of others, a cost-benefit analysis of opportunities posed by policy alternatives, or any other form of civic responsibility.

The individual has his or her own life to consider. Whether individuals choose to use their time and resources wisely is a decision that they and no one else can make. The U.S. government also however, is far too large for anyone to gain from being an informed citizen. Moreover, the few that are relatively informed are at a net loss due to the ignorance of the greater proportion of the electorate. Contrary to the arguments posed by the current administration with regard to mandatory voting, citizens cannot be *forced* to be informed – they must choose to do

so.<sup>157</sup> Mandatory voting on the part of uninformed citizens is tantamount to embracing ignorance because the causal factors that give rise to mass ignorance are not addressed.

*But why must the government be limited?* First, for the simple reason that citizens are forced to pay for it and ought to know what it's up to. Unless government is reduced to a level which is relatively comprehensible by the majority of the electorate, then the problems facing the U.S. today will continue to worsen. The idea is rather simple, albeit antiquated: governments should conform to the character of the people, not the other way around. By far, "The ideal government of all reflective men, from Aristotle onward, is one which lets the individual alone – one which barely escapes being no government at all," yet it has been generations since the U.S. has even vaguely resembled any such prescription.<sup>158</sup> A civic education coupled with a truly limited government would unite the citizenry through what they all, regardless of race, creed, or religion, have in common: selfishness. The innate selfishness of every individual is what led James Madison to pen in *Federalist 51* that "the private interest of every individual [should] be a sentinel over the public rights."<sup>159</sup>

### **Understanding the Justifications for Governance: Purpose and Methods**

Repeatedly throughout the long line of political theory there has been an effort to understand *how* the practice of governance evolved and, possibly of greater importance, *why* governance is necessary. Several theorists utilized the State of Nature thought experiment to provide a theoretical starting point from which government was formed and adapted to various

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<sup>157</sup> Such coercive force, as would necessarily be utilized when enforcing mandatory voting policies, is additionally immoral and lies outside of government's legitimate role of using coercive force in *retaliation* against the infringement of one's life, liberty, or property.

<sup>158</sup> H. L. Mencken, *A Mencken Chrestomathy* (New York: Vintage Books, 1982), 146.

<sup>159</sup> James Madison, "No. 51," in *The Federalist*, by Alexander Hamilton, James Madison, and John Jay, ed. Robert A. Ferguson, 287-292 (New York: Barnes & Noble, 2006), 289.

applications. John Locke's rendition of the State of Nature provided the blueprints from which the Framers would borrow when crafting the U.S. Constitution. Governments forged from the prescriptions of John Locke's political theory must necessarily conform to the individual as it is the individual who, after leaving the State of Nature, grants to government voluntarily the natural rights he or she possessed beforehand. Therefore, "government has no rightful existence, except in so far as it embodies, and is limited by, this natural right of individuals," in essence the right to protect one's life, liberty, and property.<sup>160</sup> Government, according to Locke, arose out of the mutual acknowledgment of its necessity in providing security for an individual's life, liberty, and property.<sup>161</sup>

Governments cannot justifiably exist to enrich one group at the expense of another; they do not exist to allow for one group to dictate lifestyle choices to another; they do not exist to allow some presumedly greater wisdom to be imposed upon individuals for some vague, "noble" end, such as the common good. No, government under this formulation came to be as an extension of man's innate selfishness derived from the indispensable actions required to survive and protect one's life, liberty, and property. Humans do not create governments in order to relinquish individual judgments on the good life. As long as humans continue to exist on this planet, there will undoubtedly be differences of opinion with regard to what each individual views as being in his or her best interest when attempting to attain personal happiness. Governments are not instituted to settle the question of the good life for each individual person. In the past, nations have granted such authority to states, but only to find that "to grant away

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<sup>160</sup> Lysander Spooner, *Vices Are Not Crimes* in *The Lysander Spooner Reader*, ed. George H. Smith, 25-52 (San Francisco: Fox & Wilkes, 1992), 32.

<sup>161</sup> Cf. John Locke, *The Second Treatise of Government* (New York: Barnes & Noble, 2004).

their right to judge of what will be for their happiness, is to grant away all their right to pursue their own happiness.”<sup>162</sup>

A government instituted to protect life, liberty, and property is created out of compromise, to an extent, in that individuals relinquish certain freedoms they held in the State of Nature. The freedom of the power to *initiate* coercive force against another individual is surrendered to a reigning political order that is endowed with the power to use coercive force in the fashion of a monopoly, but such a power is reserved for employment *only in retaliation* against an initiating aggressor. Governments, under Locke’s formulation, are not to initiate force against citizens, but only in retaliation for a wrong committed against a citizen.

