

Democracy and Tradition

by Jeffrey Stout. Princeton: Princeton University Press, 2004, 348 pgs.

I.

One premise of Jeffrey Stout's new book on democracy and religion in the United States is that "democracy is nowhere fully realized and everywhere in jeopardy" (p. 15). A few pages later (p. 24), Stout illustrates more adequately what he means by enumerating some blatant deficiencies of American political life. One may discern two categories in his list. The first includes wrong actions, omissions, and attitudes: ignoring the plight of the poor, supporting countless tyrants abroad, failing to prevent or mourn civilian casualties of American militarism, deferring to bosses and elites not held responsible to the people, preferring pecuniary gain and prestige to justice. Stout also lists psychological vices incompatible with democracy: ceasing to trust ourselves as competent initiators of action; retreating into enclaves defined by ethnicity, race, and lifestyle; and otherwise withdrawing from politics into docility, apathy, or despair.

The first group of national sins against democracy seems uncontroversial. No doubt some political conservatives would disagree about the extent and intensity of the moral disgrace we should feel about indifference to economic misery, brutality in American foreign policy, and selfish materialism. Many cultural conservatives would add such phenomena as loss of community cohesion and alienation from communal institutions to the ways contemporary America falls short of democratic practice. However, there is little dispute that Stout's list points to grave evils putting a question mark next to our claims to be members of a decent society. It seems fairly obvious that indifference to misery, to extreme inequality, and to the physical survival of others, is incompatible with any plausible account of democracy.

The deficiencies I called psychological are more ambiguous and morally debatable. Who is the "ourselves" whom we have ceased to trust as initiators of action? Is it "ourselves" as individuals, as members of communities, or as citizens of the United States? What kinds of action do we not trust ourselves to initiate? What degree of association with people who share our background and interests counts as "retreat"? What percentage of the population must be heavily involved in politics, and if one chooses not to be involved, or to discontinue one's involvement, are the only alternatives "docility, apathy, or despair"?

One epigraph to the book is from John Dewey: “Democracy is a form of government only because it is a form of moral and spiritual association.” Stout’s main anxiety is that democracy, as currently practiced, lacks the moral and spiritual dimension. His book has received a great deal of attention among religious readers because his concern about democracy has led him to reexamine the connections between democracy and religion in the United States.

Stout’s unifying subject is to define an ideal of discourse congenial with his conception of civic virtue. We may divide the presentation in three. Two parts are critical in nature, and these have provoked much discussion among people I know. On the one hand, Stout finds the standard liberal approach to the place of religious considerations in public discourse inadequate, in that it marginalizes religious people and their ideas. On the other hand, he devotes three chapters to attacking what he calls the “new traditionalism” associated with influential trends in Christian theology and philosophy. This tendency, in Stout’s opinion, undermines democratic discourse. In the opening and closing sections, Stout offers his own vision of an expressive and individualistic democratic outlook, drawing on the philosophy of Dewey, and inspired by the writings of Emerson and Whitman.

The classic liberal view that Stout criticizes is that of John Rawls in his *Theory of Justice*. Rawls banishes substantive claims about the right and the good from political discourse, because his concept of fairness requires that we reason from behind the “veil of ignorance,” aiming to legislate for society as if one did not know one’s own individual circumstances, including one’s substantive moral and religious commitments. This view, according to Stout, presupposes that political argumentation from universally held premises can accomplish more than it actually does. The consistent application of this approach would likely exclude crucial elements in the reasoning of men like Abraham Lincoln and Martin Luther King from the public arena. While he credits Rawls for his later attempts to modify his position under the impact of these insights—in *Political Liberalism*, for example—Stout recognizes that many religious individuals firmly believe that they ought to base their decisions about fundamental matters of social ethics on their religious convictions, and that Rawls’ qualifications fail to relieve their sense of disenfranchisement from public debate conducted on liberal terms.

Richard Rorty represents a less elegant but more realistic objection to free religious self-expression when he insists that invoking religious convictions is a “conversation stopper.” People who don’t share these premises are simply unable to respond to them, and a religiously divided society cannot proceed to the formulation of policy. In effect, Rorty’s

solution is to censor religious speakers when they enter the public arena. Rorty, like Stout, is an admirer of Dewey. Stout praises Dewey's attempt, in *A Common Faith*, to provide "a spiritual path between the extremes of militant atheism and arrogant traditionalism" (and note that word "spiritual": Dewey wants more than an intellectually adequate position). Yet Stout finds Dewey's solution deficient because his naturalism is too confident, too militant. "Why suppose," he asks, "that naturalism can play the role he envisions for it in public culture when most citizens reject it?" (p. 32).

