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## The Problem of Rule in MacIntyre's *Politics and Ethics in the Conflicts of Modernity*

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**Abstract.** The present essay explores an important problem in Alasdair MacIntyre's thought by focusing on his latest book, *Ethics in the Conflicts of Modernity* (2017). His mature work consists in a revival of virtue-oriented, broadly Aristotelian ethical and political philosophy. Yet, as is particularly clear in this latest work, his treatment of these subjects fundamentally abstracts from what distinguishes politics from other practical spheres of human endeavour and excellence, namely, rule. Others have noted the oddly non-Aristotelian or non-Thomistic character of MacIntyre's proposed reorientation of political and ethical life, remarking on his refusal to accept any orientation by the 'best regime' or making a prudential assessment of existing regimes. This study builds on such observations and argues that MacIntyre's passing over political matters properly so-called, as distinct from strictly social or ethical questions, is distinctive of his NeoAristotelianism and represents a serious problem in his work.

The present essay explores an important problem in Alasdair MacIntyre's thought by focusing on his latest book, *Ethics in the Conflicts of Modernity* (2017), a work whose publication represents perhaps the final piece of his mature *oeuvre*. This body of work consists of a revival of virtue-oriented, broadly Aristotelian ethical and political philosophy. It began, famously, with *After Virtue* (1981), which was further developed with *Whose Justice? Which Rationality?* (1988), *Three Rival Versions of Moral Inquiry* (1990), and *Dependent Rational Animals* (1999). To state the lacuna in *Ethics and the Conflicts of Modernity* briefly but with sufficient compass: MacIntyre's latest work is characterized by the absence of politics. At numerous points it refers to 'ethics and politics' or to 'social and political' conditions, but it fundamentally abstracts from what distinguishes politics from these other spheres of practical human endeavour and excellence; namely, rule. Others have noted the oddly non-

Aristotelian or non-Thomistic character of MacIntyre's proposed reorientation of political and ethical life, remarking on his refusal to accept any orientation by the 'best regime' or making a prudential assessment of existing regimes.<sup>1</sup> The present study builds on such observations with the new material presented in MacIntyre's latest work, and argues that MacIntyre's passing over political matters properly so-called, as distinct from strictly social or ethical questions, is distinctive of his Aristotelianism or NeoAristotelianism and represents a serious oversight in his work.

As is widely known and understood, 20<sup>th</sup> century philosophy was distinguished for various recurrences to Aristotle. Among other reasons, Aristotle offered a richer account of human life, especially the profundity and subtlety of the integration of theory into what has come to be referred to as *praxis*, than that offered by the main currents of academic philosophy. On the continent, the person of Martin Heidegger became a point through which perhaps the deepest of these currents flowed. But he is not the only or even the original 'phenomenologist' with an interest in Aristotle. Edmund Husserl's teacher, Franz Brentano, was an interpreter of Aristotle. Heidegger himself, of course, is not strictly—or even loosely—speaking an 'Aristotelian'. It could be said that he came not to praise Aristotle, but to bury him; perhaps to disinter Aristotle in order to bury him again properly.<sup>2</sup> Nonetheless, the philosophic power and attentiveness of Heidegger's reading of Aristotle had the startling effect of reanimating him!<sup>3</sup> Several of his students superintended the

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<sup>1</sup> Consider Emile Perreau-Saussine, *Alasdair MacIntyre: une biographie intellectuelle: introduction aux critiques contemporaines du libéralisme* (Paris: Presses universitaires de France, 2005); Pierre Manent, 'Preface', *Alasdair MacIntyre: une biographie intellectuelle: introduction aux critiques contemporaines du libéralisme* (Paris: Presses universitaires de France, 2005), 1-6; Thomas Hibbs, 'MacIntyre, Aquinas, and Politics', *Review of Politics* 66:3 (2004), 357-383. See also Bernard Yack, 'Community and Conflict in Aristotle', *Review of Politics* 47:1 (1985), 92-112, in particular 97-98, 102, 105-6.

<sup>2</sup> Gadamer was critical of Strauss for mistaking this point, perhaps not seeing the extent to which Strauss disagreed with Heidegger or Gadamer himself about the need for the historical consciousness. Hans-Georg Gadamer, 'Philosophizing in Opposition: Strauss and Voegelin on Communication and Science', *Faith and Political Philosophy: the Correspondence Between Leo Strauss and Eric Voegelin, 1934-1964* (Pennsylvania: Pennsylvania State University Press, 1993), 249-259 at 251.