What then are the legitimate functions of such a limited government? Moving from the theoretical State of Nature, it can be surmised that government has three *main* functions and several ancillary functions necessary for maintaining the previous three. The first major function of legitimate government is establishing and maintaining a policing force to provide security for an individual’s life, liberty, and property *domestically*. The second major function is sustaining a military force to provide the same security as a policing force but against *foreign* threats. The powers vested in each of these two services are, rightfully so, separate. A police force should *not* be used as a military force, and a military force, more importantly, should *never* be used as a policing force. The functions of these two services are similar, yet the former is concerned with ensuring each individual citizen is neither coerced nor harmed by another citizen, while the latter is concerned with protecting all citizens from foreign *enemies*. The use of a military force for policing purposes domestically is troublesome given the proclivity of military personnel to view

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<sup>162</sup> Lysander Spooner, *Vices Are Not Crimes* in *The Lysander Spooner Reader*, ed. George H. Smith, 25-52 (San Francisco: Fox & Wilkes, 1992), 33.

citizens or groups of citizens as enemy combatants.<sup>163</sup> Furthermore, the difference in purpose between a police force and a military force can be found in the distinction between citizens and non-citizens. Non-citizens must necessarily be treated differently than citizens, but why must this be so? Non-citizens, regardless of whether their intentions are noble or nefarious, are not part of the political order under which citizens live; the political order exists for citizens so that a constant effort is carried out to provide for justice and to secure life, liberty, and property. Although I would argue that immigration is a boon to a nation's strength, those who have not become citizens have made no commitment to the political order and should, therefore, not be afforded its protections.

The third and final major function of legitimate government is maintaining a judicial system. A judicial system is necessary for citizens to, when circumstances permit, bring claims forward against other citizens, groups of citizens, or the government itself when they believe their life, liberty, or property has been unjustly injured. As Lysander Spooner asserted,

The object aimed at in the punishment of *crimes* is to secure, to each and every man alike, the fullest liberty he possibly can have – consistently with the equal rights of others – to pursue his own happiness, under the guidance of his own judgment, and by the use of his own property.<sup>164</sup>

Punishment, however, is not enough. A judicial system of this kind requires that a common set of values be identified and inculcated, in order for judgments to bear consistency. As will be argued in the second major section of this chapter, this common value is that of seeing man's life as inherently valuable, worthwhile, and sacred.

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<sup>163</sup> For a more in depth review of this very concern, please see Radley Balko's phenomenal *Rise of the Warrior Cop: The Militarization of America's Police Forces* (New York: PublicAffairs, 2014).

<sup>164</sup> Lysander Spooner, *Vices Are Not Crimes* in *The Lysander Spooner Reader*, ed. George H. Smith, 25-52 (San Francisco: Fox & Wilkes, 1992), 34.

Almost instantly there are sure to be readers who retort on the grounds that *public goods* and *market failures* are not addressed. Who will check the beef with no USDA? Who will care for the environment with no EPA? What happens to the pharmaceutical industry without the FDA? Such concerns are understandable, yet from where do they arise? Would it really be in the long-term self-interest of a meat packaging plant to poison its customers? Would it make sense for a company such as Pfizer to poison its customer base? Of course not, such ideas are ludicrous. Although a critique of the regulatory state would be worthwhile, it would fall far outside of the scope of the present work.<sup>165</sup> Instead, it is sufficient to note the theoretical dilemma posed by regulations with relation to the government's legitimate use of coercive force. Regulations, as such, "are themselves the initiation of force to control or proscribe the voluntary decisions of market participants."<sup>166</sup> The regulatory state, which has evolved out of the legislative landslide known as the New Deal, has almost always been justified constitutionally under the "Commerce Clause" of Article I, Section 8, Clause 3, which states that Congress shall have the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." Although a justified argument can be levied that the current employment of this clause by federal authorities is far from its original intent, the clause remains today to be one of the greatest errors of the U.S. Constitution as it allows for circumstances to arise under which an individual's life, liberty, or property can be injured by the proactive, coercive measures of the regulatory state. Additionally, the regulatory state poses another risk to government's proper role as protector of life, liberty, and property. The regulatory state creates a revolving

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<sup>165</sup> One particular, yet unlikely example of private markets solving the supposed crisis posed by public goods is that of the American Buffalo. Cf. Peter J. Hill, "Are All Commons Tragedies?: The Case of Bison in the Nineteenth Century," *The Independent Review* 18, no. 4 (Spring 2014): 485-502, Print.

