GRAY'S VALUE-PLURALISM: A CRITICAL ANALYSIS

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ABSTRACT

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In this study, John Gray's theory of value-pluralism is critically analyzed. Gray's modus vivendi, based on Isaiah Berlin's criticism of monism, is a theory that aims to create the conditions in which peace and diversity in late-modern societies can be protected. Gray argues that a legally pluralistic system where collectives have autonomy is more serving to peace than its liberal alternatives. This study argues that Gray fails to achieve its goal of promoting diversity. This is due to the fact that Gray's theory does not recognize 'personal autonomy' and 'right of exit' as standards for a legitimate regime. It is argued in this study that without 'personal autonomy' and 'right of exit', legally pluralist systems curb the conditions that makes diversity possible and thereby work at the expense of diversity rather than for diversity.

Keywords: value-pluralism, monism, modus vivendi, personal autonomy, identity

ÖZ

GRAY'İN DEĞER-ÇOĞULCULUĞU: ELEŞTİREL BİR ANALİZ

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Bu çalışmada, John Gray'in değer-çoğulculuğu kuramı eleştirel olarak analiz edilmektedir. Isaiah Berlin'in monizm eleştirisi üzerine temellenen Gray'in modus vivendi'si, modern toplumlarda barışın ve çeşitliliğin korunabileceği koşulların oluşturulmasını amaçlayan bir kuramdır. Gray, toplulukların özerkliği olan, yasal çoğulculuğu benimsemiş bir sistemin barışa, liberal alternatiflerine oranla daha çok hizmet ettiğini iddia etmektedir. Bu çalışma Gray'in çeşitliliği teşvik etme amacına ulaşamadığını iddia etmektedir. Bunun sebebi, Gray'in kuramında 'kişisel otonomi' ve 'ayrılma hakkı'nın meşru bir sistemin standartları olarak tanınmamasıdır. Bu çalışmada, 'kişisel otonomi' ve 'ayrılma hakkı' olmadan, yasal çoğulculuğu benimsemiş sistemlerin çeşitliliğin ortaya çıkmasına olanak sağlayan koşulları engellediği ve böylece çeşitlilik için değil, çeşitliliğe karşı işlediği iddia edilmektedir.

Anahtar Kelimeler: değer-çoğulculuğu, monizm, modus vivendi, kişisel otonomi, kimlik

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CHAPTER I

INTRODUCTION

Liberalism is enjoying a privileged position in our contemporary world. Many different cultures, peoples of different religions and histories are slowly gathering under the overarching principles of this political outlook and accepting its basic premises –a trend that most think will/should continue. Since the beginning of modernity, liberalism has dominated the realms of politics, political theory and ethics. It has become impossible to engage in political philosophy without ever either engaging liberalism, directly, or one of its central tenants, indirectly. In that respect, liberalism has acquired a status in political philosophy similar to Kant's status in modern philosophy: one can engage in political philosophy against liberalism or for liberalism, but one can not do political philosophy without liberalism. A whole collection of thinkers ranging from Marxists to Romantics, from Conservatives to Postmodernists have all felt the irrepressible urge to deal with liberalism by questioning and criticizing its central presuppositions. At the same time, its defenders have mended liberalism's shortcomings, and recast its basic premises into new forms in an effort to engage emerging problems.

In the last 20 years, liberalism's domination has reached a new level. With the collapse of the Soviet Union and the end of Cold War, many concluded that the strongest and most challenging criticism of liberalism was defeated in practice and the way for the global consolidation of liberal values was wide-open. Fukuyama's neo-Hegelian thesis of the 'end of history' was the articulation of the widespread conviction shared by many western intellectuals at the beginning of the 90s. It was assumed that liberalism had successfully defeated, since the beginning of the 20th century, all of the challenges thrown at it:

'absolutism', 'bolshevism then fascism' and finally 'an updated Marxism'.[1] During this period of euphoria, it was conceived that it was only a matter of time that the institutions of western liberal democracies would be accepted through out the world as the most viable mode of government since all the systematic alternatives to liberalism and the institutions it imposed were proven to be insufficient in responding to human needs. However, the conflicts that followed the end of cold war disproved these expectations to a large extent.

While the above ideas were being defended by liberal thinkers, conflicts that stemmed mainly from very traditional motivations erupted. The dissolution of the Soviet Union started many new ethnic and religious conflicts, while some of the old ones that were frozen under Soviet rule were reheated and took their place on the history stage. These developments and the rising religious fundamentalism were quick to prove "the naivety of those who were quick to proclaim the worldwide triumph of *pax libertas* as soon as the cold war ended."[2]

However, Fukuyama and others, who have emphasized the power of globalization, have made an observation that proved to be correct. The effects of the development of information technologies since the 70s and the accelerating speed of globalization have made the world a smaller place, and this has helped western 'consumerist culture' penetrate into traditionally out-of-reach markets. Through the use of the development in communication technologies and new open markets, liberalism as a way of life has found its way into the farthest corners of the world.

In addition to the economic domination, liberalism has advanced its cause through supranational organizations. With the developments regarding the consolidation of human rights in international law –a trend that started at the beginning of 20th century and accelerated with the end of WWII- and the constitution of permanent supranational authorities responsible for protecting these rights, the institutional structure necessary for the protection of the privileged position liberal ideals enjoyed was set on a global scale. The formation of the League of Nations, followed by the UN, and the declaration of

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[1] Francis Fukuyama, 'The End of History', in *Twentieth Century Political Theory: A Reader*, ed. Stephen Eric Bronner, New York, 2006, p.421

[2] Claude Galipeau, *Isaiah Berlin's Liberalism*, Oxford, 1994, p.vii

the charter of universal human rights were all important steps towards the transcendentalization of liberalism's basic premises. Ludwig von Mises, writing in 1929, captures the feeling of this type of liberal very lucidly: "For the liberal, the world does not end at the borders of the state. In his eyes, whatever significance boundaries have is only incidental and subordinate. His political thinking encompasses the whole of mankind... …For this reason" Von Mises adds "he sees the law of each nation as subordinate to international law, and that is why he demands supranational tribunals and administrative authorities..."[3] These observations reflect the general feeling of the liberal at the beginning of the twentieth century and the ideal behind supranational organizations.

However, all these developments have not aided the problematical state that liberalism is still in today. According to many critics, although its principles are widely accepted as universal, liberalism has not been successful in presenting a conclusive defense of its claims theoretically. It is argued that the project of anchoring liberalism on unshakable solid foundations has failed to a great extent. Especially with the advance of postmodernism, which questioned the positions of all universalist political theories, ideals which formed liberalism's foundation were put under scrutiny.

Faced with this difficulty, many liberals have resorted to assert the authority of liberal ideals through negative reasoning. According to John Gray, it has become sufficient to dismiss any political theory or criticism of liberalism as fascistic or relativistic if it questions the humanistic values of liberalism. In this respect, rather then validating their arguments with the force of ideas, a power that many of its fundamental ideas entail, many liberals have applied a policy of argumentum in terrorem to advocate the ultimate validity of their views –a logical fallacy that is used to gain support and prove an argument by stimulating fear and prejudice toward its alternatives.

Gray's characterization of the contemporary liberal response to criticism is not without merit. As early as the beginning of the 80s, Habermas, worried about poststructuralist's forceful critique directed at 'the project of enlightenment', labeled Foucault and Derrida 'young conservatives', due to their

[3] Ludwig Von Mises, *Liberalism in the Classical Tradition*, trans. Ralph Raico, California, pp. 147-148

skepticism and 'anti-modern' thoughts.[4] More recently, Crowder asks a question that is the culmination of a general suspicion: "Are post-modernists fascists?" Even though, he concludes that there is no direct link between postmodernism and fascism, nonetheless Crowder feels a need to point out his conviction that, "the logic of postmodernism leads to conservatism", and that there is a risk that the two may come into being.[5] Seeking authority by way of pointing out the 'dangers' of alternatives to liberalism has become a more common method for defense of liberal ideals. It has become a truism that without the ideals and values liberalism asserts there would have no reason to object cruelty, injustice or inhumanity.

In such an intellectual environment, Gray describes much of contemporary political theory as "an apology for liberal values." "Beneath the rhetoric about respect for persons and the primacy of justice" Gray says "there is very little agreement... [but] …that does not prevent them asserting the universal authority of liberal values, for they take for granted that liberalism is the only alternative to relativism."[6] Whether or not such a characterization does justice to contemporary political theory is questionable, however, Gray's criticism does have a valid point, in that much of the contemporary defense of liberalism lacks the argumentative force that is expected of a political theory that claims universal authority. Rather, the authority of humanistic values and the historical status of liberal institutions are used to argue that liberalism is the only feasible and legitimate model of society if one is to avoid relativism, fascism and totalitarianism.

In view of all of the above criticisms, John Gray attempts to develop a theory that can serve as an alternative to liberalism, and while doing so, avoid the arbitrariness of relativism and nihilism. This political project is Gray's modus vivendi. Gray argues that it is able to respond to the demands of identity and

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[4] Jurgen Habermas, 'Modernity versus Postmodernity', *New German Critique*, 22, 1981, pp.3-14

[5] George Crowder, 'Are Post-modernists Fascists?', *Australian Review of Public Affairs*, http://www.australianreview.net/digest/2004/10/crowder.html, November 22, 2007

[6] John Gray, 'Reply to Critics', *Critical Review of International Social and Political Philosophy*, Volume 9, Number 2, June 2006 , pp.323-24

diversity in late-modern societies much better than liberalism, while also preserving the commitment to a universal set of rights that safeguards the individual from various universal evils.

The theoretical basis on which Gray's modus vivendi is built upon is Isaiah Berlin's value-pluralism. Berlin developed a theory of pluralism which argued that moral philosophy was dominated by a conviction that values could be situated in a coherent system without any contradiction or conflict, and that whatever shortcomings moral theory exhibited in achieving this goal was only practical. Against this idea, Berlin advocated the view that there can be values that are incommensurable and that this is not due to a practical obstacle but is an objective fact of moral reality. Therefore, in cases where there is such incommensurability, the forms of life that these values imply are equally valid and worth-while, therefore should be tolerated. This idea of value-pluralism, in Berlin's thought is combined with an emphasis on the individual's liberty from the collective. In his discussion of positive and negative liberty, Berlin draws attention to the inherent susceptibility of positive liberty to abuse from monism and consequently its application as a means of oppression rather than freedom. While acknowledging that both forms of liberty are necessary, Berlin held that positive liberty runs the risk of subordinating the individual to the collective for the sake of an ideal self. Therefore, as it is clear, the ultimate emphasis for Berlin's value-pluralism is the individual and its well-being. Although, Berlin recognizes the importance of cultural affiliations, probably much more than any of his liberal contemporaries, when faced with a choice between the two, Berlin always opts for the well-being of the individual.

Gray, in this respect, is more provocative and rebellious. The fundamental aspect that defines Gray's value-pluralism, and the part that makes it interesting and appealing in some respects, is that it does not recognize personal autonomy as a necessary condition for a legitimate political arrangement. Gray uses value-pluralism developed by Berlin to argue that in some cases personal autonomy might not be necessary to live a worthwhile and legitimate life, and these instances can be as valid as others. Gray borrows from Berlin the critique of monism and redirects it fundamentally towards liberalism and enlightenment rationalism, and highlights the links between the two.

Gray develops an evaluation of the history of liberalism fundamentally as a clash between two competing perspectives: one that aims to find the best way of life and another that aims to create peace among diverse conceptions of good; the former referring to a *monist* tradition and the latter to a *pluralist* tradition. Thus far, the competition has been dominated by the monist liberalism, although at times attempts to overturn this domination have been made. Thence Gray aims to revitalize the pluralist tradition and reformulate it in a new way that can respond to the needs of modern societies. To achieve this goal, Gray forms a foundation composed of naturalism and value-pluralism upon which his theory of modus vivendi combined with an understanding of legal pluralism can flourish. Gray is optimistic that his modus vivendi is much more capable of responding to diversity than liberalism can be, as it is oriented towards achieving peace among legitimate goods and is never a search for an ultimate ideal situation that dictates a particular good as the universal good that all should submit to. This type of diversity is supported by naturalism which, by designating undeniable universal human evils, through a negative process establishes a set of rights that aims to protect individuals from these evils.

The fundamental argument of this thesis is that Gray, contrary to his claim, by ignoring the autonomy of the individual, sets up a theory of modus vivendi that can not respond to the diversity observed in late-modern societies. Because Gray's chief concerns are the 'collective expression' of identity and resolution of conflict among collectives, diversity within collectives and diversity within the individual are ignored, to a large extent, and consequently the modus vivendi lacks the mechanisms that can respond to the type of conflict that would occur in these cases. By not acknowledging 'right of exit' as a fundamental universal right, Gray jeopardizes his own theory of pragmatic peace and peaceful coexistence. In order to put forward these arguments, initially a discussion of liberalism from Gray's critical perspective will be taken up, followed by a detailed analysis of Gray's thought and Berlin's influences, and lastly an analysis of Gray's shortcomings.

In the second chapter, the history of liberalism and, to a certain extent, pluralism will be looked at based on the scheme that Gray proposes, i.e. the monist and pluralist strands, in order to understand what Gray finds

fundamentally flawed in liberalism. In the first part this chapter, how monist and proto-pluralist ideals came to light in Ancient Greek philosophy will be investigated with respect to Plato, Aristotle, the Sophists and other minor philosopher's thoughts. Emphasis will be made on how the monist tradition emerged in the thought of Plato and Aristotle, and how it was challenged, unsuccessfully, by a loose set of philosophers mainly composed of the Sophists. In the second part of the first chapter, how liberalism as a modern ideal emerged in early modernity will be examined with respect to the thought of Descartes, Locke and Hobbes. Descartes forms the philosophical basis of the liberal subject. Locke is the philosopher of liberal democracy and liberal toleration, and Hobbes, as a proto-liberal and naturalist, set up some of the most important notions on which liberalism stands on and is the forefather of Gray's modus vivendi.

In the third chapter, the thought of Isaiah Berlin will be taken up in detail along with Gray's critique and reformulation of it. In the first part of this chapter, how Berlin formulates his critique of monism with an emphasis on an alternative history of political thought will be analyzed, along with how the results he derives from this history supports his other major focus of interest, i.e. positive and negative liberty distinction. In the second part, Gray's critique of Berlin's liberalism will be explained in general along with which aspects of his liberalism Gray has borrowed and changed. The emphasis will be on Gray's shift from the individual to the collective.

In the fourth chapter, the shortcomings of Gray's modus vivendi will be explored in detail. The main points of criticism will be based on identity, legal pluralism and naturalism. The individual will be defended against the collective and it will be argued that without personal autonomy Gray's modus vivendi and the legal pluralism it envisages can neither serve diversity nor promote peace. Moreover, what value-pluralism demands from monists and pluralists, and whether or not value-pluralism is needed to support Gray's modus vivendi will be examined.

CHAPTER II

THE RISE OF LIBERALISM

It is commonplace in political philosophy that there is little consensus and agreement among liberals about the fundamentals of liberalism. There is no one, single liberalism; rather there is a multiplicity of liberalisms. There are coarse differentiations among traditions, and finer nuances among proponents of a single variant. English liberalism and French liberalism have different development histories. Contemporary liberalism and classical liberalism approach the relationship of 'collectivism' and 'individualism' in different ways. It is possible to enlarge this list of liberalisms further, yet it is also possible to find similarities and identify a family resemblance among these diverse and sometimes conflicting liberalisms.

In what follows, a sketch of modern liberalism will be presented with an emphasis on a division that runs within it based on two philosophical and political outlooks, as identified by John Gray. These two strands are the search for a universal best way of life and the attempt to reconcile the existence of many different and conflicting forms of lives.[7] But before that is done, ancient Greek thought will be analyzed to highlight the interaction between ancient political thought and modern liberalism. In this respect, the ancient Greek political thought will be analyzed with reference to Havelock's schema, which identifies two conflicting strands, represented by the tradition of Plato and Aristotle, and the loose alignment of pre-Socratic and sophist thinkers.

[7] This reading of liberalism is based on John Gray's differentiation in *Two Faces of Liberalism*. Unfortunately Gray does not engage in a case by case analysis of the thinkers that he names as residing on each side of the division. My goal, here, is to use this schema as a basis and advance onto an analysis of modern liberalism with respect to the thought of Descartes, Hobbes and Locke.

Platonic and Aristotelian thought adheres to an ultimate universal standard of morality –which Isaiah Berlin, the thought of which will be analyzed in the next chapter, refers to as monism- whereas the sophists and pre-Socratics subscribe to a more naturalist ontology and a skeptical epistemology. In this respect, enlightenment liberalism is influenced by the Platonic ideal of ultimate moral truth and Aristotelian teleology in the form of a faith in progress.

After this initial discussion of ancient political thought, in an attempt to provide, partly, the philosophical roots of modern liberalism, the thought of Descartes, Hobbes and Locke will be analyzed, with an emphasis on the themes of 'the subject', 'modus vivendi' and 'tolerance', respectively.

The importance of Descartes lies in the proposal that his thought incorporates universalism and particularism with the support of enlightenment rationalism under a single arc, in the form of individualism. The conflict posed by the two sides is resolved through the exposition of a detached, transparent, ahistorical, autonomous, moral subject who has broken away from all of the traditional, archaic forms of authority, while enjoying a position that serves as the basis of the political order and the ultimate measure of legitimacy. This power invested in the individual is checked by reason. Reason serves as a catalyst that resolves the tension between the particularistic lead, which is the result of the founding of the individual as the basis of knowledge, and Universalist moral aspirations. Within such a framework difference of lifestyle, culture, values, and their repercussions are redirected outside of the realm of reason, and the realm of politics, to a great extent. Modern liberalism is, in that sense, very distinct from its precursors, in that it has achieved to reduce difference to the level of the individual, while elevating the individual to the abstract and the transcendental.

This approach, to which Locke also adheres to, even though his ontology and epistemology is very different from Descartes's, creates a model of tolerance that defines difference as a matter of opinion. Locke's 'tabula rasa' and criticism of rationalism in defense of empiricism creates a basis for a pluralistic political philosophy, however Locke does not follow that route, but opts for a semi-rationalist position. This in turn affects Locke's ideas regarding tolerance. Cultural or social differences are reduced to the "cosmetic", in a realm which

does not assume any essential or constructive role. The tolerated, in such a framework, is envisaged as a burden that eventually would be overcome through the use of reason in public deliberation. The act of tolerance is not based on a respect for the validity of the other, but on the confidence on the ultimate truth of one's own convictions and beliefs. In this respect, it will be argued that modern liberalism's model of tolerance is not based on the accommodation of differences, but on the creation of a stable environment for reaching the ultimate and true way of life.