<sup>3</sup> Franco Volpi treats the development of 20<sup>th</sup> century NeoAristotelianism with an admirable combination of sweep and precision in 'The Rehabilitation of Practical Philosophy and Neo-Aristotelianism', in *Action and Contemplation: Studies in the Moral and Political Thought of Aristotle*, eds. Robert C. Bartlett and Susan D. Collins (Albany: State University of New York Press, 1999), 3-19. Likewise excellent and helpful for situating MacIntyre is Kelvin Knight's discussion of German retrievals of Aristotle in chapter 3 of his *Aristotelian Philosophy: Ethics and Politics from Aristotle to MacIntyre* (London: Polity, 2007), 64-101. See also the relevant overview offered in Emile Perreau-Saussine, 'The Moral Critique of Stalinism' in *Virtue*

development of what could be called, for all of their various disagreements with one another, NeoAristotelianism: Hans-Georg Gadamer, Hannah Arendt, Pierre Aubenque, and, some might even say, Leo Strauss.<sup>4</sup> (And this is to pass over the engagement with Aristotle conducted by NeoThomists such as Jacques Maritain or Yves Simon.) In the world of Anglo-American philosophy, there occurred a parallel revival of interest in the work of Aristotle, this one virtually untouched by the confrontation with Heidegger. It is surely no exaggeration to say that Elizabeth Anscombe together with our author may be credited with the reintroduction of Aristotle's moral philosophy to the English-speaking world.

Without dwelling at length on Heidegger, it is worth drawing a comparison on one important point between his engagement with Aristotle and MacIntyre's. Indeed, their pairing—arresting though it is—could suggest a paradigmatic failure of certain currents of 20th century Aristotelianism, a failure in which numerous others would or should be indicted: their special blindness to the character and demands of decent politics.<sup>5</sup> This is not to say that their personal political judgments and failures are comparable. But the readings of Aristotle that they encourage or invite are subject to a specific type of error. Whereas the revival of Aristotle has given great attention to the place of the generically 'practical' in Aristotle, thus far it has been insufficiently attentive to the political — I say, as distinct from the ethical or moral — understanding which he offers. The missing distinction is between *praxis* — the generically pragmatic engagement and involvement of humans with the world — and politics in a narrower and more precise sense. The result is a kind of regime blindness, an incapacity to see the centrality of the phenomenon of the regime to political life.

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and *Politics: Alasdair MacIntyre's Revolutionary Aristotelianism*, eds. Paul Blackledge and Kelvin Knight (Notre Dame: University of Notre Dame Press, 2011), 134-150 at 147-148.

<sup>4</sup> Though see Michael P. Zuckert and Catherine H. Zuckert, 'Why Strauss is not an Aristotelian', in *Leo Strauss and the Problem of Political Philosophy* (Chicago: University of Chicago Press, 2014), 144-166.

<sup>5</sup> See Richard Velkley, *Heidegger, Strauss, and the Premises of Philosophy: On Original Forgetting* (Chicago: University of Chicago Press, 2011) for a perspicuous account of Heidegger's particular blindness to the phenomena of politics. See also Alexander S. Duff, *Heidegger and Politics: The Ontology of Radical Discontent* (Cambridge: Cambridge University Press, 2015) for a recent account of place of politics in Heidegger's thought.

The particular form of this error in MacIntyre's case expresses itself in his taking too high a view of politics, stressing its rational, deliberative character, and therefore misses or distorts it; he treats it as ethics by other means. Politics is not all or only deliberation; it is also, and centrally, about rule. As a result of looking too high for political activity, he overlooks it where it already is, and fails to see it. What he then misses is that in politics, the aspiration to the high is present, live, and active, even amidst the low, indeed, amidst the grisly and brutish. By taking too high a view of politics, MacIntyre misses its extremely low possibilities, seeing in their place economic activity, to be sure, even exploitative and ugly forms of economic activity. But the 'lows' of political life are far uglier than MacIntyre seems capable of appreciating, and decent, sound statecraft is recurrently occupied with containing, fighting, and in some cases, defeating the recrudescence of the low — an activity which, thus by its very character, will sometimes partake of or share in this lowliness. The 'lowliness' of politics that MacIntyre misses is the place of violence and force in human life and therefore political rule. This cannot easily be assimilated to merely social or even ethical concerns.

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In *Ethics in the Conflicts of Modernity*, as in the large body of his work even predating his NeoAristotelian turn in *After Virtue*, politics for MacIntyre is defined by due attention to common goods. Setting aside, for now, the ranking of these various common goods, it will do to notice the distinction he insists on making between *common* goods and *public* goods as those were understood and defined by certain of the architects of the modern world (168).<sup>6</sup> Public goods are those goods which, while in some respect common or shared, are good insofar as they minister to the individual, personal flourishing of those who are permitted to benefit from them. Public peace, for example, is a necessary condition for the accrual of material lucre; likewise the enforcement of contracts would be included. Public goods, so construed, are merely instrumental to an

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<sup>6</sup> Parenthetical references are to page numbers of Alasdair MacIntyre, *Ethics in the Conflicts of Modernity: An Essay on Desire, Practical Reasoning, and Narrative* (Cambridge: Cambridge University Press, 2016).