<sup>166</sup> Yaron Brook and Don Watkins, *Free Market Revolution* (New York: Palgrave Macmillan, 2012), 161.

door through which the government cannot hope to mitigate the influence of those political entrepreneurs who wish to use government's regulatory powers to further their own, private interests. In the name of public welfare, the U.S. government has time and again expended enormous quantities of tax-payers' funds in order to realize some noble goal, like environmental protection. The cases of Solyndra and Fisker come to mind where the U.S. government has lost over one billion dollars of tax-payer funds when it chose to roll the dice. Cases such as Solyndra and Fisker are not outliers; they are the norm that has been established since the steamship and railroad booms of the mid-to-late nineteenth century.<sup>167</sup> As Forrest McDonald notes, "Political promotion of economic development is inherently futile, for it invariably rewards incompetence; if incompetence is rewarded, incompetence will be the product; and when incompetence is the product, politicians will insist that increased planning and regulation is the appropriate remedy."<sup>168</sup>

This vicious cycle of statist over-regulation has but one cure. To minimize the profligacy of government, it becomes absolutely necessary to eliminate the Commerce Clause from the U.S. Constitution, yet this is only a *technical* change. The Constitution, although respectable in its own right, is only respectable if people understand its inherent value. Making a change to this regulation or that stipulation does not address the causal factors that have led the U.S. federal government to entangle itself so deeply into the lives of the average American. To understand requires an education.

Although some readers may believe that a greater, in-depth explanation is necessary for each of these three major functions of government, such a task falls outside of the scope of this

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<sup>167</sup> Cf. the Supreme Court case *Gibbons v. Ogden* (1824).

<sup>168</sup> Forrest McDonald, foreword to *The Myth of the Robber Barons: A New Look at the Rise of Big Business in America*, 6<sup>th</sup> ed. (Herndon: Young America's Foundation, 2010), x.

work as well. Rather, I offer the following texts for consideration.<sup>169</sup> Such a limited government as prescribed by John Locke and later amended by theorists such as Milton Friedman, however, additionally necessitates the existence of several ancillary functions. One such secondary function is of particular importance to this work: public education.

Before any discussion is made with regard to the nature of public education under such a limited political order, it is first necessary to make an important distinction. Readers may recall the rejection of the night-watchman state model by the Framers in Chapter 5 of this thesis. The design currently being proposed might appear as a rehashing of this tried and failed method of political governance, but this is not so. I am not attempting to breathe new life into the Articles of Confederation that failed so miserably. Rather, this new formulation of political governance includes a specific provision for what the Articles failed to provide: a solution to the problem presented by the Lockean state. Due to the intense individualism of Locke's political theories, the problem of collective action necessarily creeps up. Collective action problems, such as providing for "public goods" or addressing "market failures," are a constant source of concern for democracies and republics alike. The Articles failed to solve the dilemmas posed by the lack of a sufficient solution to collective actions problems. The scheme I am presenting, however, proposes that collective action problems can only be *solved* by voluntary commitment to that end. Citizens must come to realize that resolving such disputes is in their *personal self-interest*. It is not enough to know; one must understand. To understand, furthermore, requires *education*. As argued numerous times in this piece, public civic education is absolutely necessary to maintain this political order.

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<sup>169</sup> John Locke's *Second Treatise of Government* (New York: Barnes & Noble, 2004); Ayn Rand's *Capitalism: The Unknown Ideal* (New York: New American Library, 1967); Bruce L. Benson's *The Enterprise of Law: Justice Without the State* (Oakland: The Independent Institute, 2011); and Milton Friedman's *Capitalism and Freedom* (Chicago: The University of Chicago Press, 2002).

The public education legitimately permitted by such a limited government is far different in scope and design than currently exists within each of the states today. Earlier it was suggested that certain fields within general education were possible candidates for privatization; under the current formulation, however, the only form of education that can be defended on public grounds is that of *civic education*. Civic education, unlike the general fields of education (mathematics, the sciences, the arts, etc.), is indivisible from proper governance as it is the second half of the equation posed to the Framers. Civic education fulfills that second half of the equation by providing citizens with the necessary knowledge to maintain the political order in which they are members. The trend of the United States with regard to citizenship has been one of increased legislation, regulation, and legal entanglement. This trend fails in similar fashion with the failure to maximize civic education by means of technological advancement. Whereas “Law consists of both rules of conduct and mechanisms or processes for applying those rules,” it is additionally necessary that citizens “have incentives to recognize rules of conduct or the rules become irrelevant.”<sup>170</sup> Without incentive, the increased reliance of government upon laws to habituate citizens into being *good* citizens will fail. Laws do not and cannot make *good* citizens; good citizens are the result of good civic education.<sup>171</sup> Milton Friedman, an economist of the Austrian School, may have presented one of the best defenses of public civic education when he contended that “A stable and democratic society is impossible without a minimum degree of literacy and knowledge on the part of most citizens and without widespread acceptance of some

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<sup>170</sup> Bruce L. Benson, *The Enterprise of Law: Justice Without the State* (Oakland: The Independent Institute, 2014), 11.