Stout is troubled not only because variants of these views, frequently taken for granted in elite law schools and other bastions of liberalism, prevent significant segments of society, many of whom are distinguished by moral passion, commitment, and potential creativity, from expressing themselves freely, but also because the antiseptic restrictions, intended to make discourse safe for secular liberalism, run the risk of provoking a backlash that the elites cannot fully imagine, let alone respect.

Stout's solution is to allow religious people their voice. Of course, they will realize that it is often imprudent and tactless to rely on claims that do not appeal to others. For that reason wise religious believers will weigh their words and arguments carefully. This may be less a matter of omitting one's real religious reasons for advocating or opposing policies, a strategy that is both disingenuous and counterproductive (since, in an open society, these reasons are readily discovered by the other side, and concealing them can only intensify its suspicions), than a decision to place factors in the foreground or background of one's thinking. To illustrate with a non-American example: had opponents of Israeli withdrawal from Gaza not been perceived to be arguing from purely theological considerations, but rather primarily on security grounds, coinciding with an additional theological commitment to the idea of settling the land, they might have done better.

Committed religious people have predictably lauded Stout's proposal. Given the present atmosphere in the academic world, one can only hope that it does not come too late to make a difference. And given the nature of American jurisprudence, stiffened by accumulated precedent, in a society where legal pronouncements play such a large role in the political and cultural landscape, one wonders whether we can achieve greater honesty in dealing with questions of religion and the law. Though I am not a strong partisan of Hanuka or Christmas displays on public property, for instance, I am dismayed when those who support them are forced to justify their position legally by pretending that their goal is merely promoting a secular seasonal observance.

The backlash that Stout fears is more than hypothetical, and it has found intellectual expression in the work of John Milbank, Alasdair MacIntyre, and Stanley Hauerwas. Milbank, an Anglican theologian steeped in the Continental philosophical tradition, has mounted a critique of modern secular political and social thought from the perspective of medieval Christian prenominalism. Fifteen years ago his *Theology and Social Theory: Beyond Secular Reason* inaugurated the school of “radical orthodoxy.” Milbank uncovers many ways in which modern thought (beginning after Aquinas with medieval nominalism) draws on, and, in his opinion, distorts, the authentic Neoplatonist-tinged Christian philosophy. His practical positions are close to those of MacIntyre and Hauerwas, who address the contemporary situation more directly, and Stout has more to say about the latter.

MacIntyre, after several transformations, is now a Roman Catholic and champion of Aquinas. *After Virtue* (1981) exercised enormous influence on the revival of virtue ethics in American culture and philosophy. Hauerwas, who was MacIntyre’s collaborator and his colleague at Duke for some years, is a powerful voice for virtue ethics in moral theology. He was raised as a Methodist, and his varied and colorful productivity includes books like *Resident Aliens*, subtitled *Life in the Christian Colony: A Provocative Christian Assessment of Culture and Ministry for People Who Know That Something Is Wrong*.

His critique of secular society is noteworthy for its advocacy of pacifism on theological grounds. All three religious thinkers highlight the gap between Christianity, as they see it, and the regulation culture of moral and religious compromise that dominates the secular arena. In order to flourish in a society so distant from the norm, Hauerwas and MacIntyre explicitly advocate shifting moral concentration from the nation to the community. The virtues to be cultivated are not mainly those of the citizen participating in the state but those of the neighbor.

Stout makes mostly standard criticisms of MacIntyre. These range from the accusation that he is unfair to liberalism by identifying it with every distasteful feature of society and failing to allow that liberals may aspire to thick moral evaluations, to the imputation that his traditional society is overly restrictive in its understanding of human flourishing.

The discussion of Hauerwas is intriguing, given the academy’s tendency to ignore theologians. Stout cannot deny that Hauerwas has engaged many of the issues of public morality that concern him, notably the dignity of disabled people, medical ethics, and virtue ethics. He repeatedly seems more upset by Hauerwas’ rhetoric, his “one-sided” and “uncharitable” rejection of liberal society, and his “excessive pride in the visible church as a virtuous community” (p. 156) than by the substance of his

views, insofar as Hauerwas seems to have anticipated and disarmed some of them. Thus, Stout works hard to explain where Hauerwas' thought breaks down intellectually. For example, he argues that Hauerwas' celebration of the social practices of the church as herald of the kingdom of God deviates from Barth's approach, which scrupulously avoids equating any natural institution with the church, in the theological sense.