understanding of the human good as something that takes place in private, away from the public, away from what is common. Common goods, in MacIntyre's formula, are those which may only be enjoyed as shared. They are only goods *as* shared, whose enjoyment depends on joint co-participation in their creation, maintenance, and employment. They are inherently non-private, or goods of which their appreciation may in some sense be private, but is not exclusively private. At numerous points, MacIntyre references family life, work life, and political life as spheres where the cultivation of virtues of what is common is essential to the enjoyment of the goods proper to each area. To illustrate the point, though, he sometimes refers to the example of orchestras or sports teams. The virtuoso performance of the third violin is exhibited not on its own, but in its contribution to the flourishing work and thus the common good of the whole orchestra. The goods of family — we see by analogy — are not merely ministerial to the success of its individual members, but cannot be enjoyed as goods without the active participation of (all) members of the group.<sup>7</sup> In a properly ordered society, 'plain persons' would come to 'understand their individual goods as achievable only in and through directing themselves toward their common political goods' (I77). As he claims early in the development of his argument,

'Each of us generally relies on others in pursuing our own individual goods. And this is even more obviously the case when the goods in question are not individual, but common goods, the goods of family, of political society, or workplace, of sports teams, orchestras, and theatre companies. . . . Deliberation as to how such goods are to be achieved can only be shared deliberation'. (51)

Politics — like athletic teams, like workplace associations, like families — consists in the deliberation and enjoyment of common goods.

The reason for attending to common goods is that they are part of the composite human good, of a different order from all of the partial and ministerial goods that constitute our lives. Famously, MacIntyre refers to this as 'flourishing'. 'Human flourishing' is his own attempt to capture the more-than-static, virtue-enacting 'condition' of a full and

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<sup>7</sup> MacIntyre regrets that it may be easy but not very interesting to sketch out what it is for the members of a family to act for the sake of its common good: 'may seem like a list of platitudes' (I69).

active human life, encompassing our particular past and facing the future with courage, temperateness, justice, and prudence: in the full sense *eudaimonia*, or *beatitude* (54). Such a life, MacIntyre argues, is composed of the pursuit of one's desires, one's true desires, and consists in the performance of virtuous activity in accordance with a narrative one tells oneself about who one is, what is important and revealed about oneself from past failures, and accepts the limitations and benefits of one's situations reflectively and discerningly. And given that one's situation is, plainly, always already bound up with others, not in general but in particular —others in one's family, in one's workplace, in other forms of community — the examples he gives of orchestras and sports teams are helpful because they show the intermingling of utterly situated but still excellent performance with the success and virtue of others. One truly flourishes only when the particular wholes to which one belongs and within which one acts also thrives.

MacIntyre is arguing not only for the communal character of some of the goods that constitute a full human life and contribute to its flourishing; he is also arguing against a particularly prevalent and immiserating distortion of the understanding of such goods. He refers to these with the terms 'Morality' — with a capital-M — and morality. These express respectively the intellectual and social misunderstandings most typical of our age. Intellectually, Morality is the way MacIntyre refers to the various predominant schools of moral philosophy in the Anglo-American academy. He lumps together deontology, utilitarian consequentialism, and contractarianism as each of these positions, he argues, consists in a rule-based assessment of a given situation and the application of the rule, regarding one principle of 'good' or another to situations as might be confronted by an 'individual' in the abstract (65-66). Of the positions he identifies that respond adequately to weaknesses in Morality, he identifies 'Expressivism', articulated especially by Harry Frankfurt (with variants articulated by Bernard Williams and D. H. Lawrence) — captured pithily in the Lawrentian formulation, 'resolve to abide by your own deepest promptings' (149) —and NeoAristotelianism. These mutually incompatible but internally sound positions cannot refute one another, MacIntyre avers, because they cannot

(yet) agree on acceptable standards of argument. The central purpose of *Ethics in the Conflicts of Modernity* is to compose a response to Morality that is superior to the account offered by Expressivism.

The stakes of MacIntyre's inquiry are not merely intellectual, but include the possibility of plain persons living morally coherent lives conducive to their flourishing. In social existence, under the rule of Morality, the rule-applying ethic is in fact expressed as moralizing vacillation and confusion. One could say that since there is no rule for how to apply rules, when morality is understood as rule-based, incoherence and fitfulness abound:

'In everyday moral life these tensions are dealt with by indefiniteness in commitment and by oscillation. The indefiniteness is expressed in the form that many give to their moral principles: "Always do such and such or refrain from doing so and so, except when" followed by a shorter or longer set of exceptions and ending with an 'etc.' The oscillation is between on some occasions affirming a strong, even a very strong version of some rule, as though it were exceptionless, while on others allowing maximizing and consequentialist considerations to override it. Such indefiniteness and oscillation are notable features of both the political rhetoric and the political practice of advanced societies as well as of the private lives of their citizens'. (66)

Normal moral existence in 'the dominant shared culture of moral modernity' is a strongly felt need to appear objective in moral claims, that is, to refer to an agreed, public, and notorious standard and also for this standard to approve of the venting or expression of one's own particular passions or preferences:

'So expressions of moral conviction in our culture tend to have a peculiar character, moving between moments in which agents speak as if just such a standard were being invoked and moments apparently expressive of something quite other, of convictions prior to and stubbornly immune to argument, an ambivalence most obvious perhaps in political debates about alleged human rights' (68).