<sup>171</sup> Aristotle makes a similar argument in the *Politics*. Habituation necessarily played a part in Aristotle’s conception of civic education, yet its usage was limited to the early years of a child’s education. Habituation was, therefore, unfit for application in civic education beyond youth. Likewise, laws and legislation are not responsible for the creation of good citizens. To propose that laws *could* do so is to subscribe to circular reasoning.

common set of values.”<sup>172</sup> Friedman’s argument, however, is limited to *civic education* as it is directly related to governance. Friedman goes on to describe the differences that exist between civic education and all other forms of education. Vocational training, higher education, and all other forms of supplementary education are unnecessary for the maintenance of the limited prescription of government presented earlier. Although valuable, these latter forms of education are almost always pursued for the intended future economic benefits that individuals will reap from them. To subsidize these forms of education is additionally illegitimate as it necessarily results in circumstances which permit that individuals will be “forced to pay for the support of ideas diametrically opposed to their own. This is a profound violation of an individual’s integrity and conscience.”<sup>173</sup>

The current discussion on the legitimacy and structure of publicly funded civic education serves to introduce the second half of this chapter: a new program of civic education for the United States.

### **Unity through Division: A Civic Education in Selfishness**

Civic education *is* character education, but what character is befitting the United States’ citizens? More fundamentally, why does man, in general, require a code of values to live by? Do the natures of the *good citizen* and *good man* conflict with one another? These questions, and many subsidiary questions, naturally have arisen throughout the course of political theory. The answers are diverse, and several have been covered during the course of this thesis. Thus far, much has been rejected from Classical and Modern theories, but these fundamental questions of

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<sup>172</sup> Milton Friedman, *Capitalism and Freedom* (Chicago: The University of Chicago Press, 2002), 86.

<sup>173</sup> Ayn Rand, *Philosophy: Who Needs It* (New York: New American library, 1984), 228.

*why* still persist. The most basic of these questions, *why man requires a code of values to live by*, must be dealt with first.

The Classical and Modern theorists all provided arguments with regard to why man requires a code of values. To adumbrate the aforementioned philosophers' arguments, a code of values, *i.e.* morality, was necessary, not for man individually, but for man collectively in order to live naturally as the "most" political animal.

Although Socrates asserted the necessity of coming to understand the noble and beautiful in order to live a virtuous life, the fundamental question of morality – or as put in the *Republic*, *why should man be just?* – was never satisfactorily answered. The Objectivist code of ethics, however, attempted just such an inquiry into the necessity of morality. Friedrich Nietzsche fell on one end of the spectrum so that humans would individually create their own code of values. He neglected, however, to identify a process that would align one's interest with one's morality.

In order to align self-interest with morality, man has found meaning and purpose in tradition, religion, and many other constructions. The similarity between all such approaches is that each requires humans to subject themselves to the presumedly greater wisdom of past men, prophets, or statesmen. Rather than relying upon his *own* reason, man is required, under these formulations, to embrace the reasoning of others as though their conclusions were self-evident and incontrovertible. The Enlightenment promised to free men from such subversion, yet Enlightenment thinkers erred in their belief that they "had every thing to begin anew. [They] began ill, because [they] began by despising every thing that belonged to [them]."<sup>174</sup> Blind rejection of all that has come before is not the answer, yet equally blind devotion to all preceding

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<sup>174</sup> Edmund Burke, *Reflections on the Revolution in France*, ed. Conor Cruise O'Brien (New York: Penguin Books, 2004), 122.

doctrines, religions, or ideologies is equally fallible. In weighing these considerations, a sufficient answer to the question of *why man needs a code of values* remains elusive.

