

BOOK REVIEW

Memorandum

Arthur Allen Leff*

KNOWLEDGE AND POLITICS. By Roberto Mangabeira Unger.
New York: The Free Press. 1975. ix + 336 pages. \$12.95.

TO: Roberto Mangabeira Unger, Professor of Law, etc.

FROM: The Devil, etc.

RE: Your *Knowledge and Politics*

Yes, yes, I know your book ends "Speak, God," and that I, therefore, am the very antithesis of Him whose reply you so sincerely sought. But after all, a good part of the book is written, if not to me, at least against me. And *Knowledge and Politics*, despite the meagreness of mortal or divine response thus far, is a very important book, certainly meriting a little diabolical commentary. So hear me, pending Him.

It was, indeed, the fact that you ended your work with prayer that first attracted my attention. I am something of a connoisseur of these attempts by scholarly humans to find and describe some meaning in their personal and species existence, and when nonironic divine address comes out of Langdell Hall these days, attention must be paid. Oh, it is easy enough for "sophisticated" people to make fun of that "Speak, God." At least one Harvard philosopher, I am told, has put it about that he will begin *his* next work "Hello? Roberto?" But if *Knowledge and Politics* makes anything clear, it is that you, Professor Unger, are neither a crank nor a fool. You make no vulgar enthusiast's easy leap to conversation with the Almighty; to the contrary, it is the scratching of your clawing fingers as you try to keep from being dragged to that final pass which does most to ennoble and disfigure the latter half of your book. And as for intelligence, you appear at least as smart as I or any other hypercritical *lecteur* and, except perhaps for a few of the most extraordinary among us, considerably more learned to boot.

That, in fact, is what is most interesting about your essay. You have written a book on ethics and politics—on how people act and ought to act, alone and together. You are awesomely familiar with the history of man and his thought on these matters. You are capable of brilliant synthetic thought. And yet you go from "total criticism" of what is, through total

*B.A. 1956, Amherst College; LL.B. 1959, Harvard University; Professor of Law, Yale Law School.

twaddle about what ought to be, only to end in total despair about any man's power, unassisted by divine intervention, to solve the problems you so brilliantly perceive and describe. Given who you are and what you know, it makes one think that there may be something involved that is just not humanly solvable. That, at any rate, is my opinion, and maybe I can convince you. It could be in both our interests, though perhaps in His too.

The problem that lies at the heart of your *Knowledge and Politics*, and must lie at the heart of any book on human action deserving more than cursory attention, is this: How does one tell, and tell about, the difference between right and wrong? Why ought one—a person or a society—do any particular thing rather than any other? How can one ground any statement in the form "It is right to do X" in anything firmer than the quicksand of bare reiterated assertion? As intellectual puzzles go, this one is a lulu, and it is thoroughly to your credit that you do not fudge it with some "let us assume" or "who could doubt." Indeed, it is not much to your discredit that your efforts to deal with it so spectacularly abort, for no one else has come up with a satisfactory solution, from the beginning of the world to the date hereof.

At this point, however, before going on to describe the trajectory of your particular defeat, I must apologize to you. This central problem is not the only one you address in your book. Better than half of it, and the better better-than-half at that, is devoted to an absolutely lovely piece of synthesizing diagnosis of the reigning disease in human self- and world-conception. Indeed, it seems to me that few people, if any (and those mostly living in absurd places like Frankfurt and Budapest), have seen or described as creatively and accurately all the necessary interconnections among human misperceptions of themselves, their societies and their universe, especially the devastating "antinomies" of modern human thought—those basic positions about reality that are simultaneously necessary and contradictory. I would do that part of your book wrong, it being so magisterial, to offer it the show of summary, but if you will accept a salute from such as me, accept mine.

All right, that being said, let's get on to the stuff that interests me. How *does* one know what one ought to do? I assume that between us we needn't worry the matter too long. We've both been through this arid dig many times; let us just tell our shards. After all, to the question "Why is it right to do X?" there have always been a severely limited number of credible modes of reply. Today there appear to be even fewer, and all of them are ridiculous.

In fairness, some of the most popular attempts are not designed to answer the "why" question at all, albeit some people are not up to noticing

the fact. For instance, "It is right to do *X* because if you don't do *X* you won't get to *Y*" is obviously a nonstarter in the great normative-grounding race. For every sensible person knows that the next question is "And what's so marvelous about *Y*?" It is obviously not going to help matters much to introduce at that point some *Z* for the attainment of which *Y* is a precondition. The last term in any such series, no matter how far along, still must be grounded in something other than assertion, but how to find that blessed state was the very problem that started off the whole game.