Hobbes's political philosophy will be analyzed with emphasis on his mechanical materialistic ontology. The transformation that Hobbes initiated, which positioned the free individual as the basis of a society and the political system, will be taken up as a starting point for liberalism. However, more importantly the relationship of his ontology and how he views human beings will be analyzed in order to argue that his modus vivendi model can not serve as an alternative to the model of civil society based on a monist rationalist understanding, as it lacks the philosophical roots necessary for a theory that aims at creating a stable political order, without the postulation of a free active agent.

2.1 Modern Liberalism

Although it is commonplace that the type of liberalism which reigns in modern societies today began to acquire its distinct status with the advance of enlightenment and modernity, the roots of some of liberalism's main ideals can be traced back to Ancient Greece.[8] Many of the ideas that were revived and recast with Renaissance had their roots in the political/social thought and life of ancient societies. Enlightenment thinkers frequently referred to Greek philosophers as their intellectual forefathers and borrowed concepts from them. European historians in search of a non-Christian, fresh past, turned towards ancient Greece and Rome to look for the European roots of Western civilization. It is more than evident that philosophy and social/political life of ancient Greece have left their marks on modern political thought and western philosophy in

[8] John Gray, *Liberalism*, Second Edition, Minneapolis, 1995, p.xi

general, but the question is: can this influence be interpreted as the root of liberalism?

2.1.1. Ancient Greece: Tracing the Roots of Modern Liberalism

The one concept that dominates our political agenda today on a global scale is, undoubtedly, *democracy*. As a political system it has captured the mind of Enlightenment thinkers as an alternative to monarchy and aristocracy of Europe. The French revolutionaries identified themselves with the Greco-Roman republican antiquity, and saw parliamentarian democracy and thriving for liberty as a continuation of that tradition –a tradition that was eclipsed by "the Roman Empire, the Middle Ages and the age of Absolutism."[9]

Certainly, it is true that there is a continuity between modern political institutions and ancient Greek and Roman political life when we look at the surface of things, but it is also true that democracy as it is understood today and democracy as it was first conceived are different. With modernity, liberal democracy became *the* democracy, so that nowadays the adjective liberal is no longer used to indicate liberal democracy. This creates the false impression that Greek politics was similar to what we have in contemporary modern societies.

However, it is well known that this is not the case. According to some commentators, the positive prejudice towards Ancient Greek thought, Plato and Aristotle's authority, manipulated the outlook of enlightenment thinkers towards the ideas of Plato and Aristotle.[10] One of the consequences of this domination of Plato and Aristotle, both in modern times and premodern Christian ages, is that many of the other ancient philosophers were largely ignored and overlooked. Ancient Greek philosophy exhibited a variety of traditions and movements in

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[9] Pierre Vidal-Naquet, 'The Tradition of Greek Democracy', *Thesis Eleven*, Vol. 60, No. 1, 2000, pp. 61-86.

[10] The extent of this influence was captured by Russell: "practically universal from the Renaissance until very recent times, [which] views the Greeks with almost superstitious reverence, as the inventors of all that is best, and as men of superhuman genius whom the moderns cannot hope to equal." quoted from Bertrand Russell, *A History of Western Philosophy*, *and its connection with political and social circumstances from the earliest times to the present day*, New York, 1945 p.38.

conflict and rivalry with each other. In this respect, in the analysis of ancient Greek thought, Havelock's differentiation of Greek political thought into two main categories will be employed, which suits the general approach of this study.

Havelock argues that ancient Greek political philosophy can be analyzed under two distinct traditions. The first one is the authoritarian, illiberal political theory that stems from "Plato's idealism and Aristotle's teleology" which "is committed to the proposition that society is a fixed quantity, or reaches towards a fixed quantity, or should do so" and a conception of human as a "closed system or an essence, either itself an eternal idea, or the final form of a natural process which becomes a fixed quantity."[11] The result of these presuppositions is an intolerant political outlook. The second tradition is a loose combination of various Sophist and pre-Socratic thinkers, like Democritus, Protagoras, and Antiphon, who share a 'liberal temper'. This liberal tradition, Havelock argues, was opposed to Plato's essentialist and Aristotle's teleological conception of human being, and had its own anthropology that was "incapable of conceiving of human behavior as obeying the control of a law of nature, single, universal and timeless, the same at all times and under all circumstances for all men."[12] According to Havelock, this naturalistic, non-metaphysical and 'liberal' tradition was over-shadowed by Plato and Aristotle's illiberal views, due to the authority they enjoyed in philosophy. Aristotle "exercised over the Western mind a moral authority not unlike that which has been wielded by the Old Testament"[13] but "it was Plato who had the greater effect on the subsequent ages… [because] …Aristotle himself is an outcome of Plato… [and] philosophy at any rate until the thirteenth century, was much more Platonic than Aristotelian."[14] Hence, it is important to understand Plato's metaphysics and political theory, as it serves as a basis for a strand in modern liberalism as well.

Plato's development of his teacher Socrates' credo, the search for universal truth, culminated in a metaphysics that influenced not only theology,

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[11] E. Alfred Havelock, *The Liberal Temper in Greek Politics*, New Haven, 1957, p.12

[12] Ibid., p.17

[13] Ibid., p.376

[14] Russell, *A History of Western Philosophy*, p.104

but also the philosophy of modern times. Socrates wanted to convince Athenian citizens of the idea that there is an objective good and it is necessary to submit to its authority to live a good life; and Plato, as a disciple of Socrates, developed this ideal and provided a comprehensive metaphysical ontology as a basis.[15]

Plato, as is well known, distinguished between the world of appearances and the world of ideas, the latter being the important, real one. The influence of this distinction can not be exaggerated. Whitehead observes that "the safest general characterization of the European philosophical tradition is that it consists of a series of footnotes to Plato."[16] More recently, Derrida identified Plato's metaphor of the 'cave' and 'sun' as the underlying, founding metaphor that determined Western metaphysics. Plato was the pioneer of a tradition that has reigned over Western philosophy through the centuries; a desire to find a vacuum untouched, unaffected and undisturbed by what is empirical, changing and temporary. As it will be argued below, modern moral philosophy and liberalism are both shaped and conditioned by this desire to a great extent.

Plato's political philosophy was greatly affected by this metaphysics. The elitist and statist political philosophy of Plato, as presented in *Republic*, is what many consider a prime example of totalitarianism.[17] The political system that Plato envisaged had no respect for individual freedom, divided the society in three hierarchical classes and transferred all power to the few elites, who had the role of the guardianship to protect the state. The state is envisaged as the ultimate authority over society and the place of individuals is determined with reference to the state. In this sense, Plato is the most significant ancient adversary of individualism, which now occupies a central position in modern liberalism. Moreover, Plato was an advocate of eugenics and social segregation.[18]

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[15] Max Pohlenz, *Freedom in Greek Life and Thought*, trans. Carl Lofmark, New York, 1966, p.43

[16] Alfred Whitehead, *Process and Reality: An Essay in Cosmology*, New York, 1967, p.63

[17] Some of these names are Popper, Williams and Hare.

[18] Some examples of these statements from *The Republic*: "when God made you, he used a mixture of gold in the creation of those of you who were fit to be rulers, which is why they are the most valuable. He used silver for those who were to be auxiliaries and iron and bronze for the farmers and the rest of the skilled workers."; "the best men should have sex with the best women as often as

These authoritarian ideas of Plato can be linked with his ontology. His cave allegory, in which a philosopher breaks his chains to see the truth that transcends the shallowness of what is on the surface, reflects his lack of confidence in the masses, and his conviction that an elite class -the philosopher-king- is necessary to lead the masses. As a side note, the cave allegory also tells much about the role attributed to intelligentsia in enlightenment discourse within modernity as well.

Aristotle, as a disciple of Plato, continued from the footsteps of his teacher both in terms of metaphysics and political theory, though he was critical of Plato.[19] Aristotle's metaphysics was an attempt to unite his devotion to naturalism, which represents his empiricist side, with the idealism of Plato; an effort which, according to Havelock, ended up with 'teleological idealism'.[20] In Aristotle's metaphysics, the 'idea' of Plato is recast as the 'form' and brought down to earth, yet it still retains the metaphysical aspect. As Zeller notes, "the Forms had for him, as the 'ideas' had for Plato, a metaphysical existence of their own, as conditioning all individual things."[21] The dual aspect of Aristotle's metaphysics is reflected in his political philosophy as well.

Aristotle's political philosophy can be summarized as an adherence to teleology. According to Aristotle all things, objects, animals or plants have a nature of their own, and it is this nature that directs them towards a final cause. Human being as a 'political animal' has a nature that directs them towards the ultimate good, which is the state. Aristotle explains this as follows: "what each thing is when fully developed, we call its nature, whether we are speaking of a man, a horse, or a family. Besides, *the final cause and end of a thing is the best*,

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possible, whereas for the worst men and the worst women it should be the reverse. We should bring up the children of the best, but not the children of the worst if the quality of our herd is to be as high as we can make it." Plato, *The Republic*, ed. G. R. F. Ferrari, trans. Tom Griffith, Cambridge, 2000, p. 108 and p.157

[19] Russell describes Aristotle's metaphysics as "Plato diluted by common sense" and adds "he is difficult because Plato and common sense do not mix easily." Russell, *A History of Western Philosophy*, p.162

[20] Havelock, *The Liberal Temper in Greek Politics*, p.296

[21] Zeller quoted in Russell, *A History of Western Philosophy*, p.166

and to be *self-sufficing* is the end and the best."[22] Aristotle puts great emphasis on the idea of being 'self-sufficing' and sees this as the end that all organic bodies, including human beings, aim at. Aristotle declares that the individual fails to achieve being self-sufficing and requires the family, and ultimately the state to achieve this end, which naturally puts the individual at the bottom of the hierarchy of political bodies: "the state is by nature clearly prior to the family and to the individual, since the whole is of necessity prior to the part… …the proof that the state is a creation of nature and prior to the individual is that the individual, when isolated, is not self-sufficing."[23] Hence it is evident that the individual is put at the last instance, after State and the household. This is directly in contrast to modern liberalism, which positions the individual at the beginning rather then the end. Though Aristotle recognizes that "everyone always acts in order to obtain that which they think good", he goes on to add that "the state or political community, which is the highest [good] of all, and which embraces all the rest, aims at good in a greater degree than any other, and at the highest good."[24]

The teleology of Aristotle does not only emphasize the political character of humans, but also works as a means of dividing people according to their natural traits. In respect to different sexes, Aristotle asserts that "the male is by nature superior and the female inferior, and the one rule, and the other is ruled; this principle, of necessity, extends to all mankind."[25] Apart from the sexist character of this statement, which is characteristic of Ancient Greek culture, the fact that Aristotle divides humans into two categories, the ruler and the ruled by *nature*, not by political or social circumstances, is testimony to Aristotle's teleological idealism.

Now, I will turn to the 'liberal' tradition, which according to Havelock's schema stands in opposition to Plato and Aristotle's thought. Knowledge about the philosophers that form the 'liberal' tradition is limited. Original texts by

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[22] Aristotle, *The Politics and The Constitution of Athens*, ed. Stephen Everson, Cambridge, 1996, p.13, emphasis mine.

[23] Ibid., p.14

[24] Ibid., p.11

[25] Ibid., p.17

these thinkers are very little and what is mostly known about them is what Plato writes about them in his dialogues. Therefore, it is difficult to systematize the thoughts of these thinkers into a very consistent political system; nonetheless it is possible to catch glimpses of their political thought from what little there is.

Sophism has acquired a bad name since Plato. Yet, sophists were much more open then Plato ever could be. Protagoras' famous dictum that "man is the measure of all things", implies an egalitarian social theory that acknowledges the existence of various view points that could well be equally legitimate. Clearly, the approach of Sophists to truth was different from that of Plato, which was the main matter of dispute between the two. Protagoras regarded truth as being relative to the perceiver; in terms of epistemology this means that knowledge is subjective. But more importantly in ethical terms, Protagoras' perspective meant that there was no absolute objective moral truth that all man should adhere to. Nietzsche recognized this aspect of the Sophists and credited them with challenging the Socratic and Platonic ideal of 'good-in-itself' and 'morality-in-itself'.[26] Rather then advocating an absolute moral truth, Protagoras opted for the multiplicity of perspectives and asserted that speaking in terms of one view being *truer* than other was meaningless; what one could only do was to argue that one was *better* than the other. Protagoras' de-emphasis on truth was later, in modernity, reinterpreted by Schiller, a founder of modern pragmatism, who regarded himself as a follower of Protagoras.[27] This attack on absolute moral truth by Protagoras was discredited by Plato's polemics in dialogues.

Another thinker that Havelock puts in the category of the liberals is Antiphon. Antiphon's ontology was, similar to Aristotle, also naturalistic, but he clearly differentiated social/cultural institutions from nature, and advocated equality based on natural traits. Antiphon adhered to an anthropology similar to the modern biological approach that today unifies human beings as a species. To him nature meant not some predetermined *a priori* ideal planted in human beings, which not only determined their behavior but also their social, political and cultural status. Rather, Antiphon used nature to advocate egalitarian ideals:

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[26] Nietzsche, *The Will to Power*, Section 428, p.233

[27] Russell, *A History of Western Philosophy*, p.77

> …but if a man be of lowlier family we feel no awe for him and show him no veneration. This is a case where in our [social] relations with each other we have 'barbarized' ourselves. For by *nature* all of us in all things are constituted *alike* both barbarian and Hellene. There is evidence available in the area of those resources which by nature are essential to all human beings… …and in this [area] barbarian and Hellene among us are not definable separately. For we all use our mouths and nostrils to draw breath in and out of atmosphere and we all…[28]

As the above passage shows, Antiphon, differentiated Hellene and 'barbarian' based on cultural or social institutions, and not natural differences as Aristotle does. Contrary to Aristotle and Plato, for Antiphon, nature is what unites us as human beings rather then what divides us. While Aristotle and Plato extend the scope of nature to explain social and political institutions/divisions, Antiphon tells us that social structure and politics should not be based on natural differences, because "in terms of what is more *versus* less amicable, more *versus* less proper to nature there is no difference between what law averts human beings from and what it exhorts them to do."[29] However, this does not mean cultural relativism. Antiphon preserves the barbarian-Hellene distinction and makes a value judgment about the necessity to be positive to those Hellenes whom are considered to be of inferior classes or families. Hellene here denotes not only an ethnic identity but also the status of being civilized; and acting badly towards other civilized people, showing no veneration is considered to be 'barbarian' by Antiphon. Therefore, Antiphon is not an unyielding naturalist or a relativist; he advocates the unity of human beings based on essential natural interests, but he differentiates them based on the values they adhere to. Being civilized to those who are also civilized, is not a natural good, but it is nonetheless a 'good' that Antiphon values. Hence, it is safe to conclude that Antiphon makes a distinction among people not based on natural traits but based on cultural convictions. In this sense, there is continuity with modern liberalism as well. The conviction that all human beings as a species are equal is shared by modern liberal discourse as well.

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[28] Antiphon quoted from Havelock, *The Liberal Temper in Greek Politics*, p.256, emphasis mine

[29] Ibid., p.275

All in all, it is possible to find bits of ideas that hint at some of the central features of modern liberalism, but none of the political philosophies of Plato, Aristotle, Antiphon or the Sophists would be considered as liberal in terms of modern standards. The ancient Greeks had developed the ideals of *universalism* and *particularism*, but these were not combined in a single political tradition, but were rather positioned antagonistically.

Plato's idealism is the founding stone of universalism/monism, but fails to be egalitarian and individualist. Aristotle's political philosophy was a compromise between idealism and naturalism/empiricism, resulting in a teleological understanding of society and individual, both directed towards the ultimate end, i.e. the state. Although Aristotle recognized the importance of 'good' and articulated this notion to moral/political philosophy with relevance to the individual, his teleology and adherence to Plato kept him from realizing the significance of the individual to its fullest extent. On the other hand, Antiphon, Protagoras and other Sophists, all exhibited some form of liberal traits. It is possible to find an egalitarian outlook in Antiphon's thoughts based not on metaphysical notions but on the common natural traits that we share as human beings; the Sophists in general, contributed by acknowledging the fact that there can be many conflicting and legitimate ideals, and that recognizing this fact and engaging in politics with this fact in mind is the proper way to deal with problems. However, none of these ideas by themselves, in the manner they are interpreted, amount to a liberal political theory. Hence, it would be much more appropriate to put these thinkers into the 'pre-history of liberalism' as Gray does, or label them as proto-liberals, rather then position them at the root of liberalism.

2.1.2. Liberalism in Modernity

The word 'liberal' was first used in 1812, by the Spanish political party Liberales, to designate a political movement, but the basic ideas behind it were present in a systematized form since the beginning of 17th century.[30] The effects of Renaissance and Reformation in Europe, and the religious conflicts that reigned through out the 16th century are all important components of the process

[30] Gray, *Liberalism*, p.xi

that eventually lead up to the construction of a liberal discourse in political philosophy. The social climate of early modernity was shaped by an animosity towards the authority of traditional institutions like the church and aristocracy. The economic developments of the times made liberal ideals even more relevant, worthwhile and contemporary.

The ideas of these thinkers were shaped and influenced by the social, historical and political developments of their times; they simply were not living in a vacuum. Vice versa, their ideas also helped shape the reactions that people gave to various social developments. As Russell puts it, "between ideas and practical life, as everywhere else, there is reciprocal interaction; to ask which is cause and which effect is as futile as the problem of the hen and the egg."[31] Because the focus of this work is the intellectual side of this interaction, I will focus on the ideas rather then the socio-economic aspect.

Thus far, what liberalism is has not been defined liberalism. One of the reasons for this, as it was stated, is that there is no single liberalism, but there is a family of liberalisms. Liberalism has transformed itself many times over time, and there have been different strands of liberalism at the same time as well. In this sense, there is both "horizontal" and "vertical diversity" in the liberal tradition. Secondly, what the central concept of liberalism, 'liberty', means; to what extent it can/should be enlarged is one of the central matters of dispute for liberals. However, it is evident that whatever the meaning of liberty may be, it is certain that it is given a central, primary role in liberal political theory.

The novelty of modern liberalism can be explained as its adherence to the free status of the individual as the starting point for political philosophy. The social contract tradition that dominated early modern and enlightenment liberal thought is centered on the liberty of the individual. Human being is conceived to be in a state of freedom prior to civil society, and the main question that liberal thinkers aim to tackle is to what extent this freedom can be limited legitimately and justly. This approach represents a transformation in political thought, since liberty is taken to be the initial condition and the existence and legitimacy of state and other social institutions are based on the persistent liberty of the

[31] Russell, *A History of Western Philosophy*, p.597

individual. As Mill explains: "[T]he burden of proof is supposed to with those who are against liberty; who contend for any restriction or prohibition…. The a priori assumption is in favour of freedom…"[32] The priority of liberty is the founding stone, fundamental principle of any liberal political outlook and it is exercised through the individual.