What is, then, the next step? As many philosophers have done in the past, it is necessary to return, yet again, to the State of Nature. Does man leave the State of Nature voluntarily or is man coerced? Does he do so to accomplish collective or individual ends? When man is present in the State of Nature he is, quite obviously, *alive*. If man is to survive either inside or outside of the State of Nature, he must necessarily *act* to preserve his life. Although animals act in a similar fashion out of *instinct*, man acts because he consciously *values his own life*. Living for man is an “outcome of a choice, of a judgment of value.”<sup>175</sup> The difference between *instinct* and *choice* is not presented here as self-evident: whereas animals are born with an innate instinct that guides them to self-preservation and procreation, man is endowed with a different aptitude: reason. The distinction between a man’s reason and an animal’s instinct is that man’s reason requires an employment based completely upon *choice*. In order to survive, man must act, but action alone will not preserve man; he must necessarily know *what* action will ensure his survival. From the outset, therefore, man’s will to survive is the foundation of man’s values.

It might appear that such a statement affirms the teleology of Thomas Hobbes, who suggested that man left the State of Nature simply to ensure his survival as the State of Nature was a State of War with all men against all others. Hobbes’s formulation, as argued earlier, fails due to its moral relativism. Hobbes’s moral relativism does not fail merely because of its repugnance, rather it is fallacious as it ignores the fact that man, who seeks to prolong his life, begins from birth with a code of values derived from his very will to survive. As Ayn Rand argued:

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<sup>175</sup> Ludwig von Mises, *Human Action: A Treatise on Economics* (Auburn: The Ludwig von Mises Institute, 2008), 19.

Matter is indestructible, it changes its forms, but it cannot cease to exist. It is only a living organism that faces a constant alternative: the issue of life or death. Life is a process of self-sustaining and self-generated action. . . . It is only the concept of 'Life' that makes the concept of 'Value' possible. *It is only to a living entity that things can be good or evil.*<sup>176</sup>

Rand's argument is, in part, a throwback to Socrates's asseveration in the *Apology* where he stated that the "unexamined life is not worth living" for a human being.<sup>177</sup> Rand, however, takes this argument further: living life without reasoned inquiry leads to failure and an early death. Man, therefore, requires a code of values to live by in order to, at the very least, survive. This code of values is encapsulated by one misunderstood word: selfishness. But survival alone is not enough. Ironically it was Karl Marx who asserted, in his *Critique of the German Ideology*, that once man's most basic needs have been satisfied, he moves on to satisfying new desires.<sup>178</sup>

### **Selfishness: A Reclamation**

Man's code of values from birth onward are inherently selfish. It is through concern for one's own life that man is able, through the employment of reason, to survive the State of Nature. Selfishness, unfortunately, has become a *sordida verbum* in modern parlance. Although individualism permeated, to varying degrees, the philosophies of Socrates and Aristotle, it was the Moderns who desecrated this term and opined for its abandonment. The Modernist rejection of selfishness is tantamount to a rejection of man's life. Rand explains this claim, writing "nature does not provide man with an automatic form of survival, since he has to support his life by his

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<sup>176</sup> Ayn Rand, *The Virtue of Selfishness* (New York: New American Library, 1964), 16 (italics mine).

<sup>177</sup> B. Jowett, trans., *Apology*, by Plato, vol. 1 of *The Dialogues of Plato*, ed. Raphael Demos, 401-423. 3<sup>rd</sup> ed. (New York: Oxford University Press, 1920), 420 (38<sup>a</sup>).

<sup>178</sup> Karl Marx and Frederick Engels, *The German Ideology*, trans. Clemens Dutt, W. Lough, and C. P. Magill, vol. 5 of *Karl Marx and Frederick Engels: Collected Works* (New York: International Publishers, 1976).

own effort, the doctrine that concern with one's own interests is evil means that man's desire to live is evil – that man's life, as such, is evil.”<sup>179</sup>

Often the term selfishness is rendered simplistically as concern for oneself and no other. The word *selfishness* brings to mind such individuals as Bernard Madoff or Charles Ponzi. Such interpretations however fail to raise an important distinction between selfishness and blind desire. Selfishness, as formulated earlier, requires the employment of reason to ensure an individual's long-term well-being. No one would suppose the actions of either of the aforementioned men to be in their long-term self-interests. These men were not reasonable; they were not selfish; they were parasitic brutes who relied upon the selfishness of others to further their own ends. In essence, these men were *selfless*. The fundamental moral distinction between selfishness and any prevailing whim of a given moment is that “The evil of a robber does *not* lie in the fact that he pursues his own interests, but in *what* he regards as to his own interest; *not* in the fact that he pursues his values, but in *what* he chose to value.”<sup>180</sup>

### **A Tradition of Selfishness**

Selfishness, self-love, self-interest, or whichever other term is chosen all share one common feature: self. The tradition of selfishness spans the course of political theory. It was Aristotle in the *Nicomachean Ethics* that promoted selfishness as presently understood in this thesis. For Aristotle, the “self-lover does not suffer from the kind of self-love we normally condemn: he does not suffer from excessive self-concern or think himself better than others.”<sup>181</sup> Rather, “the good person must be a self-lover, since he will both help himself and benefit others

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<sup>179</sup> Ayn Rand, *The Virtue of Selfishness* (New York: New American Library, 1964), ix.