Another very common mode of moral discourse that shows up when "why *X*" is asked—indeed, a kind that comprises much of modern ethical writing—is likewise useless for normative grounding, though for rather a different reason. That move goes something like this: "It is right to do *X* because not doing *X* would be inconsistent with doing *Y*, which you believe it is right to do." In other words, if you do not do *X* you will be acting illogically, irrationally, perhaps incoherently. But even leaving aside the point that *Y* is still not grounded, illogic, irrationality and incoherence are not *evil*, unless one declares them so, presumably in the normal fashion, by assertion. That the progression $A > B, B > C, C > A$ is (assuming transitivity) pretty lousy logic does not establish that it is immoral. Nor is it necessarily an *ethical* error to say "One should act under a universal law applicable to all mankind except Herman Shwlb," even though (assuming class homogeneity), as rational propositions go, that one is no gem. Briefly, intellectual coherence is intellectual coherence; it becomes something else—right, good, noble—only if so stipulated.

Well, what else is there around in the way of ethical argument these days? Naturally there is, as there has always been, that greatest of all favorites, "It is right to do *X* because it is right to do *X*." When (as I often do) I press people discussing ethics, I eventually get that response from almost everyone. This frequency is, I think, a partial function of the fact that the reply can mean several different things. On the surface, of course, it is merely an explicit definitional move, translatable, perhaps, as "Let us take it that it is right to do *X* and go on from there." That's fair enough, but it hardly insulates an *X* against questioning. After all, "It is right to do *X* because it is right to do *X*" allows one to justify anything, merely by mentioning it twice in the same sentence.

The second meaning of "It is right to do *X* because it is right to do *X*" can be translated as "It just is, you silly twit." That approach itself has several submeanings. It is often equivalent to "Well, if you're going to be *that* way, I'm going to take my ball and go home; it's no fun playing with you." True enough, in fact, but irrelevant to the issue. But it may also be an assertion that right, good, etc. are, to use your neat formulation, "at

least as intelligible as facts . . . [T]hings that exist in the world, like triangles, if not like tables."¹ It is a way of asserting that there are *objective* values, "standards and goals of conduct that exist independently of human choice."² As we both recognize, however, that particular idea won't wash either. It is not just that these objective goods and bads need perceiving, which turns their nature and existence into a question of human opinion anyway. More important, it converts mere being into value to say that something that *is* someplace in the universe is therefore "good." There may be, as we shall see, inexorable universal laws governing the conduct of the world and mankind, but neither necessity nor universality amounts to anything else; what *must* be, even if it must be for *everyone*, is "good" only if some evaluator so sets things up by defining "the good" to be "that which must be for everyone."

Nor is the "X is right" move any more persuasive when turned inside out, as it often is, to take the form "It is right to do X because if you don't do X the species will disappear." The survival of the species is a possibility, which is a kind of fact, but it is not a good unless the species says so. Unless people are somehow in a longevity contest with, say, dinosaurs or flatworms, which it is their *moral* duty to win, even species survival is not an ethical act. Once again, what is just is; it gains no oughtness from existence. Even the Ontological Proof, after all, seeks only to prove God's existence from His goodness, not the other way around.

If, then, one cannot stomach some state of affairs as "the good," one must shift focus from that which is evaluated to some evaluator. Leaving God out of this for the moment (as you yourself did until the very end), and assuming that men don't give much mind to the opinions, if any, of other species, that leaves only one last form of answer to "Why X?": "It is right to do X because P believes so" (where P = some person or group of persons).

Now, there are a huge number of varieties of this ethical move. There is the "P = I" variation, a sort of radical individualistic intuitionism in which the good becomes what the speaker thinks it is. There is the "P = the best among us" version, a rather question-begging form with an Aristotelian flavor, often showing up as something like "the serious and reflective man on the Clapham omnibus." There are the "P = our culture (*volk*) (nation)" forms, which lead to distinctive political manifestations. But the most common expression of this strategy, indeed the one that forms the skeleton of your own approach, has it that "P = everyone."

So let us talk about that most inclusive move. And let me not play any games with it. By "everyone" I mean *everyone*; there is no person on earth

1. P. 77.

2. P. 76.

who disagrees. Moreover, I will stipulate that there is no problem of self-knowledge or insincerity or anything of that sort. Whatever right-determining human faculty exists, it has indeed gone “bong” for every person on earth with respect to the rightness of matter X, and this is not just abstract concurrence but a deep concern upon which everyone would—indeed does—act. Fine.