Moral life is conducted as though a readily agreed upon standard is needed, but not genuinely available, and the intellectual support of Morality deepens the confusion, rather than assisting in alleviating it.

MacIntyre's task, then, of accounting for agreeable standards external to his position will have social as well as intellectual benefits. In order to resolve the dispute—to clarify what standards may be acceptable to settle



the matter between Expressivist and NeoAristotelians —MacIntyre proposes to investigate the source of the ‘peculiarly modern social relationships and intellectual relationships’, by beginning from the ‘everyday questions of plain persons, the plain persons [academics] themselves were before they took to the study of philosophy’ (71). He thus proposes to remedy the ‘extent to which and the ways in which... philosophical enquiry into and discussion of moral theory is isolated from political and moral practice, both our own everyday practice and that of those who inhabit moral cultures very different from our own’ (71).

MacIntyre implies, but does not argue for or show, that this particular form of moral confusion is especially characteristic of our time and place, and is typical of or owed to features typical of late capitalist societies. He implies, but does not argue for or show, that similar forms of moral confusion are *not present* in certain other societies of the past. He does not consider, therefore, that moral confusion is possibly the default, which is almost to say normal condition of human beings who live with other human beings. The classic approach to precisely this problem—the intractably limited force of reason in the moral formation of social groups—was taken by political philosophy in the Socratic school, broadly defined as including Xenophon, Plato, and Aristotle. By focusing on the political association above all other social groupings, they pointed to a clarification and therefore an amelioration of the problem. They discerned in the regime (*politeia*) a claim to rule based implicitly on principles of justice which themselves were susceptible to rational scrutiny and judgement in light of human goods. That such claims are susceptible to rational scrutiny does not mean they are already orderly or rational; Aristotle says that the laws and customs of most people are ‘pretty much heaps’, a jumbled mess (1324b6). That is, each claim of rule within existing regimes is highly questionable, even on its own terms. MacIntyre’s recurrence to the questions of plain persons as exhibiting a standard to which philosophic argumentation should appeal to some extent echoes the Socratic recurrence, but his inattention to the real qualities of political life *precisely as lived and experienced by plain human*

*persons*, in particular the phenomenon of rule, undermines the effectiveness of this recurrence.

How is MacIntyre's approach different from Aristotle's, to focus only on the most relevant figure? It would be misleading to say that MacIntyre's 'high' view of politics is abstract or idealistic; on the contrary, he intends for such a presentation to be an account of how *actually existing* 'rational agents' conduct their political lives. Two features stand out: first, his insistence on the distinction between the rational agency of political life and that more limited form of rationality which is exhibited in economic, particularly contractual, relationships. Second, his mode of depicting politics is usually by inference or suggestion; in only one striking instance does he have recourse to an illuminating pair of examples.

Rational agency, as MacIntyre styles it, is central to political existence. To 'be a rational agent is not only to have reasons for acting as one does and to be able to evaluate these as better or worse reasons. It is also *and inseparably* to offer reasons to others for acting in one way rather than another and to be responsive to the reasons that they advance' (73 – emphasis added). MacIntyre sees perfect agreement between what one genuinely and intelligibly desires and the reasons one offers for these pursuits in the political community. He attributes this view to Aristotle: 'What... distinguishes human animals from other animals, what constitutes their distinctive function, is the exercise of their capacity to act as rational agents in ordering their ends and achieving the final end which is theirs by nature' (86).

This high view of the rationality of political life notwithstanding, what he means precisely by the rational activity that fulfills us in political life is variously obscure, communicated indirectly by inference, or most importantly by example. The previous statement is representative; MacIntyre refers to deliberation as our 'rational agency', emphasizes its connection to our natural end, namely flourishing, but does not piece out what might be the differences between deliberation, *prohairesis*, *logos*, and other forms of rational activity that contribute to our agency (though *cf.* 38-39). Most consistently throughout the portions of the book that speak most directly to politics, MacIntyre draws or implies a strong

distinction between deliberation, closely connected to *phronesis* or *prudence* in the Aristotelian or Thomistic sense (74), and the kind of reasoning exhibited in markets and contracts.<sup>8</sup> Contract-reasoning is antithetical to MacIntyre's vision of human rationality as consisting in discerning from within fluid and particular situations what is both just and reasonable. MacIntyre's historical account suggests that this kind of rule-making and -applying reasoning is precisely the antecedent to Morality and its supporting morality that MacIntyre is trying to uncover. The notion of erstwhile rational agents binding themselves to an abstract agreement implies a frozen and limiting sense of the identity of the parties involved, and further suggests a false equality that disguises the exploitative exchange transpiring beneath the self-concealing or -deceiving surface.<sup>9</sup> The fulfilments of politics and the rational agency — deliberation — expressed in them have nothing of a market-exchange element to them; indeed, they consist almost precisely in dividing and sharing goods that market agreements would characteristically dismember or destroy.