<sup>180</sup> *Ibid*, ix.

<sup>181</sup> Marcia L. Homiak, “Virtue and Self-Love in Aristotle's Ethics,” *Canadian Journal of Philosophy* 11, no. 4 (December 1981): 639, accessed November 28, 2014, <http://www.jstor.org/stable/40231222>.

by doing fine actions.”<sup>182</sup> Aristotle’s understanding of selfishness was carried forward by Adam Smith when he wrote, “It is not from the benevolence of the butcher[,] the brewer, or the baker that we expect our dinner, but from their regard to their own interest. We address ourselves, not to their humanity, but to their *self-love*, and never talk to them of our own necessities, but of their advantages.”<sup>183</sup>

Whereas “The ultimate goal of human action is always the satisfaction of the acting man’s desire,”<sup>184</sup> this does not mean, contrary to popular thought, that man is given the freedom to do *whatever* he desires; rather man’s actions are “applicable *only* in the context of a rational, objectively demonstrated and validated code of moral principles which define and determine his actual self-interest.”<sup>185</sup> This code of morality is what is lacking in contemporary approaches to civic education. Civic education under this formulation is similar in method to the Classical programs of civic education. The argument can be made that a civic education in selfishness is, by its very design, character education. Immediately, some may assume this work has come full circle: through the course of the work the inculcation of civic virtue as prescribed by the ancients has been repeatedly rejected, yet now is being embraced. Such is not the case. Although the virtues aimed to be imparted by this new program of civic education may be similar in design to those prescribed by Aristotle, the end goals of such an inculcation couldn’t be further apart. Whereas ancients supposed that political orders required civic education for the purposes of instilling virtues so that citizens would be loyal, obedient, and self-sacrificing for the sake of the political order’s continuity, a civic education in selfishness rejects such ends. Rather, a civic

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<sup>182</sup> Terence Irwin, trans. *Nicomachean Ethics*, by Aristotle. 2<sup>nd</sup> ed. (Indianapolis: Hackett, 1999), 147 (1169<sup>a</sup>11).

<sup>183</sup> Adam Smith, *The Wealth of Nations* (Blacksburg: Thrifty Books, 2009), 15 (italics mine).

<sup>184</sup> Ludwig von Mises, *Human Action: A Treatise on Economics* (Auburn: The Ludwig von Mises Institute, 2008), 14.

<sup>185</sup> Ayn Rand, *The Virtue of Selfishness* (New York: New American Library, 1964), x.

education in selfishness requires individuals to rationally identify a system of morality by which to live. The end goal of *this* inculcation of virtue is not life *qua* state, but life *qua* life.

At first, the argument of life *qua* life may appear morally relativistic, as man could choose from any number of moralities. This, however, is not the case. The rationally self-interested individual, being concerned only with his own well-being, would quickly find that there are limits to human action that must be observed lest the actions of others, perhaps out of defense or vengeance, will interfere with realizing one's own ends. It is not for a fear of punishment that man will be deterred, at least primarily, but for a superior reason. After having been given the proper civic education, individuals will find that it is not the punishment that keeps them from robbing their fellows, but rather it is their inculcated respect for life that will stay their hands. Certainly, this system is not the construction of a naïve idealist; there will be those who, whether due to careful cost-benefit analyses or the sheer nature of the will, undoubtedly will injure the life, liberty, or property of their fellow. Punishment for such infringements, therefore, is required as a secondary deterrent.

The need for a system of morality is paramount, not only for the maintenance of a republic, but because “man's self-interest cannot be determined by blind desires or random whims.”<sup>186</sup> Morally apathetic individuals are no different than animals in this context: by denying themselves the necessity of thought and rational planning, they live their lives only for the moment and fully embrace Hume's argument that passions are indeed the masters of reason.