But why is it right to do what everyone believes it is right to do? Even if it were somehow discovered that mankind were so constructed that it was “human nature” to believe it was right to do a particular X, would that tell us anything more than any other universal fact, this time anthropological or psychological rather than physical? As usual, one could stipulate the evaluation. One could say that that’s what “right” means. One could say that a particular existing state of affairs, in this case “human nature,” is the good and go on from there. Indeed, that is pretty much what you did. But it is extremely instructive, I think, how much you hated your move after you made it, how desperately you sought to undo what you had been driven to.

There is no doubt, of course, that your first move *was* to equate the good with “human nature:”

Evaluation and description meet at the point at which one defines human nature. There is perhaps nothing to say to a man who would like to be a centaur. Moral discourse always presupposes the acceptance of humanity and the authority of the striving to be and to become ever more fully human.³

Such a view of community makes a number of crucial assumptions. . . . The first assumption is that there is a unitary human nature, though one that changes and develops in history. The second premise is that this human nature constitutes the final basis of moral judgment in the absence of objective values and in the silence of revelation. The third assumption is that there might be certain political conditions under which an ever more inclusive sharing of ends in space and time would carry weight as an indication of the nature of man.⁴

[O]utside revelation or objective value, the strivings that inhere in the nature of humanity seem to be the sole basis of moral judgment. To achieve the good is to become ever more perfectly what, as a human being, one is.⁵

To your enormous credit, then, you make even this critical first move with limpid clarity, again avoiding all the grotesque shiftiness of so many other writers, with their “who could doubt” and “would it not be absurd to propose” and similar evasions. But having opted for “mankind is the good,” you just couldn’t stand it. It is not hard to see why. For if human nature were to be the good, then there was nothing for you or anyone else to

3. P. 196.

4. P. 221.

5. P. 227.

do to change it in any way. Indeed, even as a matter of scientific curiosity, there wouldn't be much call to find out what human nature was, for whatever it turned out to be would be what it ought to be. Now that *is* a loathsome idea. Under its reign, a man like you, rightly appalled at the world, would have no role at all.

That was too dreadful a possibility. So you made an obvious next move, which was pretty clearly prefigured in those central affirmations that I quoted above. The good was not what people were now but what they were becoming or could become "ever more perfectly,"⁶ "ever more fully."⁷ But that is obviously not going to do the trick either. If goodness is being, why should one being be any better than any other being? Surely you would not *morally* rank different species: flatworms, say, down low for greediness, nematodes higher for agreeable cheerfulness. But if not, how can any *single* species be deemed to have become "better" than it was or might have been just because it became something different? Even if human nature is not immutable, and that's a pretty defensible position, on what *scale* does one rate the mutations? Certainly not mere temporal succession; "newer" is hardly a synonym for "better". As far as choosing one state of human nature over any other, then, you are as paralyzed as ever. There is not even any *moral* justification for speeding up the inevitable if it's just to hurry a progression from Being 1 to Being 2, both by definition "good."

Next move: the good consists of *authentic* human nature; human nature is in a reflexive relationship to the rest of nature and to society; only under the right conditions can "true" human nature develop and disclose itself. Hence, one must work to create those conditions necessary to the creation and discovery of the good. Or, as you put it:

We can only learn what men are by observing what they say and do; the study of choice is an unavoidable gateway to the understanding of the self. But it is not enough.

. . . .

To avoid the recurring failure of the search for universal ends without falling back into the dilemma of objective and subjective value, a shift of focus is needed. Instead of asking what people want, we should ask first under what conditions their choices might inform us more fully about what is distinctive to each of them and to mankind as a whole.⁸

That is, the job of a reformist is to clear away any epistemological hindrances. Whatever finally appears in the absence of those distorting barriers will then be the good. Or, to put it another way, only what *really* is is really good.