MacIntyre's discussion of two examples of the politics of local communities is where he is clearest in his account of the place of deliberation in the flourishing made possible by attendance to the common goods of political life. His purpose here is to show that even in the contemporary world it is possible to have communal life that is oriented around common goods, where participation in the flourishing of the community is perfectly well understood as constitutive of the human good. In such communities it becomes evident that it is not necessary to surrender all 'political' existence to the impersonal authority of the state, on the one hand, and to the market with its inhuman logic of profit maximization and appropriation, on the other. His two examples are the maintenance of small-scale, local fishing practices in the Danish village of Thorupstrand by means of establishing a guild with

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<sup>8</sup> In this connection, note MacIntyre's objection to the translation of *prohairesis* as 'choice' (38-39).

<sup>9</sup> MacIntyre's repeated claims that capitalism is (uniquely?) deceptive in its concealment of its own concealment of the role of force and fraud in its conduct are not argued but asserted. Is this the case? Again, the earliest accounts of political philosophy emphasize that the principal expressions of justification for rule offered by members of regimes were misleading even to themselves, much as MacIntyre claims is especially true of capitalism.

representation from twenty families and the establishment of a school for inhabitants of the *favela* of Monte Azul in 1975 and its role in introducing improvements in sanitation, sewage disposal, street lighting, education, and health care (176-182). The ‘inescapably political animals’ of these two small communities exhibit all the virtues of the Aristotelian citizenry, attentive and respectful of the challenging task of deliberately measuring out and sharing in common goods. As he says of the citizens of Thorupstrand, they exhibited an altogether admirable rational agency: ‘prudence increasingly informed by economic and political know how, justice in the allocation of shares and in the structure of the Guild, courage in taking the right risks in the right way, and temperateness in not being seduced by the promises of the market’ (180).

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MacIntyre’s language of ‘rational agents’ blurs together two or three distinctive capacities that Aristotle attributes to human beings—not altogether unfairly, perhaps, but with the effect of obscuring the crucial difference between ethics and politics and the character, therefore, of politics as Aristotle saw it. To state the problem with a maximum of brevity: politics is not a debating society, and not even Aristotle thinks it so. MacIntyre misses that politics consists in rule, humans ruling other humans (to take Pierre Manent’s Aristotelian definition). For all of its shared attention to the practice and cultivation of virtue and questions of education, ethics is not, in the strict sense, concerned with rule over others. Relating to others, yes; ruling over one’s self, yes; ruling over others, no. Aristotle thought it necessary to distinguish political rule from those forms of rule which imitated the strict, hierarchical pattern of the *oikos*: mastery, monarchy; in the background we sense the distinction from the gigantic *oikos*-patterned rule over many cities and nations exhibited by Cyrus the Great and his successors (which would, indeed, anticipate the imperial rule of Alexander).<sup>10</sup> Political rule, as is well known, exhibits some distinctive characteristics: it is carried out ‘in turn’

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<sup>10</sup> On the tension between monarchical rule in its various forms and political rule in Aristotle, see Waller R. Newell, *Tyranny: A New Interpretation* (Cambridge: Cambridge University Press, 2013), 141-185.

by those who are also ruled — the phrase ‘ruling and being ruled in turn’ recurs throughout the *Politics*—and it is ‘natural’ because we are the animals with speech, that is, we speak about matters of common interest, most distinctively what is in the common advantage and what justice requires (*Pol.* 1253a9, 14-19). The reason that politics can be ‘ruling and being ruled in turn’ (e.g. *Pol.* 1277a26-27, b9-16) is that when the particular rulers within a community change, the same notions or opinions about what is just or noble continue to be in force; as such the offices being filled remain in place, more or less, and therefore the rule according to a steady pattern of right or law persists through the change in rulers. This persistent pattern or official order, buttressed by or indeed founded on an opinion of justice, is what Aristotle means by *politeia*. Here — in our nature being in some sense fulfilled or exhibited in our participation in civic life — we see the *Urtext* for MacIntyre’s claim that politics and ethics, understood as the sharing of common goods, is an integral part of our nature and therefore of our flourishing.

But to say that we are *zoon politikon* because we are *zoon logon* — ‘rational agents’, in MacIntyre’s coinage — is to state a problem rather than a definition. In the *Nicomachean Ethics*, Aristotle says that deliberation concerns specifically those matters which could be otherwise; that is to say, the human confrontation with both spontaneity and our limited freedom are both bound up in this particular expression of our character as rational animals (*EN* 1112a18-1113a14). Moreover, deliberation concerns especially the future, as he advises in the *Rhetoric* (*Rhet.* 1358b13-15). It concerns what may or may not come to pass, not what has already happened (except inasmuch as that must be considered in order to deliberate about the future). Does this fulfill our full nature, the complete end toward which our essential and given character seeks to express itself? It is not to be confused with Aristotle’s account of the intellectual virtues and the theoretical life in *Ethics* VI and X.<sup>11</sup>