Gray identifies four features that define liberalism: *individualism*, *egalitarianism*, *universalism* and *meliorisicm*.[33] These four features by themselves may not amount to a liberal political theory, since each can be interpreted in many different ways, and how they are related to each other is also very important. Moreover, these four features are not features that are necessarily related *only* with liberalism. Both, the faith in progress and equality, are ideals that are shared by many modern political views. Marxism adheres to the ideal of progress and equality, though interprets them very differently; and positivism is founded on the idea of progress.

What distinguishes modern liberalism, from these diverse views, is the unique combination of universalism and particularism within individualism. This is a complicated relationship because the two sides are contradictory; while universalism asserts the "moral unity of human species", individualism asserts "the moral primacy of the person against the claims of any social collectivity."[34] Therefore, the universal moral claims of liberalism conflict with the particular interests of individuals or what they envisage for themselves.

In view of the above, one can conclude that Havelock's conviction of modern democracy in the West, that is liberal democracy, as "a synthesis of the postulates of the Greek liberals on the one hand, and of Greek idealism on the other" is not without merit.[35] Modern liberalism, in philosophical terms, achieved to combine universalism/monism, the history of which goes back to Plato and Socrates, on the one hand, and the acknowledgement of plurality and the value of unity as a practical necessity, which can be linked to pre-Socratics and Sophists, on the other. Gray describes this unique combination as a compromise between

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[32] John Stuart Mill, *On Liberty and Other Essays*, Oxford, p. 472

[33] Gray, *Liberalism*, p.xii

[34] Ibid, p.xii

[35] Havelock, *The Liberal Temper in Greek Politics,* p.20

"toleration as an *ideal* form of life and search for terms of peace among different ways of life"; in the first instance, liberal institutions are seen as based on "universal principles" and in the second, they are merely a means of "peaceful coexistence" without claims to universality.[36] This basic distinction, which as demonstrated above has roots back in antiquity, is united in a single theory. Yet the tension is still present and the two views represent two distinct strands of thought that persists in liberal theory. In the next section, I will analyze how Descartes' thought affected this duality in favor of the universalist claims of ultimate single moral Truth.

2.1.2.1 The Subject of Liberalism: Descartes's Cogito as a Foundation

Descartes is not a standard of political philosophy. Although he is one of the most influential philosophers of all times, his ideas on morality or politics were not as influential as his epistemological and ontological investigations. Nonetheless, the epistemological investigations that he dwelled on and the answers he provided presented significant basis for moral and political thinkers that followed him.[37]

The crux of Descartes' philosophy can be described as the desire to find *the* undeniable foundation that all knowledge can be based upon, so that one can "dispel even the thickest obscurities."[38] Building an unshakable concrete foundation, starting anew, radically departing from the past are ambitions that has attracted philosophers of all times, and Descartes was no exception. This ambitious project was partly fueled by Descartes's determination to refute the growing influence of skepticism at early modernity, and partly by his desire to reconcile philosophy with the ever growing authority of science. In order to achieve this goal, Descartes assumes the character of a skeptic and reasons to see if there is any indubitable knowledge. Through 'hyperbolic doubt', questioning

[36] John Gray, *Two Faces of Liberalism*, New York, 2000, p.2

[37] Jeffrey Reiman, *Critical Moral Liberalism: Theory and Practice*, p.9

[38] Rene Descartes, *The Philosophical Writings of Descartes*, Cambridge, 1990, p.3

all knowledge including the knowledge attained by the senses and reason, Descartes aims to identify the one single knowledge that can not be denied even by the most dedicated skeptic. Therefore, in this process, Descartes doubts not only the truth of knowledge attained by the senses which can be manipulated easily, but also the a priori truths of mathematics and geometry.

Descartes's introspection into the mind leads him to the conclusion that even if one can doubt all knowledge, one can not doubt his/her own existence, for this would be a contradiction. Descartes declares this as follows:

> While I wanted to think everything false, it must necessarily be that I who thought was something; and remarking that this truth, I *think, therefore I am*, was so solid and so certain that all the most extravagant suppositions of the skeptics were incapable of upsetting it, I judged that I could receive it without scruple as the first principle of the philosophy that I sought.[39]

The discovery that even if everything can be doubted the existence of a subject that doubts can not be doubted, *Cogito*, is not a new finding. Augustine makes a similar discovery in the fourth century, but it was Descartes who used this discovery as a foundation, 'first principle' upon which a systematic philosophy could be build upon.[40]

There are two important aspects of Descartes c*ogito* that is related to the purpose of this study. The first is that it is a universal a priori truth that is self-evident and overarching for all human knowledge and beings. The subject, I, precedes all knowledge and is exempt from the influences of the empirical, and this serves as a universal uniting point for all humanity. The second is that *cogito* is the philosophical expression and culmination of a principle that dominated social, political and economic life since early Renaissance, namely *individualism*. Russell recognizes the individualist aspect of Descartes philosophy: "Individualism had penetrated into philosophy. Descartes's fundamental

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[39] Descartes quoted from Russell, *A History of Western Philosophy*, p.564

[40] Augustine, *City of God against the Pagans*, ed. and trans. R.W. Dyson, Cambridge, 2005, p.484: "if I am mistaken, I exist. He who does not exist clearly cannot be mistaken; and so, if I am mistaken, then, by the same token I exist. And since, if I am mistaken, it is certain that I exist, how can I be mistaken in supposing that I exist? Since, therefore, I would have to exist even if I were mistaken, it is beyond doubt that I am not mistaken in knowing that I exist."

certainty, "I think therefore I am" made the basis of knowledge different for each person, since for each the starting-point was his own existence, not that of other individuals or of the community."[41] Russell's exposition may imply a relativistic social philosophy since the individual's own existence is the base of knowledge; however the universalist side of Descartes' thought balances and overrides the particularism implied in this individualist aspect. Although the subject is the basis of knowledge, Descartes is confident that there can be objective knowledge, the criteria of which are being 'clear and distinct'. The subject, detached from the empirical, is the observer of objective reality but is not a part of it. Descartes's ontology plays a crucial role in this schema. The mind, thinking substance, and *body*, extensional substance, constitute two different, distinct substances which amount to two parallel realms, and a dualist ontology. Although the mind and body are separate from each other and constitute two distinct ontological domains, a feature of mind gives it the necessary capacity to judge, to distinguish between what is objective and what is not. This ability is reason.

The role that Descartes attributes to reason is twofold. In the first instance, the epistemological or cognitive role, reason is envisaged as a faculty that makes sense of what is external to us by organizing sense-data; and the second is reason as a universal standard, reference point that can be used by the will to evaluate and pass judgment; i.e. the moral role.

The essential characteristic of mind is that it is a thinking substance. Descartes asks in a famous passage "what then am I?" and answers "A thing that thinks. What is a thing that thinks? That is to say, a thing that doubts, perceives, affirms, denies, wills, does not will, that imagines also, and which feels."[42] The importance of Descartes' characterization of thought is that it not only identifies mind with the faculty of imagination or the ability to receive sense-data, but also with a capacity to question and contemplate in a critical manner on what is sensed so that one can *make* sense of them. As rational beings, humans do not only sense externalities passively but also through the use of reason take part in

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[41] Russell, *A History of Western Philosophy*, p.599

[42] Rene Descartes, *Discourse on Method and The Meditations*, trans. F.E. Sutcliffe, Baltimore, 1968, pp. 106-107

the putting those sense-data together in order to understand –not just merely observe. The senses and the faculty of imagination are passive forms of mental processes; sensing an idea is merely taking what it is as it is, and imagination is the ability to add these senses together without any value-judgments, but reason, seated on the 'intellect', works in a way that evaluates the senses in order to *make* sense of them: "we perceive bodies only by the understanding which is in us, and not by the imagination, or the senses..."[43] Reason makes us understand the world around us in a meaningful way rather then accept it just as bits of data, patches of colors or a mix of sounds. According to Descartes, it is, partly, this ability to understand that makes us human. Reason is what differentiates us from animals and "it is complete and entire in each of us."[44] In this instance, reason is integrated into the cognitive process –it is an integral part of the mental process that is referred to as cognition.

The second role that Descartes attributes to reason, which is more important for the subject of this study, is that it provides us with objective criteria to respond to the world by way of free will. Because mind is detached and distinct form body, the laws that govern the latter do not apply to the former; and this differentiation gives the will the freedom it requires from the causal universe of the empirical realm, giving human beings the capacity to act in accordance with their will as free agents. For Descartes, human beings are endowed with a free will because mind, thinking substance, is distinct and separated from body; and hence free from the laws that govern it. Descartes philosophy suggests that subject is also free from reason, in the sense that it doesn't determine the will. While laws of physics govern and determine the movement of bodies, reason does not adopt a similar position with regards to mind. The will has a capacity to deny the dictates of reason. The mind is the sphere of freedom for Descartes because "there is nothing entirely in our power except our thoughts…"[45]

It should be noted that the language Descartes uses distances and separates the subject, I, from reason. Unlike the cognitive role that reason assumes, in which it is integrated to perception, in the moral mode, reason is

[43] Ibid., p.112

[44] Ibid., p.27

[45] Ibid., p.47

taken as an instrument that is not an integral part of the evaluation process. The instrumental understanding, which takes reason as a tool that can be used or not, creates a distinction between will and reason. In the epistemological role reason adopts, the subject does not have a capacity to refuse to connect the sense-data gathered by the senses in a meaningful way; it is an unconscious process. But in the moral role that reason acquires, Descartes's discourse implicitly suggests that reason is distinct from our capacity to make moral decisions. This implies that reason is not an integral part of the judgment process, but rather outside of it - merely a tool, an instrument that can either be employed or not. Reason serves as a yardstick, a universal point of reference, given to all human beings with an equal amount which yields the Truth if used in the *right* way. Therefore, for Descartes,

> the diversity of our opinions does not spring from some of us being more able to reason than others, but only from our conducting our thoughts along different lines and not examining the same things. For it is not enough to have a good mind, rather the main thing is to apply it well.[46]

As explained in the above passage, Descartes thinks that differences in opinion, including conflicting moral judgments, are not the natural consequence of reasoning, but an indication of the wrong application of reason. Moreover, in another interesting passage, Descartes, echoing Plato and Aristotle, declares that:

> Those with the most powerful reasoning, and who best order their thoughts to make them clear and intelligible, can always persuade us best of what they put forward even though they speak only the dialect of Lower Brittany and have never learnt rhetoric…[47]

For Aristotle it was important not only putting forward the true argument, but also to put it in the right way to persuade people. For Descartes, this is not the case; it is enough to put forward in a clear and intelligible manner what reason dictates, that is what is true, for others to see and acknowledge its value. It is a 'universal instrument' that all humans have which can be *used* to evaluate not only the authenticity of sense-data and ideas with an epistemological

[46] Ibid., p.27

[47] Ibid., p.31

concern, but also to pass judgment on all matters, including morals and ontology. Reason is, thus, envisaged as a *value-free structure* vested on all humans that some use in the right way and some don't.

Descartes argues that there are two faculties of the mind that plays a role in making a judgment: judgments depend on two faculties, "namely, the power I have of knowing things, and the power of choice or free will."[48] The process of judgment is a process of interaction between the two faculties of the mind; the will and the intellect. According to Descartes, the intellect is limited, in other words it is not capable of comprehending what lays beyond its scope, however this does not keep humans from going beyond its limits. The will has a capacity to transcend reason and lay claim to truth: "It is will alone that I experience to be so great in me that I conceive the idea of no other as more ample and more extended."[49] Here in lies the problem according to Descartes; our will has a capacity to transcend the intellect and in doing so errors:

> the will being much more ample and extended than the understanding, I do not contain it within the same limits, but extend it also to things I do not understand, and the will being of itself indifferent to such things, very easily goes astray and chooses the bad instead of good, or the false instead of the true, which results in my falling into error or sinning.[50]

The distinction between reason/intellect and will is crucial because it lies at the center of not only commonsensical morals but also our legal system and our sense of responsibility. Combined with the universality of reason, this distinction leads to a moral philosophy that sees humans as endowed with a will and a universal reference point; and all problems, social and political ones included, rests on how to reconcile and guarantee the interaction of the two in a healthy uninterrupted manner. Desires or other social and political influences interrupt this relationship, and not construct it. It is assumed that if reason can be employed rightly and freely, it will necessarily lead humans to Truth. This perspective, first assumes that there is an a priori Truth waiting to be discovered,

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[48] Ibid., p.135

[49] Ibid., p.136

[50] Ibid., p.137

and secondly denies the effects of external factors on the reasoning process itself, but focuses merely on their effects on will-formation.

The significance of Descartes formulation of the self is that it is detached, transparent, unified and immediate. These features make the self the founding stone of Descartes' ontology. It attributes the subject an a priori, given ontological status which leads to a form of individualism that disregards the influence and effects of the social and political dimensions. Secondly, universal reason, and the distinction of the subject from reason reduces all disputes to matters of application. The diversity of opinions is merely a result of the use of reason in the wrong way, not due to conflicts of interests or conflicts of reason. Reason is envisaged as an instrument that is monolithic and consistent. Therefore, reason alone is enough to lead us to Truth not only in matters of physics or mathematics, which are traditionally much less susceptible to debate, but also in matters of morals and politics. Reason is planted in the individual as a universal instrument and if used in the right way would lead to a rational consensus among different opposing views.

Descartes developed a notion that philosophy could use as a starting point that was devoid of the religious foundations. It was secular, in the sense that, it didn't start out with God or Scripture, although Descartes, himself, incorporated religious notions to his thought as well. This is an important turning point, for it directed the search for foundations for philosophy from unworldly notions to reason. The rational consensus model that would become one of the most important branches of liberalism, partly, stems from Cartesian foundations. In that sense, Descartes is not only important for promoting universalism and taming the particularistic tendency within individualism through the subject, but also for his emphasis on reason as a means to finding Truth as well.

In the next section, I will analyze Hobbes' political philosophy, in light of his ontological concerns, as an example of the other side of the liberal division between rational consensus on values and compromise for stability/peace or modus vivendi. Gray, who builds his theory of modus vivendi based on a Hobbesian model, presents Hobbes as one of the few liberal philosophers who did not hypothesize rational consensus as a goal of political life. In this respect, Hobbes's emphasis on peace and stability is, for Gray, a legitimate starting point

that is much more responsive to the diversity in late-modern societies, where the faith in an ideal state of agreement has eroded considerably. Apart from these basic issues, I will also analyze if Hobbes's theory can be interpreted as a modus vivendi that can serve value-pluralism, as Gray argues it does.

2.1.2.2 Hobbesian Negative Modus Vivendi

There is a debate whether Hobbes can be labeled a liberal or not. His adherence to an authoritarian absolute sovereign that has a wide exploitation power on its subjects and his emphasis on human nature has been used to present an absolutist Hobbes that reminds us of Plato's idealist ambitions, and this representation, when we look at the final product of his political philosophy, is not without foundations. Yet his emphasis on individualism, mechanistic rationality and materialism, but most importantly his adherence to social contract as the basis of legitimate authority, peace/stability, and assumption of initial natural liberty of individuals, makes him a legitimate subject to be examined under the label of liberalism.[51] His importance, for this study, is not the conclusion that he reached, but his starting point and how he interprets society.

Hobbes is generally considered only as a political thinker and much of his ontological and epistemological concerns are overshadowed by his enormous achievement in political philosophy. However, Hobbes, like many of his contemporaries, was an overall philosopher who had a vast range of interest; he engaged with ontological, epistemological questions along with political philosophy.

Hobbes viewed philosophy as a discipline that dealt with the problem of how to "make use to our *benefit* of effects formerly seen; or that, by application of bodies to one another, we may *produce* the like effects of those we conceive in our mind … for the commodity of human life."[52] This is a pragmatic

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[51] See Pierre Manent, *An Intellectual History of Liberalism*, trans. Rebecca Balinski, Princeton, 1994, pp. 20-39. Also see Robert P. Kraynak, 'Hobbes's Behemoth and the Argument for Absolutism', *The American Political Science Review*, Vol. 76, No. 4, 1982, pp.837-847

[52] Quoted from Frederick Charles Copleston, *A History of Philosophy*, Volume 5, Tunbridge Wells, 1946, p.3

understanding of philosophy; it is not concerned with discovering truth or the best way of life, rather it is concerned with using what is known about the motion of bodies to create the desired effects beneficial to human life. This pragmatic approach is not only limited to natural philosophy; Hobbes enlarges this pragmatic understanding to political philosophy as well.

Hobbes' political philosophy should be interpreted with his ontology in perspective. According to Hobbes, contrary to Descartes' arguments, being constitutes a unity. Descartes's dualist distinction between body and mind is an artificial one; mind, which for Descartes constitutes a distinct substance, is another body in motion. As one could not separate 'dancing' from the dancer, the separation of thought, the act of thinking as a separate substance is a misconception for Hobbes. For him, the mind and human psychology is subject to the same laws that govern natural bodies.[53] As all being is matter in motion, human psychology, our ability to sense, imagination and dreams are all parts of this great flux of matter, and therefore their explanation should be done in terms of the motion of bodies. Therefore, an inquiry into the nature of being, on natural bodies, is not very much different from an inquiry into society; where as natural philosophy deals with the movement of natural bodies, political philosophy deals with the movement of political bodies, i.e. individuals. The two aspects of his philosophical project, the ontological/epistemological and the political/social dimension, are interrelated. There is a continuation between Hobbes the materialist and Hobbes the political philosopher. His mechanistic materialism extends into the social and political realms.

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[53] Hobbes was one of those who had the chance to correspond with Descartes and raise objections before *Meditations* was published. The great differences in their opinions regarding the body/mind distinction were reflected in this correspondence. In his objections Hobbes wrote: "Mr. Descartes assumes that an intelligent thing is the same as intellection, which is the action of an intelligent thing; or at least that an intelligent thing is the same as the intellect, which is the capacity possessed by an intelligent thing. But all philosophers distinguish the underlying subject from its capacities and actions, that is, from its properties and essences. A being itself is completely different from its essence. Consequently, it could be that a thinking thing is that which underlies mind, reason, or understanding as its subject, and hence that it is something *corporeal*." Thomas Hobbes, *Objections to Descartes' Meditations,* translated by George MacDonald Ross, http://www.philosophy.leeds.ac.uk/GMR/hmp/texts/modern/hobbes/objections/objects.html, accessed on November 23, 2007

This mechanistic understanding is reflected in *Leviathan*. In the introduction, Hobbes declares that life is nothing "but a motion of limbs" similar to an "automata", a machine that has its own mechanical parts that work in coordination as a whole; and asks why shouldn't we see commonwealth in a similar way as an automata with an artificial soul of its own.[54] Thus, Hobbes draws a parallel between the way machines, organic bodies work, and the way the political authority and society interacts. All have their own parts and components that have a specific function. The unit of the commonwealth is the singular human, or in other words the individual.