Just as F.A. Hayek defended laissez-faire policies with regard to economics, so too within this new formulation of civic education can the power of voluntarism, non-aggression, and mutual respect for individual rights and liberties result in stability, peace, and *eudemonia*. This

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<sup>186</sup> Ibid, xi.

new *paideia* for a civic education based in liberty requires that the aforementioned be protected; this is the sole and only responsibility of the government. To ensure these, as controversial as it may appear to many modern Libertarians and Objectivists, the government must provide for a civic educational program. This too, for the maintenance of our Republic and for inculcating the necessary levels of political knowledge to protect our individual rights and defend our liberties, is another essential function of government. Rather than the Platonic ideal of turning the *eros* of students towards the higher level of knowledge that exists only outside of reality, a civic education based upon the fundamental ethics of liberty turns the *eros* of each individual inward. As Hayek argued with regard to free-markets, our self-interest will “lead us to benefit others, not by our intending to do so, but by making us act in a manner which, nonetheless, will have just that effect. The extended order *circumvents* individual ignorance... in a way that good intentions alone cannot do – and thereby does make our efforts altruistic in their effects.”<sup>187</sup>

The virtue of self-love, a term I have repeatedly interchanged with *selfishness* as properly understood, is the valuing of one’s life in such a way that one finds it not only worthwhile to lead, but worthwhile to lead *well* with regard to interactions with others. Additionally, self-love asserts that an individual’s highest value is his or her life. The highest value of the individual is not the state, the general will, or the realization of the common good.

Civic education must necessarily reflect this innate commonality of human beings: selfishness. Theorists such as Jean-Jacques Rousseau and John Dewey both augmented their educational programs with a peculiar pupil-centered approach. A civic education in selfishness must abandon one-size-fits-all approaches. As it is the individual who acts, so too must the education of any individual be tailored to that particular individual.

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<sup>187</sup> F. A. Hayek, *The Fatal Conceit: The Errors of Socialism*, vol. 1 of *The Collected Works of F. A. Hayek*, ed. W. W. Bartley III (Chicago: The University of Chicago Press, 1991), 81.

As Aristotle and Isocrates proposed, to varying degrees, habituation must be the first step of any civic education to inculcate proper self-love. Rather than requiring the government to determine the proper virtues to be inculcated, as is prescribed by the ancients, public civic educational programs based upon selfishness must habituate students at a young age to carry out thoughts and actions that satisfy the following: (1) the purpose of the thought or action is to the individual's interest and (2) the thought or action must not violate the life, liberty, or property of another. The first condition, that a thought or action must be to the individual's interest, poses a dilemma: *who is to determine what is in the student's interest?* A solution to this dilemma is part technical and part ethical. First, the program of civic education being outlined prohibits the federal government from dictating the content of civic education; content should be determined at the local level for constitutional reasons: the U.S. federal government is granted no power with relation to education in the Constitution, therefore the power falls to the individual states via the Tenth Amendment. Secondly, the ethical consideration that favors local decision-making with regard to the content of civic education is far more convincing an argument than the previous. Ethically, the school districts of each locale should be the final arbiters on matters of content as to allow each taxpayer the greatest possible ability to have their child educated in a geographically convenient school. The parent, parents, or guardians of each student are those who determine the *interest* of that particular student while they are young. Therefore, with each locale determining its own content for civic education, each taxpayer will be able to, with relative convenience, send their child to an institution that offers a civic educational program in line with the *interest* they have formulated for their child. Such an arrangement, however, is only permissible in *public schools'* civic educational programs. Public schools are, under this formulation, required to provide a civic education that reflects a fundamental understanding of

the need for a political order that strives to protect the individual's life, liberty, and property. It is not the goal of this thesis to undermine private schools, therefore they are not held to such standards.

Civic educators should play upon each individual student's interests and strengths. For example, civic educators should assign, when the students are of an appropriate age, self-tailored assignments that give the students free range in choosing the topic they find important, instead of assigning a topic toward which they are apathetic. Some might object that this would necessarily result in a narrowing of focus, yet such tailored assignment will achieve just the opposite. Civic education must view diversity as a boon to its program, not an obstacle. As students focus on subjects of particular interest to themselves, they will find during classes that their viewpoints of what is right or wrong are incomplete or in error when the Socratic dialectic is applied to their premises. This is the proper place of employment for Amy Gutmann's democratic deliberation. It is one thing to challenge the notions held by another in an academic setting, but it is another thing entirely to enforce one's viewpoints at the point of a gun. Rather than forcing individuals to be "free," as Rousseau suggests, this approach to civic education, when coupled with a government limited to its only justifiable purposes, encourages students to reflect upon their premises without being subjected to the arbitrary whims of their fellows' presumed superior visions of the good life.