6. *Id.*

7. P. 196.

8. P. 242.

Professor Unger, I am rather a student of *mauvaise foi* in these arguments, and this is *your* big moment. For there is not a chance that any old human nature would be accepted by you as “the good,” however “authenticating” the social conditions under which it was disclosed. You make that too ostentatiously clear. First of all, you as much as say so: “The idea of the good set forth in these pages rests upon the belief in a correspondence between being and goodness. This belief is neither arbitrary nor capable of conclusive proof. To accept it and act upon it is to run a serious risk.”⁹ And later on the same page: “This intimation [that being and goodness are tied together] could, however, be disappointed.”¹⁰ But being and goodness *must* be tied together. The “correspondence” between the two runs no risk at all. Having barred yourself from all other possibilities, you *defined* human nature (albeit expressed under certain special conditions) as the good. *Whatever* that human nature turns out to be has to be the good, for the good has, under your declared scheme, no independent content such that one could say, “Well, that’s human nature all right, but boy is it rotten.” I mean, let us say that your special conditions for the development and discovery of “human nature” were made to obtain, and one discovered that it was part of the nature of humans frequently to enslave each other and occasionally to drop flaming napalm on newborn babes. Would that mean that it had been discovered that there was no “correspondence between being and goodness?”

If that is what you do mean, then you are smuggling in criteria of “goodness” that human nature will have to satisfy rather than embody. But where do you get those criteria, if not from the “being” (under particular conditions) of human nature itself? You can’t have it both ways, that the good *is* human nature but only so long as human nature comes up to snuff. Surely, if there is “nothing to say to a man who would like to be a centaur,”¹¹ there is even less to say to one who insists that people be angels, or even just that they not dominate and exploit each other.

So it’s clear enough from the beginning that you’re willing to cheat on your stated acceptance of man as the measure of goodness. It becomes considerably clearer, however, when one contemplates just what that special situation, the one under which true humanity might blossom, turns out to be. You express it in some detail in your chapter on “Organic Groups”¹² and tie it elegantly to your first-half “total critique” of liberal thought. Still, it would not be unfair to summarize the prime—perhaps sole—requisite as this: the absence of “domination” in society.

9. P. 248.

10. *Id.*

11. P. 196.

12. Pp. 236-95.

[T]he traditional manner of listing common ends [fails because] it pays no heed to the way values are determined by society. More particularly, it disregards the corrupting effects of domination on the capacity of shared purposes to show human nature and therefore to measure the good.¹³

Because of the fact of domination, moral agreement is often little more than a testimonial to the allocation of power in the group. For moral union to be representative of the species nature, it must arise from conditions of autonomy. In a slave-owning society, the slaves themselves may well be convinced of the goodness of slavery.¹⁴

And finally:

Whatever does not arise from domination is human nature; domination is the one form of social relations in which men's conduct fails to express their being.¹⁵

Very good, Professor Unger. As you know, I too have strong feelings about domination, upon which indeed I have acted to my infinite detriment. But for all of the liberal, even revolutionary, loveliness of any *non serviam*, even I can ask, and of even the most obvious kinds, like slavery: "What's wrong with domination?" For as far as I can tell from your book, what's wrong with it is that it is bad; that is, you don't like it. Oh, of course you do talk about domination in epistemological terms; to you it's "the one form of social relations in which men's conduct fails to express their being."¹⁶ But that's either a circular statement or a false one.

That is, if *anything* that prevents men's conduct from expressing their being is "domination," then I can't quarrel with you; all definitions are permitted to the definer so long as clearly enough made. But you must concede that that particular understanding of your word "domination" is not very helpful as a guide for action. All it does is give one the option of dismissing human behavior when it shows itself unlovable, alleging the existence of "domination" as the otherwise indescribable metal messing up the moral compass.

But more than that, how can you know that domination in human relations, whatever it is, is not as "authentic" as any other product of human nature? Certainly you would not speak thus of any other species. Ants keep slaves; is that propensity not part of the nature of both the dominators and dominated? Wolves have intricate domination ceremonies; are wolves thus unwolflike? Big oak trees dominate, even unto extinction, littler ones; is it somehow a misperception of the oaken nature to see it thus? I am not being facetious. Your own approach demands that you accept actual or potential human nature, and not your own private

13. P. 242.

14. P. 243.

15. P. 247.

16. *Id.*

vision of what it ought to be, as the good. There is no social (or ecological) setting for human nature a priori more “natural,” more “authentic,” more conducive to discovery of “essential” humanity, than any other. A man in love is no more or less “genuinely” what he is than in hate, or in slavery, or in some more pallid bureaucratic relationship—*unless you so declare it*.