In that sense, Hobbes's individualism, atomistic individualism, is different from Descartes's philosophical individualism. For Hobbes, the individual is the unit of political philosophy, just as an atom, the smallest natural body of a whole, is the unit of natural philosophy. Hence, as natural philosophy's end is to use the knowledge that we have of bodies and their motion for the benefit of human life, political philosophy's goal is to find the nature of humans as individual's and their behavior –the way they interact.

In view of this mechanistic materialist ontology and the rejection of the mind/body distinction made by Descartes, Hobbes concludes that human beings are not attributed with a free will, in the sense that Descartes envisages. Hobbes adheres to a negative understanding of freedom and defines freedom as "the absence of opposition."[55] But what is more important is that Hobbes sees freedom and liberty as meaningful only when they are applied to material bodies, because only bodies have the capacity of motion, and therefore freedom as the absence of external impediments only makes sense when applied to bodies: "when the words free, and liberty, are applied to anything but bodies, they are abused; for that which is not subject to motion, is not subject to impediment."[56] Therefore, statements that refer not to bodies but to concepts, notions or processes as free, including *freewill*, is absurd and meaningless according to Hobbes: "if a man should talk to me of a *round quadrangle*; …or *immaterial substances*; or of a *free subject*; a *free will*; or any *free*, but free from being

[54] Thomas Hobbes, *Leviathan*, ed. J.C.A. Gaskin, Oxford, 1998, p.7

[55] Ibid., p.139

[56] Ibid., p.139

hindered by opposition, I should not say he were in error, but that his words were without meaning, that is to say, absurd."[57] Hobbes defends that one cannot speak about the freedom of will or any other notion in a meaningful way, but can only speak of the freedom of material bodies, like the individual. Therefore, Hobbes's approach to freedom and freewill is grossly different from the liberal tradition that takes the individual as an agent who has a capacity to initiate spontaneous action.

The mechanistic materialist ontology based on causal relations of bodies, at first sight, seems to contradict with the above exposition of freedom, because it limits freedom to material bodies which are conditioned and determined by causal relations. However, Hobbes sees no contradiction between liberty and necessity:

> *Liberty*, and *necessity* are consistent: …in the actions which men voluntarily do: which, because they proceed from their will, proceed from *liberty*; and yet, because every act of man's will, and every desire, and inclination proceedeth from some cause and that from another cause, in a continual chain, (whose first link is in the hand of God the first of all causes), they proceed from necessity.[58]

Hobbes contends that the actions that stem from our will is voluntary and can be described as proceeding from liberty, but because what we will, our desires are conditioned and inclined towards an object, they are a part of a causal chain reaction determined by necessity. Therefore, what matters for a discussion of freedom is if individuals are able to engage in the actions that they will without external impediments, and not if what they will is not the result of external impediments. Hobbes draws a thick line between what is external and internal, and limits freedom to the sphere of the external. Freedom, properly understood, is a matter of carrying out what one wills, and not whether or not what one wills is the result of external impediments: "from the use of the word

[57] Ibid., p.29

[58] Ibid., p.140

free-will, no liberty can be inferred of the will, desire or inclination, but the liberty of man."[59]

Contrary to Descartes, who thinks of will as a faculty distinct from the intellect, for Hobbes, the will is merely an emotional appetite, a desire similar to a passion. Hobbes defines will as follows: "In deliberation, the last Appetite, or Aversion, immediately adhering to the action, or to the omission thereof, is that we call the WILL; the *Act*, (*not the faculty*,) of Willing."[60] The process of deliberation itself, unlike the meaning it is now used in contemporary political theory by thinkers like Habermas and Rawls, is defined by Hobbes as an interaction of passions, and not in terms of reason. Moreover, it is taken to be an intrapersonal experience –within the individual rather than a process between different individuals. As Hobbes puts it, deliberation is "the whole sum of desires, aversions, hopes and fears continued till the thing either be done, or thought be impossible."[61] This definition is interesting, because Hobbes, a political philosopher who is known as a champion of rationalism and strategic planning, seems to exclude reason or rational debate from the scope of deliberation, or in other words, reason is reduced to an interaction of desires and aversions. But this would be a misrepresentation of Hobbes without taking into consideration what Hobbes takes as reason.

Hobbes asserts that reasoning is just a calculatory process of addition and subtraction. Because Hobbes sees bodies as composed of smaller units that form united wholes –the working of which philosophy determines and uses for our benefit- the application of reason is nothing more than understanding the motion of these units and using this information for our use. As Hobbes puts it:

> When man reasoned, he does nothing else but conceive a sum total, from addition of parcels; or conceive a remainder, from subtraction of one sum from another: which, if it be done by words, is conceiving of the consequence of the names of all the

[59] Ibid., p.140

[60] Ibid., p.40, emphasis mine

[61] Ibid., p.39

> parts, to the name of the whole; or from the names of the whole and one part, to the name of the other part.[62]
>
> The use and end of reason is not the finding of the *sum* and *truth* of one, or a few consequences, remote from the first definitions and settled significations of names; but to begin at these, and *proceed from one consequence to another*.[63]

For Hobbes, reason is not concerned with the truth of the consequences but how one consequence leads to another, in the chain of reaction. Such a view of reason is also very much in line with the role that Hobbes gives to philosophy: philosophy is "knowledge of consequences."[64] Because, being is in a constant state of motion, interaction produces cause and effect relations between bodies, and the intellectual inquiry into this realm of consequences is what science and philosophy essentially is.

Hobbes adds another dimension to this view by integrating natural law teaching into this political framework. Human beings are endowed with a nature that makes them self-interested and self-preservative. This serves as the basis of the agreement that people come to in the state of nature. Yet, Hobbes, apart from these natural needs or desires, also recognizes that what is good and bad is relative to individual: "whatsoever is the object of man's appetite or desire, that is it which he for his part calleth *good*: and the object of his hate and aversion, *evil*; and of his contempt, *vile* and *inconsiderable*."[65]

The implications of the above for Hobbesian social contract theory is that it is not based on the free-will of individuals who *consent* to forfeit some of their capacities for peace and security, in the manner Locke would envisage as an agreement between autonomous individuals. On the contrary, it is a deterministic process in which individual's desires dictates him or her to engage in a covenant. Therefore, Hobbesian *modus vivendi* is not a voluntary, consensual compromise for stability that is governed by the will, but it is rather a rational necessity of the interaction of political bodies –individuals.

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[62] Hobbes, *Leviathan*, p.27

[63] Ibid., p.29, emphasis mine

[64] Ibid., p.56

[65] Ibid., p.35

Gray views Hobbes as one of the founders of modus vivendi liberalism, who views tolerance for others as a compromise for peaceful coexistence and not convergence on universal values for humanity. It is true that Hobbes' political philosophy is not primarily motivated by such a project, but it should also be noted that the individuals in the state of nature are not motivated by the recognition of differences in forms of life and their equal legitimacy. On the contrary, they are motivated by the hazards of instability and anarchy.

The state of nature is a war like situation in which all, using reason which has a calculatory role of adding and subtracting benefits of possible consequences, agree to abandon for the sake of stability and security. This is not a *positive* agreement in which all opt for stability for the sake of pursuing different forms of life. Hobbesian modus vivendi is a *negative* compromise on which all agree in order to refrain from what all view as hazardous to their being. Stability is seen by Hobbes not the road to the fulfillment of different life-plans, but the way for survival and fulfillment of natural desires. This aspect of his thought is also indicated by the fact that Hobbes adheres to the absolute sovereign that controls the lives of individuals in Leviathan. The conflicts that arise in the state of nature are based on the natural interests and not in differences of ways of life. In contrast, Locke's social contract can be interpreted as positive, because for him the state of nature is a relatively stable and peaceful situation, and the need for social contract arises from the desire to secure property rights.[66]

As stated above, in Hobbes view good and bad is relative to the individual to some extent, but Hobbes' view is not a relativistic perspective. Hobbes contends that human nature dictates some things as good or evil. In this sense, Gray, as it will be explained in detail below, adheres to this understanding as well. What is good and what is evil can not be deduced from the realm of objects. They are attributes that humans ascribe to processes or objects. However, there are some instances that define all humans by nature, like the desire for self-preservation according to Hobbes. Therefore, it can be concluded that the modus vivendi of Hobbes is the product of these natural evils that define

[66] John Locke, *Second Treaties on Government and A Letter Concerning Toleration*, 3rd edition, ed. J.W. Gough, Oxford, p.43

human nature, and reason which calculates the consequences of various processes. Hobbesian modus vivendi is for the sake of stability –motivated by a practical necessity and pragmatic interest, not a political consideration. It is a rational consensus, but not in the sense of acting agents, but as the rational consensus of automatas.

All in all, Hobbes does represent an important trend in liberalism. His thoughts mark a turn in political philosophy as they are centered on the accommodation of stability and peace, rather then finding the ultimate moral truth. The primary importance of Hobbes's political philosophy is that it starts with a clear ground in political philosophy; just as Descartes started off with great skepticism to all forms of knowledge and cleared the stage to build a 'new' philosophy, Hobbes takes society back to its 'natural' origin and reconstructs society with a motive to structure a system that can not be shaken up through political strife. While doing so he lays out some necessary conditions of the existence of stability and a society. But unlike Descartes' philosophy, Hobbes is not concerned with finding out the moral truth; he aims at creating the right institutions which would create the stability necessary for peaceful coexistence.

Hobbes, therefore, represents a pragmatic trend; for him finding the universal way of life is not the concern for civil philosophy. Civil philosophy is concerned with the "consequences from the institution of commonwealths to the duty of the body politic, or sovereign" and "duty and rights of the subjects."[67] Yet, as it has been pointed out, his contractarian theory can not be viewed as one that aims at the accommodation of different forms of life. It is much more of a reaction to the universal evils that haunt mankind rather than the particular goods that motivate them; hence the label *negative* modus vivendi.

In the next part, Locke's views will be analyzed with a concern mainly to show that his social contract theory and approach to differences in forms of lives represents a paradigm that defines liberalism's approach to differences.

[67] Ibid., p.56

2.1.2.3 Locke's Toleration: The Paradigm Instance of Liberal Tolerance

John Locke is arguably the most influential figure in liberal thought. His thought brings together the social contract tradition, natural rights and limited government in a single theory and fuses it with democracy. His emphasis on property, inalienable rights and the individual/state antagonism marks a paradigm that has come to be associated with democracy in modernity. But apart from being one of the most influential political thinkers of enlightenment, Locke is also one of the most important philosophers of modernity. As is well known, he is a leading member of the empiricist school. In this section, I will expand on Locke's epistemology and his approach to reason and morality, and then move onto his thoughts on toleration to highlight the paradigm approach and way liberalism deals with differences.

Locke's empiricist epistemology is a radical break from Plato, Descartes and other rationalist's basic assumptions about the existence of a priori ideas and principles that we are equipped with at birth. Although Locke is not the only philosopher to advocate this view, he is important because of his position in modernity and his influence as a political thinker. Moreover, empiricism when taken to its fullest extent can lead to relativism or even idealism as in the case of Berkeley. Locke, in this sense, represents a subtler version of empiricism in which reason plays an important role especially in terms of political philosophy and religion.

Locke argues that there are no innate ideas and that all knowledge attained is the result of interaction with the world outside through our senses, i.e. all knowledge is derived from experience. Locke defines an idea as "the object of the understanding when a man thinks."[68] This is a broad definition, for an idea can be the color red that we see on a sports car or a complex and sophisticated concept like justice. This is because Locke associates an idea with thought. Whenever humans think, they are dealing with the material that their senses provides them, namely ideas, and thought is the way mind interacts with this

[68] John Locke, *An Essay Concerning Human Understanding*, collated and annotated by Alexander Campbell Fraser, New York, 1959, p.32

material. The main point that differentiates Locke from the rationalists is the origin of ideas.

One of the proofs of God's existence that Descartes put forwards, in *Meditations*, is based on the presumption that God as an idea is innate in all human beings and because no such great idea can be derived from the world through experience, a being must have put this idea prior to birth in every human's mind. Locke's empiricism denies the presumption of any innate ideas, including that of God. Locke argues that all knowledge is the result of experience and that there can not be any universal ideas pre-planted in our minds prior to birth. All ideas, whether it is the idea of the color red or the idea of God must be derived a posterior to existence.

One of the methods that rationalists argued for the existence of innate ideas was an empirical method of generalization from particular cases. Locke criticizes this rationalist assumption fiercely: "There is nothing more commonly taken for granted than that there are certain principles…universally agreed upon by all mankind."[69] Although this statement sounds very relativistic, it should be noted that Locke does not criticize the existence of universal ideas; he is merely criticizing the presumption that they are innate and all agree to their truth. Locke goes onto argue that even if every person thought that an idea was universal it would not prove that it is innate. Universal assent to an idea or principle is not enough to prove that an idea is innate:

> Universal consent proves nothing innate. This argument, drawn from universal consent, has this misfortune in it, that if it were true in matter of fact, that there were certain truths wherein all mankind agreed, it would not prove them innate, if there can be any other way shown how men may come to that universal agreement, in the things they do consent in, which I presume may be done.[70]

Locke makes an important observation here: even if an idea or principle is assented by all that does not necessarily make it innate or universal, however

[69] Ibid., p.38

[70] Ibid., p.39

the opposite proves that they are not innate. Locke's epistemology is a criticism of essentialism in that sense.

Having shown that one cannot argue convincingly of the existence of universally innate ideas, Locke moves onto construct his own epistemological system. Locke argues that the mind is similar to an 'empty cabinet' or a 'white paper' which is filled with ideas as humans experience the world outside. This implies that not only any sort of knowledge is originated from objects, but also that the processes themselves through which we make sense of these ideas are also derived from outside. In order to show this, Locke uses the principle of non-contradiction, the founding stone of logic:

> It is impossible for the same thing to and not to be… …But yet I take liberty to say that these propositions are so far from having universal assent that there are a great part of mankind to whom they are not so much as known… For, first, it is evident that all children and idiots have not the least apprehension or thought of them; and the want of that is enough to destroy that universal assent which must needs be the necessary concomitant of all innate truths.[71]

Contrary to Descartes who argued that '2+2=4' is an innate knowledge, Locke claims that "a child knows not that three and four are equal to seven, till he comes to be able to count to seven, and has got the name and idea of equality."[72] The fact that Locke defines 'equality' as an idea that the child learns points to the conclusion that rationality and logical principles, like equality and non-contradiction, are also things that we learn through experience. Unlike the Cartesian innate reason, "our rationality is derived from the exercise of our minds as they use the materials presented to them by experience."[73] After humans acquire the ability to think of equality or non-contradiction they use them to reason. Yet, Locke is not an empiricist in its purest sense. Locke recognizes that there is a structure that makes us respond to these ideas that we receive and absorb.

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[71] Ibid., pp.39-40

[72] Ibid., p.50

[73] Peter R. Sedgwick, *Descartes to Derrida: An Introduction to European Philosophy*, Oxford, 2001, p.13

Locke divides ideas into two: simple ideas are simply perceived. Complex ideas on the other hand are the combination of simple ideas. In that, all thought is either the result of direct perception or derived through reflection. Sensation and reflection constitute the two 'fountains of knowledge'; sensation is the passive ability to engage in relationship with the external world and reflection is the internal, active aspect of mind that can derive judgments or compose new ideas from these ideas that are acquired from the external world. Hence, implicitly Locke is envisaging a faculty of the mind that serves as a foundation for rational thought. This aspect of Locke's empiricism, which is controversial, is also reflected in his moral views. Therefore, the implicitly rationalist aspect of Locke's thought should be taken into consideration when engaging with his opinions on morality.

I shall now turn to the main topic of this section, that is of tolerance in Locke's thought. Locke considers tolerance as a matter of religion and the foundations of authority and state, and not as a matter of conflict between different forms of life. This is partly due to the real political conflicts of his time, i.e. the sectarian violence that reigned in 16th and 17th century and the role that states played in relation to these religious divisions, and partly because the scope of freedom prior to the consolidation of liberalism was limited to the relationship between the state and the individual. The coercion of social institutions or other social groups were mostly ignored.

A lesser known aspect of Locke's political thought is that his earlier writings advocated an absolutist political authority that could intervene in private affairs. In the posthumously published *Two Tracts on Government*, Locke writes of the necessity of a powerful magistrate to regulate the fragile civil peace established after the English Civil War against the 'tyranny of a religious rage'.[74] In this sense, Locke's earlier political thoughts were similar to that of Hobbes; the preservation of civil peace was the main aim of civil society. Locke feared that freedom of conscience and limitations on the magistrate's authority regarding religious affairs could lead to:

[74] Robert Kraynak, 'John Locke: From Absolutism to Toleration', *The American Political Science Review*, Vol.74, 1980, p.56

> belittling of the magistrate, the violation of laws, all things sacred as well as profane are held as nothing and so long as they march under the banners of liberty and conscience, those two watchwords of wonderful effect in winning support, they assert that each may do what he will. And certainly the overheated zeal of those who know how to arm the rash folly of the ignorant and passionate multitude with the authority of conscience often kindles a blaze among the populace capable of consuming everything.[75]

For early Locke peace and stability preserved by the absolute power of the political authority was the ultimate necessity for society. This goal, preservation of civil peace, was preserved in his later writings as well. His political project, as it is represented in the *Two Tracts*, started out with absolutism as a necessary condition of civil peace and evolved to his later adherence to individual rights and freedom of conscience, as they were in the *Two Treaties* and *A Letter Concerning Toleration* –still motivated by necessary conditions of civil peace. The difference is that his later writings focused not only on the establishment of authority for the preservation of civil peace, but also on outlining its limits so that authority itself would not become an obstacle to civil peace; hence it should be noted that preserving peace is the primary subject matter that Locke is concerned about and that there is a continuity in his early and late writings. His arguments regarding tolerance should therefore be interpreted with this in mind.

The arguments that Locke gives in the *A Letter Concerning Toleration*, a later culmination of his views, in support of toleration is directed at answering the question of why the magistrate as the political authority should tolerate diverse sects. Locke doesn't approach the question of toleration from a social perspective but takes the issue from the view of the political authority and tries to convince the reader that political authority should not interfere with the proceedings of various religious groups for the sake of peace and security –as long as they are loyal to the political authority.