As the civic education of each student progresses, the nature of the education should reflect the intellectual capabilities of each student as they mature. Reason must be trained to rule the passions, therefore it is absurd to believe that elementary students will have the capacity to read the ancients and understand them. A penetrating, philosophical inquiry into why one must not violate another's life, liberty, or property is a feat well beyond the comprehension of most

youngsters; such an inquiry comes later. The specific content of this civic educational program cannot be determined beforehand; the issues of fundamental importance to each individual student will differ infinitely. Although many students consider civic education, the type of which they endured throughout high school, to be rather banal, it is absolutely necessary that civic educators attempt to show *how* the Framers sought to protect life, liberty, and property. This aspect, the admittedly less interesting one, must necessarily be followed up with an explanation as to *why* the Framers sought to protect life, liberty, and property. It is the question of *why* that must form the focus of civic education. Retaining only a passive understanding of *how* the U.S. government works is insufficient. Civic education must be made to be personal, that is only way to truly appeal to the inherent selfishness of students. *Why* is government's protection of life, liberty, and property of importance to them *personally*? This is the question that students of all ages, races, creeds, and political persuasions must attempt to answer.

Certainly this work has not attempted to provide a specific program of civic education with regard to the funding of such a system; such an inquiry would be better suited within the scope of a thesis on economics – such a task I hope others will take up. Rather, the major goals of this work from the outset have been to (1) provide arguments for the proper size and scope of legitimate governance and (2) to identify a common attribute of humanity that lends itself to a civic educational program concerned with the protection of life, liberty, and property. I leave it up to the educators of the individual states to identify the best way to implement this program of civic education with regard to logistical considerations such as location, funding, and the like.

### **Closing Remarks**

Civic education has been, is now, and always will be a necessity; our political order cannot long survive without it. Tocqueville once famously noted that “nothing is more fertile in

wondrous effects than the art of being free[,] but nothing is harder than freedom's apprenticeship."<sup>188</sup> Freedom carries with it responsibility, and it is up to the civic educator to impress upon his or her students the weight of such responsibility. The responsibility of freedom is individual in nature. Responsible freedom, in essence the responsibility for ensuring the protection of one's life, liberty, and property, cannot be made to be a collective good. A student must understand that it is his or her responsibility because it is his or her life that is at stake.

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<sup>188</sup> Alexis de Tocqueville, *Democracy in America*, trans. Gerald E. Bevan (New York: Penguin Books, 2003), 280.

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### Summary

As an undergraduate student I have split my time between two jobs, political theory tutoring, and my academics. During my time as an undergraduate student I have honed my skills academically as an undergraduate research assistant at the Pennsylvania State University's Altoona campus. In addition to my research I am also an avid reader in the areas of political and economic theory with an interest in emerging economies.

In the autumn of 2015 I will be attending the Pennsylvania State University's School of Law to pursue my J.D. with a focus on business law.

### Accomplishments

Recipient of the 2014 George and Elizabeth Gardner Award for the best essay on Citizenship, Ethics, and Leadership. Accepted into the Schreyer Honors College of the Pennsylvania State University in 2013. Recipient of four certificates for outstanding achievement (in Russian) in the Penn State Altoona's World Languages Program. Accepted into the Pennsylvania State University's School of Law in 2015 with a substantial scholarship package.

### Experience

The Pennsylvania State University – January 2013 to Current

#### **Undergraduate research assistant**

Altoona, PA

During my time conducting political theory research for Dr. Daniel DiLeo I dealt with many classical and contemporary issues facing civic education programs in the United States today. Dr. DiLeo would utilize my research in his publications on civic education, classical political philosophy, and political theory.

### Education

The Pennsylvania State University – August 2011 to Current

#### **Bachelor of Arts: Political Science/Theory**

Altoona, PA, U.S.A.

During my undergraduate years at Penn State Altoona I was accepted into the Schreyer

Honors College of Penn State with a focus on civic education reform. I was also the president of the on-campus Russian club and took numerous Russian language and culture courses. I was the recipient of the Penn State Altoona Honors Program's Fall Achievement Award for all four years I attended the college. Additionally I was a recipient of several scholarships, including the George and Elizabeth Gardner Fellowship Scholarship, from the Political Science Department. During my junior year at the campus I was chosen by the political science faculty to become the new student “face” of political science, from which a series of interviews followed resulting in marketing materials for the department’s programs featuring excerpts from interviews and photographs. For several semesters I also served as the one and only political theory tutor for students enrolled in Political Science 017 – Classical Political Theory – a required course for all political science majors.