And you know it too, don't you? Or at any rate I found almost moving that moment in your book when, realizing where you were, you recoiled:

Shared values carry weight only in the measure to which they are not simply products of dominance. Yet domination and autonomy have no self-evident meaning. To be dominated by another is to be subject to his unjustified power. Thus, to define domination one must be able to distinguish the justified and the unjustified forms of power, and to trace the true limits of autonomy. This requires judgments that have to rely to a greater or lesser extent on our established moral intuitions and practices.¹⁷

That does kind of blow it, doesn't it? If you are going to have intuitions about what kind of power is “justified,” why not just skip this whole in-aid-of-epistemology charade and just have intuitions about what “good” human nature, or goodness itself, might be? After all, that is what you end up doing anyway. When you answer a hypothetical critic who raises the possibility that “the very passion to dominate constitutes a permanent spring of human conduct” and therefore “that the idea of discovering human nature by taming domination hides a paradox,”¹⁸ you hardly respond with the very model of fair argument. By putting the word “permanent” into your critic's mouth you get a chance to accuse him of being dumb enough “to reify human nature as an eternal essence.”¹⁹ But that “permanent” is totally unnecessary to his criticism. All the critic must say is that human nature *with* domination is human nature, and human nature *without* domination is human nature too. They are different, of course, and may even be sequential, but they are not rankable, in terms of either goodness or “authenticity.” Unless, of course, you *choose* to rank them ethically. But that demands this: “Domination is bad, even if it is ‘human nature.’ ”

Well, well, let me not be cruel. I know at least as well as you what total separation from Him can lead to in the way of self-deception and bad lines. I tried to replace God with myself, and you tried, as He appeared unwilling to come again, to put your faith in some laughable Second Coming of Man. No hope. As long as you wanted simultaneously to make something in the world—mankind—into the good and still reserve the right to judge its goodness, you were doomed. You were trapped in what, to save time, I might call a Gödel problem: how to validate the premises of a system from

17. P. 243.

18. P. 246.

19. *Id.*

within itself. "Good," "right" and words like that are evaluations. For evaluations you need an evaluator. Either whatever the evaluator says is good *is* good, or you must find some superior place to stand to evaluate the evaluator. But there is no such place in the world to stand. From the world, only a man can evaluate a man, and unless some arbitrary standards are slipped into the game, all men, at this, are equal.

Or to put it another way, one more congenial, I think, to both of us, by dispensing with God we did more than just free ourselves of some intellectual anachronism. We also dispensed with the only intellectually respectable answer to the ultimate "Why is it right to do X?" It was not so very long ago that most people (and I, too) could and did answer: "It is right to do X because God says so." That answer was at least intelligible, the only one that did not depend upon mere sublunary assertion, the only one that even if it too involved the transformation of fact into value, was not for that reason insufficient. For assuming that God existed, and had commands, it was *He* who was evaluating *our* actions. He was not part of our evaluation system, nor were his evaluations subject, or even amenable, to our evaluations of *them*.

That does not mean, of course, that God exists, or existing, bothers to evaluate your activities. He may not, literally or figuratively, give a damn. It is just that if He does exist (whether or not He cares), as an *intellectual* matter your problem of normative grounding would be solved. No more would ethical imperatives consist merely of human beliefs, intuited in privacy, perhaps validated by wide sharing or whatever, but just mortal opinions nonetheless. A belief in God and His will would solve the Gödel problem and would avoid the necessary defeat visited on any attempt to validate a system from within itself.

There are, Professor Unger, not very many possibilities. In fact, there are, I think, just two. The first is that mankind is a species that doesn't *mean* anything at all, except to itself. There is no evaluator out there. If the species is or becomes one thing or another, or ceases to exist altogether, nothing else cares—except perhaps some other species which, mostly with joy, might register the ecological impact of man's extinction. You are what you are, and will become what you will become, and the goodness or badness of that being and becoming is for you, and you alone, to define and declare. No state of being is more authentic than any other or, just because it exists, any better. Oh, it's not so awful. If being isn't meaning, and it isn't, meaninglessness isn't nonbeing either. You and the species get to live. It's just that you have to shape your living, and its meaning, all alone.

The second possibility is that God exists, and still cares. My own opinion is that the Hand that holds you suspended over my fiery pit doesn't abhor you, but has forgotten completely that It has anything in It. But

God may still care, and, if that is so, you have but one epistemological problem, to learn the will of God. If there is no God, everything is permitted; if there is a God, it's even more terrifying, because then some things are not permitted, and men have got to find out which are which. Since He has the right and power to evaluate you, but no duty to do so, you are bravely right: you must pray.

But while you try to live as best you can until His revelation, perhaps you will accept some practical advice from me. Look around you at your species, throughout time and all over the world, and see what men seem to be like. Okay? Now take this hint from what you have seen: If He exists, Me too.