Locke's first argument is based on the assertion that belief can not be coerced, but must be voluntary. Submission to a religious sect or dogma should

[75] John Locke, 'Second Tract on Government', in *Political Essays*, ed. Mark Goldie, 1997, p.55

not be the result of coercion and use of force by the political authority because, Locke claims, it is impossible to make an individual believe a religious notion through the use of force. Hence, the magistrate as the political authority should not use his coercive power of making laws to dictate a certain religion on public as the orthodox view. As Locke puts it "[Truth] is not taught by laws, nor has she any need of force to procure her entrance into the minds of men."[76] Truth can not be coerced by way of laws and force, because of the nature of truth. Reasons outside of one's conscience are, according to Locke, insufficient to create belief. Belief must be based on internal reasons as a result of voluntary submission, because "if truth makes not her way into the understanding by her own light, she will be but the weaker for any borrowed force violence can add to her."[77] Coercion will only lead to the polarization of society, antagonism among various sects and eventually question the legitimacy of political authority. Therefore, laws or political authority should not be concerned about religious matters: "The business of laws is not to provide for the truth of opinions, but for the safety and security of the commonwealth and of every particular man's goods and person."[78] Therefore, the duty of the magistrate is not to make every member of commonwealth adhere to a single religious view; convincing others of the error or truth of a particular view is left to the individuals that form the commonwealth: "Every man has commission to admonish, exhort, convince another of error, and, by reasoning, to draw him into truth; but to give laws, receive obedience, and compel with the sword, belongs to none but the magistrate."[79]

Moreover, Locke, in order to make 'freedom of conscience' more appealing to Christians, turns to Christianity for support and argues that coercion is not what Christianity preaches and that salvation as a religious goal necessitates free voluntary submission and the sincere belief of the individual. As Locke puts it: "The toleration of those that differ from others in matters of religion is so agreeable to the Gospel of Jesus Christ, and to the genuine reason

[76] Locke, *A Letter Concerning Toleration*, p.153

[77] Ibid., p.153

[78] Ibid., p.153

[79] Ibid., p.130

of mankind, that it seems monstrous for men to be so blind as not to perceive the necessity and advantage of it in so clear a light."[80] Freedom of conscience is posited both as a pragmatic condition of civil peace and as a teaching of Christianity.

Locke's emphasis on freedom of conscience and the limitation of political authority's sphere of influence to non-religious civil matters for the sake of peace marks, a well known modern standard: the 'separation principle'. Political authority and religious authority, state and church, are separated from each other and the authority of each is limited to its own sphere: "the whole jurisdiction of the magistrate reaches only to these civil concernments, and that all civil power, right and dominion, is bounded and confined to the only care of promoting these things; and that it neither can nor ought in any manner to be extended to the salvation of souls."[81] What Locke refers to as 'civil concernments' is "civil interests" that he calls "life, liberty, health, and indolency of body; and the possession of outward things, such as money, lands, houses, furniture, and the like", in other words worldly affairs.[82] Apart form these civil concerns, the magistrate has no authority to dictate people on what to believe and the church has no authority to interfere in civil affairs: "The boundaries on both sides are fixed and immoveable… these two societies; which are in their original, end, business and in everything, perfectly distinct, and infinitely different from each other."[83]

This demarcation between state and church corresponds to the separation between public and private spheres. While the public sphere consists of matters relevant to peace, security and other non-religious affairs under the authority of political power, the private sphere is concerned with matters irrelevant to peace hence outside the authority of the state. The private sphere, cut off from the control of political authority, is the "object domain of toleration" and Locke's perspective, in this sense, is "paradigmatic."[84] The matters of toleration are

[80] Ibid., p.128

[81] Ibid., p.129

[82] Ibid., p.128

[83] Ibid., p.137

[84] Anna Elisabetta Galeotti, *Toleration as Recognition*, Cambridge, 2005, p.25

delegated to the private sphere and a sterile and clean ground, the public sphere, is created at the expense of differences.

The limit of toleration, therefore, for Locke is the safe guard of the system that makes toleration possible. Locke is clear that a force that can undermine the authority of state and cause friction among society can not be tolerated, and this includes a group that recognizes the authority of another magistrate: "That Church can have no right to be tolerated by the magistrate which is constituted upon such a bottom that all those who enter into it do thereby ipso facto deliver themselves up to the protection and service of another prince."[85] Hence, the "magistrate may impose restrictions on religious practices on the grounds that they endanger public order, he may not do so on the grounds that these practices are theologically mistaken."[86] This implies an asymmetrical relation between the two spheres, public and private. The political authority can interfere with private beliefs if they threaten public authority and civil peace, but the religious authority can not interfere with public affairs, at least in theory. The ideal behind the separation of the two spheres, civil peace, gives the political authority a power to interfere in religious affairs in cases where peace is deemed to be under threat.

The role of toleration in Locke's political theory becomes much more significant when we take up his claims on morality. Although Locke is an empiricist, he adopts a rationalist approach to morality.[87] Locke states that "morality is capable of *demonstration*, as well as mathematics: since the precise real essence of the things moral words stand for may be perfectly known, and so the congruity and incongruity of the things themselves be certainly discovered; in which consists perfect knowledge."[88] This is significant claim because it recognizes the rational nature of morality, in that it is possible to demonstrate to others in an objective manner the truth of some moral claim through the use of

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[85] Locke, *A Letter Concerning Toleration*, p.158

[86] Selina Chen, 'Locke's Political Arguments for Toleration', *History of Political Thought*, Vol. XIX, No.2, Summer 1998, p.171

[87] Copleston, *A History of Philosophy*, Vol. 5, p.123

[88] Locke, *An Essay Concerning Human Understanding*, Vol.2, p.156

reason. Moreover, the comparison with mathematics indicates that morality, for Locke, can be proved in an analytical method similar to geometric proof:

> *Where there is no Property, there is no Injustice*, is a Proposition as certain as any Demonstration in *Euclid*: For the *Idea* of *Property*, being a right to any thing; and the *Idea* to which the name *Injustice* is given, being the Invasion or Violation of that right; it is evident, that these *Ideas* being thus established, and these Names annexed to them, I can as certainly know this Proposition to be true, as that a Triangle has three Angles equal to two right ones.[89]

Discovering links between ideas, like justice and equality or as in the example Locke gives as *property* and *injustice*, deducing the necessary conclusion from these relations leads us to moral truth. This process of comparing ideas lets us see whether or not some ideas disagree or agree with others and form a consistent whole that is devoid of any discrepancies. One of the difficulties of this method, especially when complex moral concepts are in question, is the intricacy of fixing and making clear what the ideas exactly stand for. Locke recognizes this difficulty but is confident that it can be overcome:

> One part of these disadvantages in moral ideas which has made them be thought not capable of demonstration, may in a good measure be remedied by definitions, setting down that collection of simple ideas, which every term shall stand for: and then using the terms steadily and constantly for that precise collection.[90]

Locke's confidence in the ability to objectively define moral ideas in a precise and uncontroversial manner, and his emphasis on the demonstrability of morality is evidence of the role that universal reason plays in morality. Furthermore, Locke takes that knowledge of the moral truths should be universal because of their abstract nature:

> If the ideas are abstract, whose agreement or disagreement we perceive, our knowledge is *universal*. For what is known of such general ideas, will be true of every particular thing in whom that essence, i.e. that abstract idea, is to be found: and what is once known of such ideas, will be perpetually and for ever true. So that

[89] Ibid., p.208

[90] Ibid., p211

> as to all general knowledge we must search and find it only in our minds; and it is only the examining of our own ideas that furnisheth us with that.[91]

It should be noted that the emphasis on the disagreement and agreement of ideas as identifying moral truth might be interpreted as Locke advocating a relativistic morality, in which taking up a certain set of ideas might lead to a particular set of moral rules, where as taking another set to another set of moral rules.[92] However, this is not the case with Locke.

Locke's approach to morality is not pluralistic or relativistic. There are three sources of moral rules according to Locke: divine law, civil law, and the law of opinion. The divine law is concerned with "the measure of sin and duty", civil law with "the measure of crimes and innocence" and the law of opinion is "the measure of virtue and vice."[93] Of the three, divine law, which is identified as 'the only true touchstone of moral rectitude', sits at the top of the hierarchy and enjoys a universal place for humanity: "That God has given a rule whereby men should govern themselves, I think there is nobody so brutish to deny."[94] The role that Locke attributes to religious revelation is not however, all together, dogmatic. When Locke states that "reason must be our last judge and guide in everything", revelation and religious dogma is also meant to be within this scope.[95] However, this should not be interpreted as an asymmetrical relationship where the dictates of reason overrides that of revelation. For Locke, reason is 'natural revelation', in that, there can really be no contradiction at the ultimate level between reason and revelation; proper use of reason would lead humanity to the rules of divine law. Therefore, although at first sight Locke's emphasis on reason seems to imply a secular morality, because of his natural law theory, of which reason is also a part, his thoughts on moral truth take on a religious character.

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[91] Ibid., p.224

[92] Copleston, *A History of Philosophy*, Vol.5, p.124

[93] Locke, *An Essay Concerning Human Understanding*, Vol.1, p.475

[94] Ibid.

[95] Locke, *An Essay Concerning Human Understanding*, Vol.2, p.431

Of the three moral laws that Locke identifies, the third one, 'law of opinion', is the one in which Locke recognizes that there can be some differences. Cultural differences in practice are recognized by Locke and are attributed to the scope of 'law of opinion'. Locke sees these cultural differences as matters of difference between opinions that are not fundamentally important. For Locke, these cultural differences do not endanger the universalist aspect of morality or political institutions, nor do they have any fundamental role in the construction of the self. In this sense, the place that Locke locates cultural differences is very telling. They are merely presented as superficial differences that mean little to the fundamental constitution of society. They can be efficiently ignored. This approach is endemic to modern liberalism.

All in all, Locke's paradigmatic tolerance model, initially taken up from a pragmatic perspective, is oriented towards preventing religious conflict beliefs/differences and is motivated by preserving civil peace under the control of political authority. It is theological in character. Its scope is limited to religious differences and is based on a particular interpretation of Christianity, that of Protestantism due to its emphasis on the freedom of conscience. Although this tolerance model can be extended to non-religious differences as well, the religious aspect of Locke's thought, especially the theological foundations of his natural law/rights theory, implies that his religious convictions played an important unignorable role in his political thought. Although Locke recognized that knowledge and reason is limited, the emphasis on universal demonstrable morality was still preserved and conjoined with God made natural law through which Locke avoided the implications of skepticism.

However, his approach to morality, emphasizing universal reason and demonstrability, when combined with this tolerance model, which centers and works through the public and private distinction, suggests a model of discursive public sphere where not only political differences are resolved but also moral truth is achieved through rational debate. Although, Locke does not propound this ideal of politics as explicitly as it will be done by others, it would be safe to conclude that his thought is a proto-discursive democracy model. These features of his thought teamed up with the emphasis on individual moral sovereignty precede the political implications of Kant's moral philosophy.

The public/private distinction, originally theorized for the preservation of peace, also serves as a barrier to demands that stem from religious or cultural affinities. It is the first step in creating a modern, isolated and freestanding public sphere where political conflicts are solved through the use of reason, public reason, in order to reach a transcendent consensus. Therefore, it can be concluded that the enlightenment ideal of rational consensus is implicitly outlined and theorized in Locke's thought.

Overall, Locke's thought is a complex mixture of epistemological empiricism and moral rationalism. Although he argues that all knowledge is derived from experience, reason is ascribed the highest role in attaining universal moral truth. The demonstrability of moral rules, the public/private distinction, the emphasis on a divine originated natural law, all point to the universalist/monist aspect of his thought.

Locke's adherence to a rationalist universal morality and the emphasis on individual moral autonomy are two precursors of the tradition that would be expounded on by Kant and Mill. In this sense, Locke's moral thought is a complex combination of religious notions, the moral sovereignty of the individual and rational debate. His pragmatic defense of tolerance resembles more of the Hobbesian tradition of modus vivendi, due to its concern with civil peace. However, the Universalist side takes over the pragmatic one and the public/private distinction, tolerance of differences is not defended on the basis of practical necessity fundamentally.

However, it should be noted that although Locke offers a contractarian political theory similar to that of Hobbes's, he differs fundamentally on how 'state of nature' is portrayed. Whereas Locke envisages a state of nature relatively peaceful, Hobbes sees it as a state of war and instability. Therefore, the contract that Locke proposes is a positive agreement that is motivated by what such a political organization, or as Locke refers to civil society, could offer. According to Locke's scheme civil society offers its participants among other things, fundamentally, the prospect of private property. When the fact that Locke employs a wide definition of property not limited only to material possessions or ownership, but also extended into individual's liberty and life, is taken into consideration, it becomes clear that the model of social contract that Locke

conceives of is not motivated merely by the prospect of a state of war, but rather by the private property promises. Therefore, in contrast to Hobbes's model, Locke's contract is a *positive* agreement that secures a minimum area of inalienable rights for its participants, which includes the right to property, as a foundation for the existence of civil peace. Locke acknowledges that 'state of war' is one of the reasons that individuals engage in a social contract, but it is not the fundamental reason that motivates them.

Locke's moral and political philosophy is the melting point of various different philosophical perspectives and therefore is not very consistent. Nonetheless, his thought represents an important turning point in the history of liberalism. The idea of inalienable rights, individual autonomy, the public and private distinction and limited government are all principles that are now essential to mainstream liberalism. His perspective on toleration, the "cosmetization of difference", is a paradigm example of modern liberal toleration.

CHAPTER III

BERLIN'S LIBERALISM AND GRAY'S CHALLENGE

Among the many criticisms of liberalism, recently the focus of attention has shifted from liberalism's economic shortcomings to its incapacity to respond to diversity and cultural differences. The growing influence of movements that emphasize difference -post-structuralism, identity politics, multiculturalism, feminism- has ignited a debate questioning the capacity of liberalism to incorporate diversity without reducing it essentially to the cosmetic or exotic. Pluralism became once again a central matter of dispute among scholars. The discursive democracy models, proposed by Rawls and Habermas, based on rational consensus have been criticized for employment of a discourse of pluralism and tolerance, while inherently concealing within the deliberative or communicative processes techniques of exclusion that delegitimize the arguments of the traditionally dispriviliged groups. As a reaction to rational consensus models of democracy, a strand within political thought that puts much more emphasis on conflict, antagonism and embracement of 'the political' as a sphere of clash, rather than harmony, has emerged.

By and largely, what has been proposed as the alternative to liberalism has been the reinstitution of 'the political' as a sphere of conflict and antagonism.[96] This antagonistic political sphere envisages a plurality of discourses, practices, cultures and forces that struggle to establish themselves as universals. Yet, apart from this outside critique of liberalism, there is a brand of liberalism that aims to address similar concerns regarding diversity while remaining within the liberal tradition.

[96] See Chantal Mouffe, 'The Limits of Rawlsian Pluralism', *Politics, Philosophy & Economics*, Vol. 4, No. 2, 2005, pp. 221-231

Isaiah Berlin's liberalism is among the most significant and challenging critiques, which has emerged during the post-war period, of not only Communism and Fascism, but also some of traditional liberal presuppositions. It stands out from the dominant model of liberalism because its main concern has been how plurality of cultures and moralities can be accommodated, an aspect of liberalism that has been neglected and taken for granted. Berlin's liberalism has been very influential in this respect and has ignited debate about the nature of liberty and how liberalism can sustain difference.

The most recent of these debates has been one that questions fundamentally the ability of Berlin's liberalism to sustain pluralism. Gray's criticism of Berlin's liberalism, which is based on an interpretation of Berlin's liberalism itself, has been the central force that drives this debate.[97] Gray's position can be described as an anti-enlightenment, sometimes referred by his critiques as anti-liberal, position that questions the universalism of enlightenment values with an emphasis on the existence of legitimate non-liberal cultures and values. What makes Gray's ideas different from relativism, irrationalist anti-enlightenment positions or Romanticism, is that he builds it on the ideas developed by Isaiah Berlin and incorporates them into 'ethical naturalism', which envisages universal rights.[98] Gray's arguments regarding the failure of liberalism centers on the conviction that there are objectively incommensurable values that may amount to different ways of life, but not necessarily to liberalism and its central ideals.

The crux of this dispute is about the recognition of irreducible differences and diversity, in the realm of the social, that are legitimate yet not liberal, the nature of this diversity and whether or not liberalism, which has secured itself a privileged position can sustain itself as a neutral underlying set of conditions that facilitates the flourishment of various different forms of lives.

While most pluralists, including Berlin, have held that liberalism and value-pluralism complement each other, the question of whether or not pluralism and liberalism are compatible lies at the center of the theory of value-pluralism.

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[97] See John Gray, *Isaiah Berlin*, Princeton, 1996

[98] Gray, 'Reply to Critics', p.325

Gray, as the leading proponent of the contradiction thesis, argues that implications of value-pluralism, as a fact, forbid the centralization of liberal values as universal. Gray argues that value-pluralism not only does not support liberalism, but also works to undermine its central claims without falling into relativism. In this chapter, Isaiah Berlin's liberalism and pluralism will be analyzed followed by John Gray's criticism and his own value-pluralist arguments.

3.1 Isaiah Berlin's Liberalism

Berlin is famous for not engaging the central themes of his political thought directly in his writing. Although this is the case, Berlin's writings have dwelled around the same theme throughout his intellectual life. His engagements with the Romantics as critics of Enlightenment, his conviction about the supremacy of 'negative liberty' over the positive, and his criticism of totalitarian regimes are all testimony to his sustained interest on the conflict between *monism* and *pluralism* as the underlying dispute of moral and political theory. Gray argues that Berlin's writings on all these diverse subject matters culminate in a well thought moral theory: value-pluralism.

Berlin's ideas emerged among a generation of thinkers, including Popper and Hayek, who inquired into totalitarianism in order to understand the oppressive logic of mainly Stalinism and debunk its challenge to liberal democracy. Crowder refers to Berlin's persistent preoccupation with liberty and pluralism as an "archeology of totalitarianism".[99] This description is very much suitable, as Berlin has written persistently on history with a view on oppressive logic of monism.

What differentiates Berlin from some of his contemporaries is his conviction that his criticism of Stalinism and Fascism is also revealing a deeper fault seated at the foundation of western moral thought. In this sense, Berlin's criticism is troubling not only for Communism but also for liberal democratic theory itself, because "he traces both communism and liberal democracy to a

[99] George Crowder, *Isaiah Berlin: Liberty and Pluralism*, Cambridge, 2004, p.125

common root in Enlightenment rationalism."[100] Hence, Berlin's critical position is also directed towards the intellectual genre that he also comes from.