In the *Rhetoric* Aristotle speaks perfectly plainly about what political deliberation needs to treat, listing five topics: finances, war and peace,

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<sup>11</sup> Though to be sure the godlike account of the ‘life’ of contemplation is itself an intentionally but revealingly partial depiction of a full human life. See Ronna Burger, *Aristotle’s Dialogue with Socrates: On the Nicomachean Ethics* (Chicago: University of Chicago Press, 2008).

guarding territory, imports and exports, and lawmaking (*Rhet.* 1359b22ff.). The business of deliberation is always, evidently, concrete and particular, practical in the most obvious sense of that word, and clearly it has a great deal to do with economics: money, trade, the plain wherewithal of life. MacIntyre's account of the deliberations of Thorupstrand and Monte Azul surely appreciates this. But deliberation also concerns war: force, the threat of force, the danger from external powers, the need to defend against them, the need to organize some force for the organization of peace at home. In addition to these five topics, and anticipated by his reference to law, Aristotle says that 'the greatest and most decisive (authoritative)' thing to deliberate on well is the regime (*politeia* – *Rhet.* 1365b24). Deliberation is indeed central to political life, but to say this entails seeing that political life is initially and usually concerned with mediating between the matters of economy and brutish matters of violence and force, on the one hand, and the aspirations or aims that inform our common lives together, on the other. Together these reveal again the centrality of the regime, the chief aim of well-deliberated political action being the maintenance — the survival, against internal and external threats or enemies — of the way of life, formed as it is by common devotion to justice as that is understood in light of what is held highest, in a given political society.

What does it mean to say that *Ethics* and *Politics* are distinct, for Aristotle or for an Aristotelian? To answer this it is perhaps necessary to return innocently to the texts of Aristotle himself, rather than the tradition that has elaborated answers to how they relate to one another. In the first place it is worth stressing that these are each parts of what Aristotle calls the 'philosophy of human affairs', or that they are both concerned with practice in something very much like the sense MacIntyre means. But in the treatment of ethics Aristotle explores forms of human excellence which transcend the city, or the 'merely' political. What should be said, on the basis of the *Nicomachean Ethics*, about these forms is that they are not simply or purely philosophical, as could be said of Plato's understanding of political life, but that they are 'moral'. The *Ethics* treats — forgive this crashing platitude — the existence of moral virtue as something which is not simply social or political, or reducible to the

conventions of one's city. Some of the virtues of character have a political dimension to them, to be sure; most obviously justice. But not all of them, and indeed one could imagine treatments much more emphatically political than Aristotle's. To use only the most illustrative example: courage as it is treated in the *Ethics* is carefully distinguished from political or civic courage. Yes, it shows itself most fully in battle, and we think this involves cities; but Aristotle's precise language there makes no reference to the city for whom the courageous warrior may be fighting, no mention of the character or quality of the regime (presumably) in question, no requirement that courage be in the service of a *polis* rather than an empire or a tribe. This quiet suggestion may be taken to imply that courage is a virtue of character which shines forth irrespective of regime; no matter where you're from, who you're fighting for, provided your own precise cause is noble and conduct is mindful, then it is courage.

The simple but important fact of rule is the decisive difference between ethics and politics. In *Ethics* I.1, Aristotle acknowledges or describes all human action as being directed to a perceived or opined good, by something held as good (1094a1-2). In *Politics* I.1, similarly, all associations exist for a purpose (1252a1-5). Every grouping of human beings has a reason — using the term loosely — for being what it is. But the authoritative (*kuriotata*) association, the community of people that subsumes other associations within it is the political association. Why is this? Rule does not simply mean force or the threat of force; but it surely does not rule out force and its threat. And it is not just that there is a *telos* for the association that a monarch or master discerns and then directs us toward; that would be rule on the model of the household, which Aristotle is trying to distinguish from political rule. What political rule means is that there is a 'for the sake of which', a purpose, shared by both ruler and ruled; if it is political rule, then the particular rulers will, in their turn, also be ruled, and this switch should not mean that we are now in a totally different association; say, we *were* an orchestra and *now* we're a baseball team (see *Pol.* 1267b7-8). What holds a political unit together is a shared sense of purpose which constitutes its identity as what it is, which is expressed in an opinion about which rules are worth following and which ones are not (*Pol.* 1267b1-3). Indeed, such an

opinion governs what rules one would enforce and see enforced through punishment, what rules one would defend with one's own life, or with the lives of one's children. That is, it is expressed as an opinion about what is noble and just, what is for the common good. Who rules, then, is an expression of the moral sense of the people who follow the rulers, who accept their rule.