At times the analysis becomes overly clever. He unearths a conflict between MacIntyre's diagnosis of contemporary malaise, which emerges from the early modern abandonment of proper social practices, and the Mennonite John Howard Yoder, an important influence on Hauerwas, who castigates Constantinianism (meaning the diversion of the church from its peaceful mission to the running of governments). How can Hauerwas combine these two narratives? Offhand there is nothing puzzling here: both developments may be unhealthy, just as there is no contradiction between diabetes and cancer.

II.

Much can be gained by debating Stout's detailed readings of these writers and from many other stimulating analyses, including his assessment of the tension between Afro-American integrationist and separatist schools; his reflections on a possible dialogue between Paine and Burke; his efforts toward a theory of communication and truth drawing on philosophers like the logician David Lewis and Robert Brandom, whose approach to language combines analytic training with Continental interests; and his critique of the Christian analytic philosopher Robert Adams' theory of fundamental moral concepts. However, the positive contribution of the book is bound up with the alternative Stout offers to the "new traditionalists," to Milbank, MacIntyre, and Hauerwas and to less frequently mentioned figures like Father Richard Neuhaus.

Repeatedly I have asked myself the question so useful to understanding political theory: What is Stout most afraid of? I opened the review with Stout's list of American democracy's obvious shortcomings. Surely democratic citizens don't expect to get their way on every controversial issue. Yet, protests Stout, "there are times when anyone with a conscience will be hard-pressed to say why one ought to identify with a nation willing to adopt a policy inconsistent with what seems patently right and true" (p. 298). Stout admits that he is tempted to extricate himself from responsibility for capital punishment and excessive use of military force, and that others have their own list of intolerable evils. What gives a political entity genuine social coherence, a robust sense of community sufficiently strong to withstand these frustrations and alienations?

For Stout, borrowing from Hegel, the community is constituted by rationality, by giving reasons to others and demanding reasons of them. Even if the polity acts contrary to “what seems patently right and true,” we continue to identify with it because of this shared gesture of rational recognition. This is why he gives so much significance to the conduct of public discourse; this is why he is so anxious about religious people opting out of such dialogue in apathy or despair.

So what is Stout afraid of? If his philosophy is primarily an attempt to overcome the centrifugal, anarchic force of individual conscience, to reconcile us to not getting our way about important matters, like war and peace and injustice and abortion and the nature of the family, is it necessary or sufficient to do the job?

Sometimes, I believe, he is right. There are matters of importance, inherently more important to us than democratic procedure, where nonetheless the operations of democratic discussion do reconcile us to bad outcomes. Partly this is because we can reasonably hope that by continuing to make our case, we can rectify or at least alleviate what we object to. But this is also the case even when we cannot realistically expect relief in the foreseeable future. I regard it as a grave injustice, for example, that the secular school system in the United States is funded by our taxes, while yeshiva education (which includes teaching the state-mandated subjects) is entirely dependent on private tuition, with the result that families of limited means, if unable or unwilling to sacrifice economically, are effectively barred from introducing their children to active participation in Orthodox Judaism. That the community can live with this situation is due partly to upper-middle-class complacency, partly to the realization that settling for a lower-class lifestyle may not be a disaster, or that the yeshiva tuition problem (also known as “Jewish birth control”) can be avoided by emigrating to Israel. Yet our conscience is also salved, though it does nothing to remove the injustice, insofar as we express our views and understand why they do not currently prevail. I suspect that similar considerations help to assuage the moral revulsion felt by moderate opponents of current abortion policy (whether they deem it too liberal or too restrictive).

Overall, however, it seems to me that the exchange of reasons is not the main factor in maintaining social stability amid serious moral controversy, nor do I believe that the habit of participating in the exchange of reasons is the most important virtue essential to democratic society—that is, if the great danger is that of society breaking under the weight of its disagreements.

At a practical level, Stout is pleased that American society in his lifetime has succeeded in making progress on a variety of fronts—for

example, civil rights—with relatively little bloodshed. As revolutions go, the 1960s were nonviolent. The 1860s and their aftermath, by contrast, were as gory as you can get. Did the quality of public rational discourse improve in the intervening century, or had literal civil war become unthinkable for other reasons? Centralized power denied opponents of civil rights the option of full-scale insurrection. Frankly, few citizens of the United States found such a struggle appetizing. They had too much to lose. Comfort often, though not always, calms belligerent passions. People feel loyalty to a state that presides over success. This has little to do with the exchange of reasons.