Throughout the postwar period, Berlin explored the transformation that the ideal of freedom had gone through modernity and the threats that had been posed to it. Berlin notes two important threats, in this respect: (1) the exaggeration of Counter-enlightenment themes by thinkers like Maistre, which precede 20th century fascism; and (2) Enlightenment rationalism which with its scientistic approach reduces human action into a deterministic schema, thereby making morals and politics a matter of experts or elites.[101] Berlin's efforts in this period culminated in his influential essay *Two Concepts of Liberty*. In this essay, Berlin presents a comparison of negative and positive liberty, and criticizes positive freedom for opening the road for totalitarian aspirations. Also, during this period, Berlin indulged into the history of political thought. Where as Berlin's essays on liberty, most notably *Two Concepts of Liberty* represent the theoretical aspect of his archeology, Berlin's writings on Romanticism, Ancient Greek thought and Enlightenment traces the many applications of monism and the reaction against it throughout history. In this sense, Berlin forms a theory of pluralism that stems and feeds mainly from the criticisms of monism in the history of political thought.

In the next section, Berlin's writings on the history of political thought will be discussed, followed by his theory of liberty and finally his pluralism.

3.1.1 Berlin's 'Archeology of Totalitarianism'

Berlin's intellectual stance, even as a young student, was determined by his skepticism towards all forms of claims to absolute certainty:

> One of the intellectual phenomena which made the greatest impact on me was the universal search by philosophers for absolute certainty, for answers which could not be doubted, for total intellectual security. This from the very beginning appeared to me to be an illusory quest. No matter how solidly based, widespread, inescapable, 'self-evident' a conclusion or a direct datum may seem to be, it is always possible to conceive that

[100] Ibid., p.46

[101] Ibid., p.63

> something could modify or indeed upset it, even if one cannot at the moment imagine what this might be.[102]

Armed with a skeptical outlook, from the start, Berlin engages with a critique of western political thought, concentrating on the oppressive strands within it. While doing so, Berlin takes on a reading of history of political thought, which designates three breaking points that altered the subsequent thought of western political theory.[103]

Berlin identifies three pillars, assumptions of classical Western moral thought. The first and 'the deepest assumption' is that "questions about values, about ends or worth… …are genuine questions… to which true answers exist, whether they are known or not. These answers are objective, universal, eternally valid and in principle knowable."[104] The second principle of western political thought is that "the answers, if they are true, to the various questions raised in political theory do not clash. This follows from the simple logical rule that one truth cannot be incompatible with another."[105] The last presumption is that "man has a discoverable, describable nature, and that this nature is essentially, and not merely contingently, social."[106] Berlin's objection to the last assumption about human nature, as will be explained later, should be understood as a criticism of collectivism, because Berlin's thought also lays importance to the social dimension in the process that shapes one's values.

According to Berlin, all three of these presumptions were put under scrutiny throughout the history of political thought. The presumption about the nature of humans as social beings was questioned at the end of the fourth century

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[102] Isaiah Berlin, 'My Intellectual Path', in *The Power of Ideas*, ed. Henry Hardy, Princeton, 2001, p.4

[103] The history of political thought that Berlin presents is different from the history, based on Gray's reading of liberalism, which has been put forward in the first chapter of this thesis. Gray's history emphasizes the pluralist and monist traditions in liberalism. Berlin's history is more oriented towards finding the breaking points that altered the subsequent thought of their times, although his themes are also similar.

[104] Isaiah Berlin, 'The Birth of Greek Individualism', in *Liberty: Incorporating Four Essays On Liberty,* ed. Henry Hardy, Oxford, 2002, p.290

[105] Ibid., p.290

[106] Ibid., p.290

BC in ancient Greece which in Berlin's terms led to the 'birth of Greek individualism'; the presumption about the compatibility of values, moral answers was questioned by Machiavelli, and the first presumption which stated that questions of value can be answered was attacked by the German Romantics during the 18th century. Each of these three attacks, according to Berlin, represents a breaking point in the development of western political thought.

Berlin's interpretation of western political thought and identification of its three main pillars indirectly highlights the general themes of Berlin's own political/moral theory. Berlin is critical of the presumption that has dominated moral theory since Plato about the singleness of solutions to moral questions. Although different movements have subscribed to different solutions "to be discovered by reason, others by faith or revelation, or empirical observation, or metaphysical intuition…", he argues, all have tried to reduce moral questions to a single explanation.[107] Hence, political theory has been reduced to the problem of discovering through which means the answers that already exist can be found, rather than finding out if such answers really exist.[108] The possibility that there might be more than one answer to such questions or that no satisfactory answer to fundamental questions can be discovered has been ignored. The philosophies of Plato and Aristotle, the metaphysical roots of various religions and secular rationalist moral theories have all subscribed to this basic presumption, thereby creating a longstanding political tradition that has reduced all claims to pluralism to relativism.

When this conviction, that there exists such ultimate answers to moral questions, is combined with the second presumption that Berlin points out –that such true answers can not clash- it logically follows that there can only be one set of true answers; either forming a hierarchical system under an overarching principle or an interlinked, consistent whole. Berlin states that such a view promises "a total solution of all problems of value – of the questions of what to

[107] Ibid., pp. 290-291

[108] Ibid., p.290

do, how to live, what to believe" and therefore should be approached with caution.[109]

The above two presuppositions of western political thought together form the basis of *monism*, which Berlin argues has dominated moral thought and formed the foundations of oppressive and totalitarian regimes for two millennia. Berlin summarizes this stance as "the ancient belief that there is a single harmony of truths into which everything, if it is genuine, in the end must fit."[110] This model, as sometimes referred to as the 'jigsaw-puzzle view of ethics and politics', reduces moral and political conflicts to a problem of application which stems from our imperfect understanding of the moral reality. It is held that once a perfect view of the moral reality is acquired, different goods that conflict will complement each other to form a perfect whole that will serve as a timeless guide for all, regardless of their particular desires, cultures or any other differences. Berlin refers to this view as a *'philosophia perennis'* that has unconsciously determined much of the history of moral and political philosophy.

According to Berlin, these claims about truth, certainty and moral absoluteness not only create a monist philosophical approach that excludes all alternatives to it, but also opens the way for the consolidation of an elite, a group of experts, like the philosopher-king of Plato, who exerts power over the masses determining not only what is right or wrong theoretically, but also how to act, think or desire in particular cases. This, Berlin believes, is what gives way to the creation of fascist or communist societies that are controlled by elite authorities who single-handedly lay exclusive claim to truth.

The last presupposition, the first to be challenged, of western thought, which foresaw that 'the natural life of men is the institutionalized life of the polis', was most remarkably affirmed in the thought of Plato and Aristotle, as discussed in the first chapter. Berlin argues that this was the general attitude adopted by the major thinkers of ancient Greece. The consequence of this conviction was that the individuals were perceived as "bricks defined in terms of

[109] Ibid., p.292

[110] Berlin, 'My Intellectual Path', p.14

the building into which they naturally fit."[111] Therefore, the individual was subordinated to the interests of the polis and it was assumed that individuals could only "realize themselves, the values they hold, only within and as part of the life of the Greek polis."[112] Social life of the polis was not seen as a means of achieving, fulfilling individuals' desires, but as the ultimate defining criteria of individuals' desires.

The revolt against the institutionalized life of the polis has resulted in important changes.[113] Politics and ethics were divided, and the natural unit of these two disciplines was no longer the group but the individual. Social institutions were not perceived as ends in themselves. The vision of man was altered and the idea of autonomy took the center: "A man is not a man unless his acts are dictated by himself and not forced upon him by a despot from without or by circumstances which he cannot control."[114] Ethics became the 'ethics of the individual'. Berlin emphasizes that this wasn't identical to the modern concept of individual rights or an understanding of privacy. The attitudes of Hellenistic philosophers did not amount to a conflict of authority that would lead to the ideal of an exclusive area to which the State could not enter –what Berlin refers to as 'negative liberty'. However, according to Berlin, individual and public values began to conflict with each other and this revolt "marks the beginning of new values and a new conception of life" –a life that finds its justification from within.[115] Berlin sees this new condition essentially as a division between the inner and the outer life.

The assumption that answers to fundamental questions would not conflict but fit together to form a coherent whole was, according to Berlin, first challenged by Machiavelli. Berlin reaches this conclusion in part based on his analysis of the various conflicting interpretations of Machiavelli's writings. Berlin notes that many commentators have interpreted *The Prince* and *The Discourses* throughout history in conflicting ways; some declaring Machiavelli a

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[111] Berlin, 'The Birth of Greek Individualism', p.298

[112] Ibid., p.301

[113] Ibid., pp. 317-21

[114] Ibid., pp. 317-18

[115] Ibid., p.321

liberator and some 'a man inspired by evil'.[116] Berlin argues that the disparity in Machiavelli's interpretations is not the result of obscurity on behalf of Machiavelli. It is an original aspect of Machiavelli that caused so many different views.

Berlin interprets Machiavelli's thought as the expression of a dilemma between two moral systems. The widespread interpretation of Machiavelli as having separated politics from morality is, according to Berlin, not accurate. Berlin argues that this supposed separation is actually the conflict of two moral systems that are equally ultimate:

> For Machiavelli the ends which he advocates are those to which he thinks men should dedicate their lives. This is what is meant by moral values. What he distinguishes are not moral values from political ones; what he achieves is not the emancipation of politics as a technique from moral considerations … but a sharp differentiation between two incompatible moralities. One is the morality of the pagan world: its ends are courage, vigour, beauty, public achievement, order, discipline… Against this there is the morality of Christianity: its ideals are charity, mercy, love of God, forgiveness of enemies, contempt for the goods of this world, faith in the life hereafter. Belief in the salvation of the individual soul is of incomparable value – far higher than, indeed incommensurable with, any social or political terrestrial goal, any economic or military or aesthetic consideration.[117]

Hence, Berlin's interpretation of Machiavelli is not based on reconciling the two seemingly contradictory aspects of his thought, but on the contrary pointing out that this contradiction is the result of a deeper acknowledgment regarding the ultimate worth of the two moralities. Therefore, the efforts to reconcile the two result in inaccurate interpretations. Moreover, Berlin argues that Machiavelli also acknowledged that these two dominant moralities of his times were clashing and the troubles that haunted Italian city-states were caused by the desire to reconcile the two:

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[116] Isaiah Berlin, 'Three Turning-Points in Political Thought: 2 Machiavelli', in *Isaiah Berlin Virtual Library*, ed. Henry Hardy, 1962, http://berlin.wolf.ox.ac.uk/lists/nachlass/machiavelli.pdf, accessed 23 November 2007, pp.4-6

[117] Ibid., p.13

> The cardinal error consists in believing that these two ideals, both valid, both capable of being believed in by normal human beings and capable of raising them to sublime heights, are in fact compatible with one another. This is the illusion the entertaining of which drives men to their doom. What normally happens, in his view, is that men cannot bring themselves to choose either of these ideals in their fullness, and therefore make compromises between them which create states of affairs of various degrees of imperfection, and, in the case of contemporary Italy, lead to hypocrisy and cynicism, with which the absurdity of pagan behaviour attached to alleged Christian ends is unsuccessfully covered up.[118]

Berlin is cautious to argue that Machiavelli himself was advocating the duality of the two moral systems. Berlin is aware that Machiavelli prefers the morality of the ancient Greek/Roman over the Christian, but what is emphasized and important for Berlin is Machiavelli's recognition that the two are ultimately valuable. Hence, Berlin states that Machiavelli wasn't explicitly advocating a pluralist or a dualist moral theory, but rather his writings de facto indicate the apprehension of plurality of ends that can conflict:

> Machiavelli's cardinal achievement is his uncovering of an insoluble dilemma, the planting of a permanent question mark in the path of posterity. It stems from his de facto recognition that ends equally ultimate, equally sacred, may contradict each other, that entire systems of value may come into collision without possibility of rational arbitration, and that not merely in exceptional circumstances, as a result of abnormality or accident or error…but (this was surely new) as part of the normal human situation.[119]

It is important to note that Berlin finds in Machiavelli the recognition of plurality of ultimate ends that can not be resolved through 'rational arbitration' as a part of the 'human situation'. This implies that, for Berlin, this is an objective part of being human, and is also an important discovery as it questions a fundamental aspect of western thought. More will be said about 'rational arbitration' in the section regarding incommensurability. At this point, it should

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[118] Ibid., p.14

[119] Isaiah Berlin, 'A Special Supplement: The Question of Machiavelli', *The New York Review of Books*, Vol. 17, No:4, 1971, http://www.nybooks.com/articles/10391, accessed 23 November 2007

be noted that Berlin's views regarding 'rational arbitration' is complex and sometimes conflicting.

Berlin notes that Machiavelli's exposition did not only point out a conflict between the two moral systems, but was more of an unintended discovery undermining the theoretical basis of western thought. Berlin states that Machiavelli's position challenged the belief that "somewhere in the past or the future, in this world or the next, in the church or the laboratory, in the speculations of the metaphysician or the findings of the social scientist or in the uncorrupted heart of the simple good man, there is to be found the final solution of the question of how men should live", thereby making the whole effort "not merely utopian in practice, but conceptually incoherent."[120]

Berlin identifies Romanticism as the third and the most recent challenge to western thought, which has also played the most important role in the making of our contemporary world. Berlin's approach to the Counter-enlightenment and Enlightenment is twofold. While, Berlin is critical of Enlightenment's scientism which he links to Soviet totalitarianism, he is also cautious of Counter-enlightenment because if its excessive emphasis on human will, which may lead to fascism through a denial of reason. However, Counter-enlightenment's anti-scientist approach is recognized by Berlin as a panacea to the rationalist monist stance. However, Berlin is also influenced by these two movements positively; Enlightenment's moral and political ideals are in line with Berlin's general liberal outlook, and the Romantic's emphasis on cultural and historical particularism establishes a starting point for his own pluralism.

In his analysis, Berlin identifies three pillars of Enlightenment thought: first is the enormous faith in human reason; secondly, the belief that natural world possesses an underlying structure, which also applies to human beings themselves, which can be comprehended by humans; the last one, which is the most significant, is that the scientific methods that have been used to understand and reveal the underlying structure of the natural world can be employed to the same effect to understand the social world and human nature.[121] From this, it

[120] Ibid.

[121] Crowder, *Isaiah Berlin*, p.97

naturally follows that, through the knowledge that has been attained in this process, human beings can form a society that truly satisfies the true needs and desires of the people.

Berlin views the dominant scienticism of Enlightenment not only misguided but also potentially authoritarian. Yet, Berlin also identifies himself as 'a liberal rationalist' and deeply sympathetic to the values of Enlightenment, against cruelty and oppression. In that sense, Berlin is not an anti-rationalist, but is more of an anti-scientist. What determines Berlin's attitude towards diverse movements is their tendency to lead to oppressive or authoritarian regimes, rather than their stance towards reason. Hence, Berlin is also critical of the irrationalism within Romanticism.

Another aspect that Berlin attributes to Romanticism, as a part of the Counter-enlightenment thought, is the confrontation of Enlightenment rationalism by questioning whether or not questions of value, either moral or political, could be answered as questions of fact or logic are answered. It is assumed by enlightenment rationalists that reason can employ methods that guarantee the validity of answers to moral and political questions, such as "'Why should anyone obey anyone else?' or 'What rights have individuals against society or society against individuals?", as it does to factual or mathematical questions.[122] In this respect, Romantic's revolt is a tremendously important challenge, according to Berlin, because it questions any moral or political motive independent of their position, as conservatives or revolutionaries:

> this would upset and subvert what have been the foundations of human belief for many centuries, for the orthodox as well as for the rebels. For the battles had hitherto been fought over the question of which answer was correct, not whether answers could be returned at all.[123]

It should be noted that Berlin sees the revolution by Romanticism as not preceded. The sophist, relativists, and skeptics like Hume, whom Berlin argues

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[122] Isaiah Berlin, 'Three Turning-Points in Political Thought: 3 Romanticism', in *Isaiah Berlin Virtual Library*, ed. Henry Hardy, 1962, <http://berlin.wolf.ox.ac.uk/lists/nachlass/romanticism.pdf>, accessed 23 November 2007, p.1

[123] Ibid., p.2

could be associated with such a movement, "did not deny that questions of value could be correctly answered by factual statements."[124] The pre-romantic conviction was that there was an answer to those important questions about politics and morality, and the problem was finding out the way.

In this sense, what differentiated the Romantic movement, according to Berlin, is their general attitude and conviction regarding the answers to questions of value:

> they came to the conclusion that these answers were not discovered, but invented; not found – like secret treasure to which few knew the way but which was there to be uncovered by theologians or psychologists, or physicists, or philosophers – but not there at all; created, and before it was created nowhere, non-existent[125]

The emphasis is put on the human will as the creative force behind moral and political values by the Romantics. Conditions that are appropriate for life is invented by the creative faculties of the subject based on its own principles and its own ends. This creative impulse is the central stimuli of action.

Berlin fears that too much emphasis on action and imagination neglects reason at the expense of some liberal values. The validation of inner realm as a source of values, the denial of rationalism and scienticism combined with particularistic sentiments, according to Berlin, opens the way for the flourishment of fascist movements. Hence, while Berlin argues that Romanticism started a significant revolution, with its acceptance that values are not 'to be discovered' but 'to be invented', possible negative consequences alert Berlin to be cautious.

There is one aspect of Romanticism, apart from the one mentioned above, that Berlin also finds significant. Romanticism's emphasis on the invention of values indicates the importance of surrounding conditions in the formation of the will. Culture as the essence of social environment, in such a framework, gains importance, and the sentiments of belonging to a culture or a whole, may act as the primary motive of individual's actions. Once again, Berlin recognizes that

[124] Ibid., p.3

[125] Ibid., p.4

this 'need for belonging' can lead to nationalism, which in turn can lead to fascism. However, Berlin doesn't dismiss nationalism, as most enlightenment thinkers have done, as a phase that will eventually pass, but recognizes it as an important feature of human condition.[126] The need to belong is a central requirement of human beings, according to Berlin. Enlightenment rationalism has largely ignored this aspect of nationalism while arguing for the unity of humanity and priority of the universal over the particular. This is a great negligence on the part of Enlightenment in Berlin's view.