To restate, then: this is the meaning of the centrality of regime to political life. As in the *Rhetoric*, so in the *Politics*, speech about the common good ends up revolving around the *opinions* about the just and noble that effectively express the core of the regime, the organizing set of beliefs with which citizens live in peace with one another and accept the civil order and hierarchy, even fighting to the death to protect or enforce it. The organization of force is thus always implicitly but deeply implicated in the political order. As Aristotle remarks, soldiers are always citizens. Hence, the centrality of the question of rule to political life. To put it this way is not 'realism' in the sense attributed to Machiavelli or Carl Schmitt. The decisive issue is not the fight to the death or the extreme situation; the decisive issue is the content of the opinions of justice that informs peaceful life, which is the purpose those wars or fights that will occupy political life. Perhaps one could call this Aristotelian realism.

The foregoing is not meant to appeal to the authority of Aristotle but to support the claim that MacIntyre's appreciation of the deliberative character of political life is incomplete because his sense of the business of politics is partial. MacIntyre abstracts from or forgets the inescapably brutal roots of political life in violence and force; as such, he misses the distinctively political phenomenon of rule, and thus he is blind to the centrality of the regime to political life. On this basis, let me give my own, brief account of MacIntyre's example of Thorupstrand. MacIntyre stresses the opposition between the short-term, exploitative approach to fishing employed by the large corporations that dominated Denmark's fishing industry and the longer-term approach favoured by smaller interests; he also stresses the different claims to ownership between larger corporate interests and those of smaller, often family-based fishing interest — where profits (and losses) are divided between irregular costs,



the maintenance of the boat, and then evenly between the captain and his two crew members. The financing of such an operation seemed more perilous, he allows, in the years prior to the worldwide financial collapse of 2008; but in the wake of that event, the practices of local ownership and shared profits proved their merit. Among the virtues of the way of life preserved and nourished in this community, according to MacIntyre, is the fact that they draw on traditional patterns of life and long-standing customs that date back, though he does not mention this, centuries. MacIntyre particularly emphasizes a prudent and temperate relationship between the way of life cultivated and preserved in Thorupstrand and its economic base. But what can or should be said of the preservation of this way of life and its defense and protection? Not from the cruel pursuits of gigantic corporations: from vandals, barbarians, and fanatics. MacIntyre is silent on this, as indeed he is silent on this problem throughout the rest of the book.

To give only the most cursory account of the maintenance of peace in Thorupstrand: the Danish monarchy — reputed the oldest in Europe — traces its lineage to the Vikings. Denmark became Christian in the mid-10th century; skipping ahead a bit, it was occupied by the Nazis during WWII, and was liberated by the British in 1945. In 1949, it became a founding member of NATO. Until the fall of the Soviet Empire in 1989, the collapse of the Soviet Union in 1991, and the final withdrawal of Russian units in 1994, the Red Army was stationed in force a short 500 km away (near Lüdersdorf in East Germany). Soviet surface ships and submarines traversed the busy sea lanes weekly for decades (in the Jamberbugten, to the North). What permitted the Danish citizens of Thorupstrand to maintain their free way of life, to maintain a prudent balance between their ownership of property, trade, the use and claim to the work of their labour, the validity of the contracts into which they entered, and the respect for law exhibited in their shared ownership of the means of production (their flexible, clinker-built fishing boats)? Why were these not nationalized? Not seized by soviets for collective ownership, not just of *kulakish* three-man crews which own shares in them but the people of Denmark, nay, Europe, nay, 'of the world' in common? What protected the fishermen of Thorupstrand from the Red

Army? NATO, the nuclear umbrella, the reputation for hearty and valiant self-sacrifice earned by the blood of Danes, their European friends, and their North American allies, shed from one end of Europe to another in recent memory, and the sound, even prudent statecraft of European leaders — German, French, Danish — and their English-speaking colleagues across the English channel and the Atlantic. Is not this a part of the story that must be accounted for in reckoning the survival of the distinctive way of life in Thorupstrand? If it is remarkable and brave that the leaders of this fishing village preserved themselves from the predations of international corporations in 2008 and the years following by drawing on years of tradition — and surely it is — then is it not also remarkable, perhaps even more remarkable, that the free peoples of the West preserved themselves from Soviet, imperial tyranny for forty-five years? These alliances were not simply contracts of capitalist plutocrats, however much capitalism was integral to the Western alliance, but the result of prudent statecraft, pursued for the sake of the peoples of free countries. Any account of late-modern political phenomena that treats the ‘modern state’ as only the monopoly on violence without an appreciation for the different types of regime which governed these various states will be radically incomplete, as the example of Thorupstrand shows. This requires a political rather than more narrowly an economic analysis of the character of capitalism, which is to say, of the understanding of rights and the rule of law.