Put it less materialistically. Ask an American rabbi why one should not only comply with the duties of citizenship, but also actively seek the “welfare of the city” (Jeremiah 29). The most common answer is gratitude. America has been good to the Jews. Translated into the language of our discussion: We religious Jews are committed to a certain way of life, and that is more important to us than theories of democracy. The practice of democracy as we know it falls short of fostering the kind of community we want and pray for, but it does enable us to accomplish a great deal of what we consider essential. We are accordingly thankful; the democratic polity deserves our support. From this perspective, we abide what is “patently contrary to what is right and true,” not because we participated in public debate, but because we are able nevertheless to pursue lives that are, for the most part, sufficiently hospitable to what we regard as right and true.

From this point of view, Stout, like Rawls, continues to misread traditionalist cooperation in democratic life. He looks to a particular concept of rationality to confer the legitimacy that, for many or most people, depends on satisfaction with the concrete conditions of life.

There is another answer to the question of what Stout fears. Not that intemperate conscience will overwhelm civility, but that conformity will wear down conscience. He is, after all, an Emersonian. He may also fear that ruling classes not required to respond to demands for reasons may get away with too much. In this light, the procedure of democratic exchange of reasons counteracts docility and apathy. At times Stout recognizes that a nation of immigrants like the United States, many of whom came here to escape certain aspects of social conformism, is well suited to democracy. One even wonders why Stout judges democracy to be “everywhere in jeopardy,” by his own account: is the onslaught of the “new traditionalists” truly so menacing? If we give priority to this strand in Stout’s thinking, his reliance on a model of rational discourse makes more sense. If, instead, we fear anarchy more than conformity, then Stout’s proposals offer less assurance.

What character traits are essential to democratic living? If our primary fear is that conformity and docility undermine self-government, then Stout's expressive individualism, steeped in Emerson and Whitman, is an appropriate ideal. Concern about the threat to democracy from militant moral self-confidence might entail a different democratic character ideal. Politics, in a pluralistic democracy, is very much the art of achieving compromise. The moral politician must stand vigorously for his own position and yet help make it possible for those who repose their trust in him to tolerate the other side.

Articulating reasons well, both one's own and others', is not without value here. What may be more crucial, however, is the ability to grasp not only reasons but also desires. Whether satisfaction of a desire (even a morally motivated desire) can be relinquished or not, and the shape of possible compromise, does not always correspond to the lucidity of the reasons that justify it. The moral politician has convictions, but he or she also knows his red lines, those of his partisans, and those of his adversaries. The resolution he successfully negotiates may ultimately rest on tacit understandings and psychological insights rather than clear argumentation. The skills brought to bear on these tasks often resemble those deployed within the family or the intimate community, though the political leader is dealing with a more diverse and unfamiliar set of interlocutors and issues. Nonleaders may not be engaged in such activity themselves, but they too must exercise specific virtues—steadfastness in their convictions, together with a willingness to allow and encourage flexibility on the part of their representatives.

In a chapter titled "Between Example and Doctrine," Stout takes up the idea, popular among virtue ethicists, that thick, concrete examples of good character are more valuable in grasping moral truth than abstract propositions. He criticizes Hauerwas, with whom he shares this attitude, for favoring examples of moral excellence that reflect specific Christian "perfectionistic" ideals of sanctity. In Stout's opinion, such paradigms of saintliness are liable to inspire subservience, where Emerson and Whitman would encourage self-reliance. Considerations of space prevent us from assessing whether this is fair to Christianity, or to Judaism. There is, however, one sense in which the culture of example in much traditional religion—and I speak most directly about the Judaism I practice—is antidemocratic, albeit in a correctable manner.

I allude to the fact that most tales of leadership held up for admiration and implicit emulation present the heroes as resisting evil and forswearing all compromise with it. Role models who prudently seek to make the best of difficult circumstances are less frequent. Hence, we naturally perceive stubbornness, defiance, and maximalism as heroic, while the skills

of democratic compromise are always somewhat redolent of enervation. A figure like R. Yohanan b. Zakai, who surrendered to Rome before the destruction of the Temple, in order to preserve the rabbinic academy, is the exception that proves the rule. Often (and this may not be an irrational tactic at all) we trust the author of a compromise only because the sincerity of his commitment is underwritten by a distinguished record of past militancy.

If being prepared not to get one's way, even on important moral issues, is the mark of the democratic character, educators must beware a one-sided celebration of uncompromising acts and perpetually combative personalities. It is ironic, but apt in view of his overriding fear of conformity, that Stout's literary luminaries are Emerson and Whitman, hardly models of negotiation and compromise. It is likewise fitting that Hauerwas, for his part, has written appreciatively of Anthony Trollope, whose most admirable characters embody moral courage in the guise of gentlemanly civility. We may only have begun to investigate the kind of virtues needed to make our society safe for democracy.

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