In line with the above, Berlin identifies two types of nationalism: one is the aggressive type that is motivated by ressentiment, aspiring for superiority, which he associates with Germans and Eastern Europeans; the other is 'cultural' nationalism that Berlin argues stems from Herder's thought, which argues that different cultures have a right to exist without the interference of others.[127] In the second sense, Berlin finds the roots of a political vision that facilitates cultural identities that are tolerant of others. The apprehension that values are invented and that culture is operational in this process, leads to the conclusion that there is a plurality of values that may be in conflict, but yet equally legitimate, in terms of their foundation. This, in turn, means that there must be a compromise among the diverse groups that subscribe to different cultures because the lack of a single answer to moral and political questions, and the fact that values are invented, pushes human beings to find a middle ground:

> …they have given prominence to and laid emphasis upon the incompatibility of human ideals. But if these ideals are incompatible, then human beings sooner or later realize that they must make do, they must make compromises, because if they seek to destroy others, others will seek to destroy them; and so, as a result of this passionate, fanatical, half-mad doctrine [of unrestricted will], we arrive at an appreciation of the necessity of tolerating others, the necessity of preserving an imperfect equilibrium in human affairs… The result of romanticism, then, is liberalism, toleration, decency and the appreciation of the

[126] Crowder, *Isaiah Berlin*, p.111

[127] Ibid., p.112

> imperfections of life; some degree of increased rational self-understanding.[128]

Berlin's arguments above may sound like a naïve view, in the face of economic and sociological realties, but it is important to note that under different economic and sociological conditions the problem of value-incommensurability would not diminish, in Berlin's view, because they are an objective part of human condition. Incommensurability may arise in any culture or society.

It is generally argued that Berlin's liberalism is bordering on cultural relativism rather than pluralism because of its strong emphasis on outside conditions. Yet, the relationship between pluralism and liberalism, in Berlin's thought, is much more complex and incorporates universalist and rationalist themes. These aspects of his thought will be analyzed in the section regarding universal values.

All in all, Berlin's history of political and moral thought and the breaking points identified are telling for his own aspirations. The plurality of conflicting values as a part of the human condition along with an emphasis on the individual form the core of his anti-monist views. The differentiation of inner and outer life by the Ancient Greeks, the recognition of values that are ultimate yet conflicting by Machiavelli, and the argument that values are not discovered but invented, pronounced by the Romantics, have all been incorporated in Berlin's own theory regarding morals and politics.

The second line of argument Berlin develops against monism, which will be taken up below, is a positive philosophical effort to distinguish negative liberty from the positive. This inquiry into the nature of liberty discloses one of the main themes in Berlin's thought, i.e. his individualism. Liberty is taken up with a particular interest in protecting the individual from the demands of the collective.

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[128] Isaiah Berlin, *The Roots of Romanticism*, ed. Henry Hardy, Princeton, 2001, p.147

3.1.2 Positive and Negative Liberty

The individualist strand in Berlin's political thought, apart from his engagement with Greek thought, occupies an important place in his exposition regarding the nature of liberty. Berlin, in his influential essay *Two Faces of Liberty*, written in the decade following WWII, develops a criticism of positive liberty. This essay became one of the principal texts of anti-totalitarian thought, because of its fierce criticism of communism, however it also entails within itself a criticism of liberal rationalism as well.

Berlin sees the political scene of this era as setting in motion an 'open war' fought between two different system of thought for the answer to "the central question of politics – the question of obedience and coercion."[129] The two systems of thought that Berlin refers to are communism and liberal democracy, although his criticism of positive liberty can be extended to other systems of thought.

Berlin considers negative liberty as the standard, 'normal' meaning of the word liberty. It is defined as an attempt to answer the question: "What is the area within which the subject –a person or a group of persons- is or should be left to do or be what he is able to do or be, without interference by other persons?"[130] Therefore, the defining element of negative liberty is freedom of interference from others or obstacles. Coercion or threat of force, in this sense, is the most common impediment to the realization of liberty. Berlin stresses that coercion is different from mere incapacity to act. Not being able to act in a certain desired way due to lack of necessary sources, for instance 'not being able to read because I am blind', does not amount to being coerced. Negative liberty points to manmade obstacles that limit the action of human beings:

> the absence of obstacles which block human action. Quite apart from obstacles created by the external world, or by the biological, physiological, psychological laws which govern human beings,

[129] Isaiah Berlin, 'Two Concepts of Liberty', in *Liberty: Incorporating Four Essays On Liberty,* ed. Henry Hardy, Oxford, 2002, p.168

[130] Ibid., p.169

> there is lack of political freedom … where the obstacles are manmade, whether deliberately or unintentionally.[131]

In this respect Berlin's strategy is to isolate political liberty from other aspects of social life, be it the psychological or economic. Berlin asserts that to argue that a poor man is not free to rent an expensive room in a hotel, because he lacks the economic means is not to say that he doesn't have the freedom to rent the room, but to say that, even if caused by a man-made economic system, he is deprived of earning enough money. Berlin's goal, in doing so, is to isolate and discuss liberty, and not an economic system or psychological laws. The idea that lack of economic means which makes it impossible to carry out political action, in Berlin's terms, is based on an interpretation of a "particular social and economic theory about the causes of my poverty or weakness."[132] Therefore, depending on how poverty is explained, the limits of the minimum area that is protected from social control can change, but this does not essentially change the fact that liberty, in its 'normal' sense according to Berlin, refers to absence of impediment on human action. The conflict is not based on how liberty is defined, but how poverty is explained. After all, using various theories of psychology, an explanation of how human beings make choices, how they are influenced by social, economic or cultural norms can be provided, but this would essentially make discussing the nature of liberty, as Berlin does, redundant.

Berlin's approach may give the impression that liberty is discussed within the context of a 'self' that is in no way effected by socio-cultural and economic conditions, and in a way becoming a victim of Berlin's own criticism of an 'ideal self' and its dangers, which will be explained later. But this criticism would not do justice to Berlin. Berlin's distinction and effort to isolate liberty from other concepts, values or effects is analytically motivated. Berlin, as stated earlier, acknowledges the importance of cultural conditions on the creation of values and human action in his analysis of Romanticism. On the other hand, to claim that lack of economic means makes political freedom impossible would open up a set of issues which leads the discussion of liberty into other fields.

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[131] Isaiah Berlin, 'Final Retrospect', in *Liberty: Incorporating Four Essays On Liberty,* ed. Henry Hardy, Oxford, 2002, p.325

[132] Berlin, 'Two Concepts of Liberty', p.170

Berlin's objection to this approach is also very much motivated by his anti-deterministic stance, which will be discussed in detail later.

Berlin points to three important aspects of negative liberty. The first is that among negative liberty there are two positions historically developed: the first, what Berlin refers to as the 'classical form' of negative liberty, holds that coercion is 'bad as such' and non-interference is 'good as such'. The other, advocated by Mill, asserts that a minimum area devoid of social control is necessary for individuals to develop themselves as 'a certain type of character' – a character that is "critical, original, imaginative, independent" –in other words, "liberty as a necessary condition for the growth of human genius."[133] Berlin holds that the second sense is empirically proven to be false, as history tells us that, even in authoritarian societies, critical and independent individuals have emerged. Therefore, Berlin dismisses the emergence of this duality in meaning as confusion.

The second aspect, Berlin notes, is that negative liberty is a modern notion that is not preceded –it was not a 'conscious political ideal' before modernity. The individualist sentiment in Greek thought, as discussed earlier, or those in Roman, Jewish and Chinese societies were 'the exception' and haven't succeeded in gathering support from the masses as negative liberty has, since the Renaissance and Reformation. In that sense, negative liberty discussed by Berlin is distinctively modern.

The third aspect of negative liberty is that it is not "logically connected with democracy or self-government."[134] Berlin holds that negative liberty is concerned essentially with the limits of the area free from coercion, rather than the source of it. Democratic forms of government may impose on individuals restrictions that are not imposed in other forms of government, and non-democratic governments may provide its subjects with a wide area of individual freedom, in theory. Berlin acknowledges that democratic governments are more likely to defend and provide civil liberties, but the point emphasized is that this is not a necessity. Therefore, "the answer to the question 'Who governs me?' is

[133] Ibid., p.175

[134] Ibid., p.177

logically distinct from the question 'How far does government interfere with me?'"[135] For Berlin, this distinction is extremely important, because it essentially forms the basis of the differentiation between *positive* and *negative* liberty. Positive liberty is founded upon the question "Who governs me?", thereby opening up questions about the economic, sociological and cultural issues whereby many prescriptions regarding how to govern oneself are written.

Berlin's *main* aim in *Two Concepts of Liberty* is to present a critique of positive liberty. Berlin sees positive liberty as based on "the wish on the part of the individual to be his own master", "to be a subject…to be moved by reasons, by conscious purposes, which are my own" and not depend on "external forces of whatever kind."[136] Moreover, Berlin associates this understanding, in part, with being rational, because rationality implies conscious decision making based on one's own purposes.

This connection, according to Berlin, delineates a bigger differentiation that runs deep in political thought. Berlin argues that the desire to be one's own master leads us to make a differentiation between an autonomous self and desires that are dictated by nature. The idea of self-mastery implies a division between a higher self and a lower nature, whereby the higher self, represented by reason, tries to fulfill a set of 'real', 'ideal', 'autonomous' demands, thereby dominating the lower nature, which is driven by 'irrational impulses' or 'uncontrolled desire'. This creates a twofold self; ideal self vs. empirical self.[137]

Berlin asserts that this differentiation essentially may lead to the application of the 'ideal self' to collectives rather than the individual, which it is initially tailored for, in so doing subordinating the individual to a 'social whole' that tries to establish within its member the principles of the 'true self'. This leads to the conclusion that "it is possible, and at times justifiable, to coerce men in the name of some goal (let us say, justice or public health) which they would, if they were more enlightened, themselves pursue, but do not, because they are blind or ignorant or corrupt."[138] The history of western political thought has been

[135] Ibid., p.177

[136] Ibid., p.178

[137] Ibid., p.179

[138] Ibid., p.179

occupied by these kinds of movements, both secular and religious, claiming to know what is truly best for the masses even better than themselves, making the use of coercion legitimate for an ultimate goal. What alarms Berlin even more is that such an attitude entails something different from a simple 'I know what is best for you'. It implies an assumption that somewhere within the individual, although the 'empirical self' has not been aware of this, a 'real self', which has distinguished truth, would do as dictated once the truth is revealed. Berlin argues that this is different from the use of force to simply coerce individuals to a certain action. This attitude justifies the use of coercion based on the argument that individuals will eventually come to the conclusion that "if it is my good, then I am not being coerced, for I have willed it, whether I know this or not, and am free (or 'truly' free) even while my poor earthly body and foolish mind bitterly reject it."[139] This criticism developed by Berlin, can be labeled as the 'inversion thesis', following Crowder, because positive liberty starting out to liberate actually ends up creating obedience, thereby inverting liberty into obedience.[140]

Berlin acknowledges that negative liberty can be abused by designating the self that should be free from intervention not as the empirical self, but the ideal self, thereby running the risk of, once again, applying this not to the individual self but to collectives like a nation or class, and leading to oppression and coercion as a means to creating this ideal state. Although, Berlin does not state so explicitly, Mill's conviction that free, independent, intelligent individuals can only flourish in societies where individuals are protected from interference, seems to coincide with Berlin's warning about negative liberty. But what is important here is that Berlin's emphasis about the difficulties of positive liberty is based on the distinction and asymmetrical relation between the notions of a dominant, transcendent self, trying to control an 'empirical self' composed of desires and passions.

This approach has been influential in western philosophy as early as Plato, but it has gained its determining position with the advance of modernity in

[139] Ibid., p.180

[140] Crowder, *Isaiah Berlin*, p.71

the thought of Descartes, as discussed in the previous chapter. Berlin relates this ideal to a variety of thinkers, albeit in different forms, such as Rousseau, Marx, Kant, Locke, Spinoza, Ficthe, Comte and Burke. The common assumption is that our empirical selves must conform to the rational ends of our 'true' nature, although this true nature is defined differently by different thinkers. Therefore, individuals are understood as not free "to do what is irrational, or stupid, or wrong."[141] Therefore, coercing empirical selves to do what our 'true' nature dictates is perceived not as domination, but as liberation.

The above critique of positive liberty by Berlin fits very well to his anti-monism and suspicion towards 'final solutions'. Berlin writes in the highly influential last part of his essay that "pluralism, with the measure of 'negative' liberty that it entails, seems to me a truer and more humane ideal than the goals of those who seek in the great disciplined, authoritarian structures the ideal of 'positive' self-mastery by classes, or peoples, or the whole of mankind."[142] The connection between pluralism and negative liberty is based on Berlin's conviction that there are ultimately valuable, incommensurable goods and goals that are in conflict with each other. Positive liberty, driven by the goal of self-realization, a self that is predetermined in theory, neglects this fact of moral reality and tries to subordinate the individual to an ideal.

It must be emphasized that what Berlin finds intolerable is the subordination of the individual to a collective whether through negative or positive liberty. Berlin recognizes that positive liberty is also a valid concern and is 'central and legitimate' but it is also inherently much more receptive to abuse than negative liberty:

> The only reason for which I have been suspected of defending negative liberty against positive and saying that it is more civilized, is because I do think that the concept of positive liberty, which is of course essential to a decent existence, has been more often abused or perverted than that of negative liberty.[143]

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[141] Berlin, 'Two Concepts of Liberty', p.194

[142] Ibid., p.216

[143] Isaiah Berlin and Ramin Jahanbegloo, *Conversations with Isaiah Berlin: Recollections of a Historian of Ideas*, New York, 1991, pp. 40-42

The individualist stance in Berlin's analysis of positive and negative liberty is motivated by opposition to cruelty. It is also this concern which makes Berlin recognize that negative liberty must also be regulated and a balance between positive and negative liberty must be set to create a healthy society both free of cruelty and oppression, and open to development:

> Negative liberty is twisted when I am told that liberty must be equal for the tigers and for the sheep, and that this cannot be avoided even if it enables the former to eat the latter, if coercion by the state is not to be used. Of course unlimited liberty for factory-owners or parents will allow children to be employed in the coal-mines. Certainly the weak must be protected against the strong, and liberty to that extent be curtailed. Negative liberty must be curtailed if positive liberty is to be sufficiently realized; there must be a balance between the two, about which no clear principles can be enunciated.[144]

All in all, Berlin's criticism of the monist position can be summarized under two headings: (1) the differentiation between an 'ideal self' and 'empirical self' fuels monism, which in turn affirms the primacy of the collective over the individual; (2) moral values might conflict with each other and this is not a practical difficulty but a part of human condition and moral reality. Thus, Berlin's liberalism is determined by these two basic observations, and its fundamental concern is the protection of the individual from the collective.

3.2 The Principles of Berlin's Value-Pluralism

Berlin is not the founder of pluralism. The phenomenon itself, as an empirical reality, was evident, more or less, to thinkers in all ages. A wide range of philosophers and historians, ranging from ancient Greeks such as Herodotus and Protagoras to modern thinkers like William James, Schumpeter and Dewey, have recognized the plural aspect of social and political life in their works. However, it wasn't until the modern times that 'pluralism' as a concept acquired the meaning that it is nowadays associated with. It is thought that the term was first used in 1720 by Christian Wolff to refer to philosophical movements that

[144] Ibid., pp. 40-42.

opposed egoism and idealism.[145] It was at the beginning of the 20th century that the word acquired its moral and political meaning. It was also during this period that anthropological studies engaging with different cultures that questioned the moral and social standards of European societies from a 'scientific', intellectual point of view became prominent. There was a surge of interest at the beginning of the 20th century among intellectuals in the elucidation of the existence of plurality of cultures. Berlin was amongst these intellectuals.

What makes Berlin's thought distinctive, in this aspect, is that it does not just make an empirical anthropological observation about the plurality of cultures or peoples with diverse, sometimes conflicting values, but puts at the center of moral and political thought plurality as an *objective* condition of moral life. The difference lies in that while it is possible to eradicate all different cultures through oppression or other means and eventually form a society of individuals holding unified values, it is not possible to eradicate the plural reality of morality.

Within the current literature of political philosophy, the word pluralism is used in conjunction with many adjectives: cultural pluralism, moral pluralism, religious pluralism, legal pluralism to name a few. These differentiations emphasize different aspects that create our social lives based on different concerns. A more useful differentiation, which serves as an analytical tool, would be the categories *epistemic* and *ontological*.[146] Tallisse and Aikin, in their analysis of different types of pluralisms, identify these two categories as defining various pluralist positions based on how they explain plurality. Epistemic pluralisms explain diversity based on the shortcomings of human beings or their various faculties; ontological pluralisms, on the other hand, assert that diversity defines moral reality, that "moral facts are *themselves* in conflict" and "do not

[145] Rupert Breitling, "The Concept of Pluralism", in *Three Faces of Pluralism: Political, Ethnic and Religious*, eds. Stanislaw Ehrlich and Graham Wootton, England, 1980, p.2

[146] Robert B. Tallisse and Scott F. Aikin, 'Why Pragmatists cannot be Pluralists', *Transactions of the Charles S. Peirce Society*, Vol.41, No:1, 2005, p.2

form a consistent set."[147] Berlin's value pluralism falls within the second category –ontological pluralism.

Berlin's pluralism can be described as a negative image of his conceptualization of monism. The principles that are affirmed by monism are denied in pluralism. Berlin's pluralism upholds that it is possible to not find answers to moral questions in theory, and that moral ultimates, values might conflict with each other. This conviction, what Hardy, Berlin's close companion and student, calls his 'key idea', forms the basis of Berlin's pluralist argument.

Berlin associated this moral fact to the plurality of cultures. Various cultures with various value-systems might develop different answers, which are legitimate and worthwhile, to moral questions. Hence, the truth of a particular culture may not satisfy the needs of another culture. What interested Berlin in Vico and Herder's thoughts was their conviction that plurality of cultures with different values may be incompatible and conflicting irreconcilably due to different goals.

Berlin's interest and the pluralist emphasis in his thought has raised the question of whether or not Berlin's thought is a form of cultural relativism. Berlin denies these allegations firmly. In *My Intellectual Path* Berlin writes that the number of values that one can follow without losing his 'human semblance', 'human character', is limited.[148] Therefore, the Romantic creative will, in Berlin's view, should be limited with a standard of 'humanness. This idea is supported in Berlin's thought with an emphasis on understanding, communication and universal values, which will be the subject matter of the next section.

3.2.1. Liberty, Universal Values and Common Human Horizon

When one skims among the work by those scholars who highly esteem pluralism, the first thing that is noticed is the pains that they go to distinguish pluralism from relativism. Without exception all have felt the need to make an effort to convince the reader that pluralism is *not* relativism. Yet, still the most

[147] Ibid., p.2

[148] Berlin, 'My Intellectual Path', p.12

frequently repeated criticism to value-pluralist's arguments is that it serves as a tool to present every action, however monstrous and evil they may be, as legitimate. It can be inferred very clearly that Berlin is not trying to argue so, simply based on his attitude towards monism. Berlin's whole intellectual life is an effort to refute monist, totalitarian aspirations. However, this, Berlin's intention, by itself is not enough to show that value-pluralism need not lead to relativism.