How shall the Western democracies be ruled? The (always temporary) settlement of the question of the regime took place — after the Second World War — in the shadow of what came to be referred to as the Cold War.<sup>12</sup> The exclusion of Soviet power was, indeed, a question of force and the threat of force. Because his account of political life excludes a frank consideration of the role of violence in politics, even decent politics, MacIntyre fails to see the centrality of the question of regime to political existence. Indeed, instead of seeing, as MacIntyre does, capitalism as always concealing the extent to which contracts paper over different power relationships between parties, generating the obscurity

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<sup>12</sup> Leo Strauss, *Liberalism: Ancient and Modern* (Chicago: University of Chicago Press, 1968), 217.

which then permits it to overtake other forms of association and community, the student of Aristotle himself would be more attentive to the given or stated opinions of citizens as to why permitting certain forms of contract, or recognizing certain claims of property are met and right. Such claims would be understood to justify forceful measures to maintain and defend the regime. Here one would then begin to appreciate that the differences between early 20<sup>th</sup>-century Marxists were not simply debates about the proper role of the state (100) but instead, on the part of one side, anticipations of the role of terror in transcending the limitations of human nature, dissolving the state, and inaugurating the rule of perfectly socialized justice on earth.

It is hardly the case that the lowest form of human life is the exchange of goods and services for capital. Aristotle himself reminded us that tyrants do not become tyrants in order to get in from the cold, and at the beginning of the *Politics*, that man without benefit of the rule of law in a political community is worse than all the other animals, particularly in matters of food and sex. Surely the experience of the 20<sup>th</sup> century — concentration camps, totalitarianism, gulags, terror famines — should provide some evidence of this. And a book which purports to return from the abstractions of academic philosophy to understand the genuine ethical and political questions of ‘plain persons’, and which takes as central examples for its argument select events of the 20<sup>th</sup> century should make a reckoning of these experiences.

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How would MacIntyre’s study be different if the features of specifically political life, especially the phenomenon of rule, were appreciated instead of the broader category of praxis or what he glosses as ‘social’ and ‘ethical’ concerns? The dispute MacIntyre identifies at the end of his first chapter, which guides the enquiry of the book, would still be taken as a genuine dilemma. Indeed, MacIntyre’s sense that it is necessary to return to the ‘questions’ asked by ‘plain persons’ is altogether sound. The difficulty we arrive at — in a way, echoing the challenges faced by the phenomenologists of the 20<sup>th</sup> century — is how to identify the standards

in 'everyday' life that allow us to make discernments in academic or rational argument. We should take instruction from Aristotle himself, whose sense that the fact of rule in political life, and the architectonic character of the political association, recommends it as the first step in the enquiry into the relationship between intellectual inquiry and what MacIntyre refers to as the inquirer's 'social' situation. The history MacIntyre offers in his second chapter would thus be different at every juncture, and greater attention would have to be paid to the place of political rhetoric, indeed, very high-level political deliberation, in the elaboration of the philosophic positions of the architects of modernity. MacIntyre refers us to Hume and Smith, but others would perhaps have to be consulted. Were this to be done, then what appears almost by surprise as Marx's diagnosis of some of the pathologies of capitalism would be seen to take place in a broader political situation. To the extent that this political situation is the result of earlier modern innovations in the way that political rule is carried out and justified — what has been referred to as the invention of indirect rule, or rule according to representative government, or the orientation of rule with respect to natural rights — those innovations would need to be investigated again, *sine ira et studio*, in order to appreciate their legacy for us here and now in their full merit.

The deepest error MacIntyre makes is that he takes there to be a primary cleavage in human nature between theory and practice, and treats praxis as an insufficiently articulated homogeneity. He means to correct the perceived error of being too theoretical in our account of how moral and political agency and reflection should work, hence his emphasis on needing to situate our understanding with reference to anthropology, sociology, history, etc. He writes,

'we are all of us agents before we are theorists, and it is only because we are agents that we have subject matter about which to ask those questions that take us into theory. Indeed, it is as agents become reflective that they find themselves compelled to ask those questions from which philosophical enquiry begins' (72).

It would be tempting to say that for MacIntyre, 'In the beginning was the deed', i.e., that practical agency precedes reflection on practice simply and plainly. The priority given by Aristotle to the notion of regime

implies that all actions occur within the horizon of opinions about the common good, and that these opinions, as expressing principles, are always already amenable to what MacIntyre calls 'theoretical' inquiry. I concur with MacIntyre's suggestion that the broader political, social, and moral situation within which theoretical reflection takes place would be highly valuable for understanding our present predicaments well, but would suggest that imputing a strict separation between practice and theory is mistaken. Practice is already opinion-laden, saturated with opinions about justice. Are not actions taken and reflected upon, questioned and hoped about — taken on the basis of presumptions and opinions, i.e., within a media (so to speak) already saturated with the results of prior and anticipations of future 'theoretical' reflections? As Aristotle himself puts it, 'Every art and every inquiry, and similarly every action as well as choice, is held to aim at some good'. This is to say that practice is always already undertaken with a view to its purpose, a purpose present in the mind's eye. And only because this is already, so is it possible to raise questions about these purposes and then clarify and correct them through more-or-less theoretical argumentation. The reason I draw out this difference with MacIntyre is to suggest that the distinctions which he implies are the result of arbitrary habits of an academic culture which is insular and, in any case, overly or narrowly theoretical, actually have a basis in human life, 'pre-theoretically', as we have learned to say.