The answer that all the scholars in defense of pluralism develop is based on the recognition of a set of universal values or a moral minimum that must be respected by all human beings and satisfied by diverse cultures. Berlin subscribes to this defense as well, although it is not very explicitly stated in his writing, using our apparent capacity to communicate.

Berlin, in the article *Alleged Relativism in Eighteenth-Century European Thought,* defends the thoughts of Vico and Herder against the claims that they were cultural relativist. His defense is also telling for his own position and how he understands historicism, pluralism and relativism. Berlin defines historicists as those "who hold that human thought and action are fully intelligible only in relation to their historical context" and on the contrary the relativists as:

> upholders of a theory of ideology according to which the ideas and attitudes of individuals or groups are inescapably determined by varying conditioning factors, say, their place in the evolving social structures of their societies, or the relations of production, or genetic, psychological or other causes, or combinations of these…[149]

Relativism, in this sense, according to Berlin, rejects the possibility of objective values shared by all cultures. This implies a detachment of different cultures, which prevents one from penetrating truly the other, without a capacity to understand the other. Such a view envisages cultures and individuals as living in 'bubbles' or behind impenetrable walls, which isolates them within their own world. Therefore, relativism's basic premises must be wrong, because human beings from different cultures are capable of understanding and making sense of

[149] Berlin, *The Crooked Timber of Humanity*, p.77

other's activities. This, according to Berlin, is because human beings share a common 'human horizon'.[150]

In this respect, Berlin's approach to human nature is very important. The emphasis on the historical and particularity of cultures and individuals, in his analysis of Vico and Herder, hint at his suspicion towards a static conception of human nature. Berlin holds that there is no static human nature, but that "human nature varies and differs from culture to culture, or even within cultures –that various factors play a part in the modification of human responses to nature and each other…", and therefore human nature understood as a kernel that doesn't change, that is not open to modification or the idea that "all men at all times in all places are endowed with actual or potential knowledge of universal, timeless unalterable truths" is a false idea:[151]

> There is no basic human nature in this sense –in the sense in which, for example, Rousseau believed that if you strip off all the increments, all the modifications, corruption, distortion, etc. (as he thought of it) brought about by society and civilization –there will be discovered a basic natural man... [T]here is no central, pure, natural being who emerges after you have scraped off all the artificial beliefs, habits, values, forms of life and behaviour which have been, as it were, superimposed on this pure, natural being. That is what I mean by denying a fixed human nature: I do not believe that all men are in the relevant respects the same 'beneath the skin', i.e., I believe that variety is part of human existence.[152]

Berlin's conception of human nature is based on 'basic' human needs and a common nature that binds all humans together. Among these basic needs are 'food, shelter, security or belonging to a group' to which anyone who can be categorized under the label 'human being' must conform to. Berlin's approach to human nature, as is the case with many other issues, is based on an image of existent empirical human being, and highlighting the assumptions that make that human being as such. Berlin, in the same way, argues that these 'basic'

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[150] Crowder, *Isaiah Berlin*, p.120

[151] Isaiah Berlin, 'A Letter on Human Nature', *The New York Review of Books*, Vol.51, No:14, 2004, http://www.nybooks.com/articles/17394, accessed 23 November 2007

[152] Ibid., p.3

properties are ones that is necessary for "anyone qualifying for the description of human being."[153] Apart from these, Berlin also cites other traits that could be added to this basic description; such as minimum liberty, the pursuit of happiness, worshiping, love, and more importantly communication. Berlin holds these traits as basic, for without them, communication, which Berlin holds as self-evident, would not be possible:

> there must be enough in common between all the various individuals and groups who are going through various modifications for communication to be possible; and this can be expressed by listing, almost mechanically, various basic needs—"basic" for that reason—the various forms and varieties of which belong to different persons, cultures, societies, etc[154]

What differs among human beings, groups, cultures, societies is how they react to these basic needs. Individuals or collectives may develop different metaphysical beliefs, religions, social customs, languages or values to deal with these basic needs all with the motivation to express oneself. Berlin cites Wittgenstein's concept of 'family resemblance' to explain how individuals or cultures differ from each other yet preserve a common horizon: "face A resembles face B, face B resembles face C, face C resembles face D, etc., but there is not a central face, the "family face," of which these are identifiable modifications…"[155] The idea of a metaphysical human nature that applies to all beings, in that sense, is not possible, but different individuals and cultures hold a common core that makes communication, understanding among them possible, which is the result of evolution and interaction through history, and some basic human needs. Berlin, therefore, argues that there is a finite number of values that could be followed while retaining one's 'human semblance', 'human character', and those who follow a particular one are able to communicate and others "understand why he pursues it or what it would be like, in his circumstances, for me to be induced to pursue it."[156]

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[153] Ibid., p.3

[154] Ibid., p.4

[155] Ibid., p.4

[156] Berlin, 'My Intellectual Path', p.12

Berlin uses the fact of communication and human understanding as a means to show that pluralism is distinctively different from relativism, in that not only does it recognize universal, objective values, but it also acknowledges that cultures or human beings are not closed, isolated entities without any possibility of meaningful exchange of ideas. The values that one follows are comprehensible by another, but this doesn't mean that to understand is to approve or accept; Berlin is very clear on this:

> if I pursue one set of values I may detest another, and may think it is damaging to the only form of life that I am able to live or tolerate, for myself and others; in which case I may attack it, I may even – in extreme cases – have to go to war against it. But I still recognise it as a human pursuit. I find Nazi values detestable, but I can understand how, given enough misinformation, enough false belief about reality, one could come to believe that they are the only salvation.[157]

In a way, Berlin's own inquiry into the nature of liberty and how it was interpreted in the form of positive liberty was an attempt to understand the Nazi values that he found detestable. Hence, such values, however horrible as they may be, are within the common human horizon. In that sense, human nature is similar as well:

> there is not a fixed, and yet there is a common, human nature: without the latter there would be no possibility of talking about human beings, or, indeed, of intercommunication, on which all thought depends—and not only thought, but feeling, imagination, action.[158]

Therefore, for Berlin, communication, action or thought which makes us human are possible because human beings share a common nature, that is not static, but 'variety as a part of human existence' highlights the human condition. A problem that arises in this perspective, one which denies human nature as a static entity, and affirms variety in values as a legitimate form, is how liberty itself can be justified. Berlin's historicist moral philosophy seems to contradict the value that is attributed to liberty and human beings as agents. If humans are

[157] Ibid., p.12

[158] Berlin, 'A Letter on Human Nature', p.5

nothing, when stripped of their values, cultural aspirations, beliefs, habits or in other words these factors are what makes them human beings then how can we really speak of a moral agent that makes moral decisions?

In this respect, Berlin asks the question that needs to be asked, "what value is in liberty as such. Is it a response to a basic need of men, or only something presupposed by other fundamental demands?"[159] To this rhetorical question Berlin answers:

> it is sufficient, perhaps, to say that those who have ever valued liberty for its own sake believed that *to be free to choose, and not to be chosen for, is an inalienable ingredient in what makes human beings human*; and that this underlies both the positive demand to have a voice in the laws and practices of the society in which one lives, and to be accorded an area, artificially carved out, if need be, in which one is one's own master, a 'negative' are in which a man is not obliged to account for his activities to any man so far as this is compatible with the existence of organised society.[160]

The important part in the above paragraph is how Berlin defines 'to be free to choose' as an 'inalienable ingredient' of what 'makes beings human'. Although this attitude resembles liberalism's rights discourse, that there are inalienable rights human beings should enjoy, it is different in that it defines freedom to choose as an ingredient of humanhood and a necessary assumption of morality.

In the essay, *Historical Inevitability*, Berlin develops a critique of the efforts to define human actions based on deterministic scientific knowledge only.[161] The positivist Auguste Comte asks "If we don't allow free thought in mathematics, why on earth should we allow it in morals and politics?" The answer according to Berlin is that if we do, then speaking of morality or politics itself would be meaningless. Morality assumes that individuals are free to choose even under extreme conditions that greatly influence these choices. To argue otherwise would undermine the logic of morality and make the questions of

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[159] Berlin, *Liberty: Incorporating Four Essays on Liberty*, p.50

[160] Ibid., p.52, emphasis mine

[161] Ibid., pp. 94-165

'How should I act?' or 'What is the right action?' irrelevant and meaningless. Asking these questions implies that this assumption, that human beings are free, is necessarily built into all moral considerations. Rejection of individual's inherent ability to choose is denying their responsibility. Without responsibility morality as we know it would be pointless. This assumption is what holds societies together, for without it, every individual's actions would be merely obeying the laws of physics as with all bodies, therefore not subject to any criticism of moral categories. Hence, holding someone responsible for an action would be as meaningless as holding them responsible for falling down when they trip over an object. Denying free will would be, according to Berlin, denying humanhood. To give a rational account of a society or social life without this assumption would be impossible.

Berlin's arguments, in this respect, are not a direct criticism of determinism. Determinism or historical inevitability is not mainly discussed from a logical point of view, but rather from a moral perspective. Berlin's argument highlights that natural sciences, morality and politics are positioned on different levels of human activity. To equalize one to the other would diminish the essence, core of the activity itself. Likewise, to ask why we do not allow free-will in mathematics, or in logic, would be against the principles that define mathematics. The concepts of freewill, responsibility, morality are interwoven and coincide in many respects, referring to each other in a logical sphere not determined by the laws of nature, but its own internal logic, which makes us human. If the arguments of social or psychological determinism are to be accepted, Berlin argues, then "our world … our words –our modes of speech and thought- would be transformed in literally unimaginable ways" that would make human as we know it unimaginable.[162]

Berlin goes a step further and offers a psychological account of attempts to apply determinism to history and morals, as an avoidance of responsibility. In an existential tone, Berlin declares determinism as "one of the great alibis, pleaded by those who cannot or do not wish to face the fact of human responsibility, the existence of a limited but nevertheless real area of human

[162] Ibid., pp.161-62

freedom…"[163] Such an avoidance of responsibility can be used as a means to justify great evils as a necessary, or even promote indifference to cruelty.

Berlin's position will be clearer if it is contrasted with Hobbes's. As stated in the first chapter, Hobbes argues that to speak of free-will is meaningless and absurd, since freedom means lack of impediments to movement and can only be applied to bodies, and not to concepts. Hobbes' conviction was based on his ontology and definition of freedom. Berlin, on the other hand, without putting forward a clear ontology, argues just the opposite, that speaking of a will that is not free is meaningless. Moreover, Berlin's fears about the rejection of free-will are materialized in Hobbes' political philosophy. In a deterministic world, such as that described by Hobbes in which the laws that govern the world spill over to the moral and political sphere, the individual is merely a subunit in a bigger system, subordinated to the collective, and morality becomes meaningless.

The human being as an inherently free to choose being is also what connects Berlin's pluralism and liberalism. The plurality of incommensurable values, which Berlin defines as a fact, forces human beings to make choices among these diverse values. If, as Berlin argues, there is no universal yardstick, or ultimate solution to these moral questions, then making choices among them becomes an utmost feature of what makes us humans, and makes protecting liberty to choose among these values as important as protecting humanhood. Our ability to choose is exactly what defines human beings as agents and also what makes them valuable. Berlin cites Schumpeter's famous saying that "to realize the relative validity of one's convictions and yet stand by them unflinchingly, is what distinguishes a civilized man from a barbarian" at the end of *Two Concepts of Liberty*, to highlight the importance of choice between incommensurables.

Berlin's approach to liberty, therefore, closely resembles the existentialist movement. Although Berlin criticized some existentialist as invalidly condemning all morals and political systems as 'shallow', he credits them with noticing the "crucial importance of individual acts of choice."[164] Certainly, Berlin was sympathetic to existentialism. In one his interviews, at the beginning

[163] Ibid., p.164

[164] Ibid., p.162

of the 90s, Berlin identified himself as an existentialist: "in a sense I am an existentialist—that's to say I commit myself, or find that I am in fact committed, to constellations of certain values. This is how I live. Others may live differently. But I am what I am."[165] It is this central belief, 'to be committed to constellations of certain values', which make choice, liberty and human life valuable.

3.2.2. Incommensurability

When Berlin's pluralism is analyzed in detail, it can be seen that its defining, central element is incommensurability. Berlin's emphasis on the conflict of values denotes this concept, but what it exactly means is rather a matter of debate, of which Berlin, unfortunately, has not really gone deep into, to explain his own position in detail. Rather much of his discussion of incommensurability has been superficial. In the *The Pursuit of the Ideal*, Berlin writes that "Great Goods can collide… some of them cannot live together, even tough others can – in short that one cannot have everything, in principle as well as in practice".[166] The phrase, 'in principle as well as in practice' is important, as it has been emphasized earlier, because Berlin views these conflicts as an objective condition of the nature of morality rather than a short-coming based on our lack of knowledge, cognitive faculties or reasoning capacity. The monist assumption that all values can coexist peacefully in a hierarchical system, according to Berlin, is 'conceptually incoherent'. The conflicts that are generated by these situations are, therefore, in Gray's words, "themselves universal and endemic."[167] This is what makes Berlin's pluralism ontological and objective.

Berlin's conviction that some values can conflict with each other, is by itself, as Crowder has pointed out, not enough to cause big problems for the monist position.[168] The fact that values may conflict, in practice, is a widely

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[165] Steven Lukes, 'Isaiah Berlin: In Conversation with Steven Lukes', *Salmagundi*, Fall 1998, p. 101

[166] Isaiah Berlin, *The Crooked Timber of Humanity*: *Chapters In the History of Ideas*, Princeton, 1990, p.17

[167] Gray, *Isaiah Berlin*, p.64

[168] Crowder, *Isaiah Berlin*, p.137

accepted idea in moral and political theory; it is, in a sense, what fuels these disciplines. Moreover, the monist can develop a method or a hierarchical system based on his own convictions, philosophical system or moral concerns, which can resolve these conflicts based on a common unit of measure. This is why the concept of incommensurability is crucial, for incommensurability also implies that there are such values which can not be reduced to a common currency. Joseph Raz's explanation of incommensurability explains this perspective in detail: "Two valuable options are incommensurable if 1) neither is better than the other, and 2) there is (or could be) another option which is better than one but is not better than the other."[169] This is the application of the concept of 'transitivity' used in mathematics to morals. Transitivity tells that if A is, for instance a number that is bigger than B, and C is a number bigger than B, then it follows that C must be bigger than A, and hence this relation is transitive. This example is based on a particular number theory that positions numbers in a linear manner, but when applied to morals, for those who uphold incommensurability, there might be some cases in which transitivity may not apply. This means that if, for a particular individual or culture, value A is more valuable than B, and value B is more valuable then C, it need not mean that A is also more valuable than C.[170] Value-pluralists, therefore, argue that some values are intransitive, and therefore might not be judged with a common yardstick. Berlin's companion Henry Hardy confirms that this is also the view shared by Berlin:

> Berlin believed… that our values are also often incompatible and at times incommensurable – that is, not jointly measurable on a common scale. To take only the simplest examples, more justice means less mercy, more equality less liberty, more efficiency less spontaneity; and there is no objective procedural rule that enables us to balance one value against the other in such a conflict and decide where to draw the line. Each value is its own yardstick, and there is no independent measuring-rod that can be used to referee clashes between them.[171]

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[169] Joseph Raz, *The Morality of Freedom*, Oxford, 1986, p.325

[170] In a more simplistic way, A>B and B>C but A might not be > then C

[171] Henry Hardy, 'Isaiah Berlin's Key Idea', in *Isaiah Berlin Virtual Library*, http://berlin.wolf.ox.ac.uk/writings_on_ib/hhonib/isaiah_berlin's_key_idea.html, accessed 23 November 2007

Hence, the utilitarian assumption that all can be reduced to utility and therefore be judged against each other is a mistaken view, according to Berlin. This line of argument is very problematic for disciplines that aim to explain phenomenon based on models that are rational and predictable, like decision theory of neo-classical economics. However, this is exactly what Berlin and others are trying to argue for, that choice between values may not be reduced to a mechanic, algorithmic system that produces the best result in every possible condition defined. Morality involves a much more complex set of values, which can not be reduced to a common measure, like utility, and therefore requires a different approach. This implies that there can be no 'priority rule', which governs values and shows the way on how conflicts among them can be resolved.

The consequence of intransitivity is that human beings are left with choices among these ultimates, which they can not measure against one another, implying that by making choices they also have to give up something.[172] Each choice implies a loss. This view fits very well with Berlin's quasi existentialist position, since it attributes a value to making choices:

> The world that we encounter in ordinary experience is one in which we are faced with choices between ends equally ultimate, and claims equally absolute, the realization of some of which must inevitably involve the sacrifice of others. Indeed, it is because this is their situation that men place such immense value upon the freedom to choose; for if they had assurance that in some perfect state, realizable by men on earth, no ends pursued by them would disappear, and with it the central importance of the freedom to choose.[173]

Incommensurability opens up another set of questions about the decision making process and the role of reason. The role of reason or exactly what the choices we make are based on is a central matter of concern for incommensurability to stand on solid ground. Berlin holds a rather vague position on this issue. In some of his writings, Berlin refers to value-systems which could conflict with each other "without possibility of rational arbitration",

[172] Crowder, *Isaiah Berlin*, p.138

[173] Berlin, 'Two Concepts of Liberty', pp.213-14

where as in other places, a softer approach to rationality, one that recognizes that reasoned choices among incommensurables is also possible, was taken.[174]

In one of the lucid discussions of incommensurability, Berlin, together with Bernard Williams, refuses the idea –in response to Crowder's criticism that incommensurability means irrational decision- that decisions in such incommensurable cases would "simply rely on my own preferences and desires to settle the issue."[175] Berlin, in doing so, refuses an understanding of morality that relies on individual sentiments: "I do not say 'I like my coffee with milk and you like it without; I am in favour of kindness and you prefer concentration camps'…"[176] Whatever my decisions are, according to Berlin, they are not based on my arbitrary sentiments. Berlin argues that there is no reason why one should hold that decisions concerning incommensurables would not be rational: "Why should we believe that such judgments are intrinsically less rational or reasonable than a claim to the effect that some simple priority rule should be accepted (e.g. that justice always trumps loyalty)?"[177]

Berlin holds that the view that reason in cases of incommensurability has 'nothing to say' is not one that pluralists subscribe to. Rather, he argues that it is not necessary to say that a decision is 'rational' if and only if there is a mechanical, algorithmic system or a priority rule that governs it. On the contrary, pluralism claims that choices among incommensurables are not governed by such mechanistic processes, but does not argue that they are not rational. If there were no reasons behind our decisions in such cases, even though they were not based on any algorithmic method, then we would have no capacity to make these decisions, and moreover discuss these issues and decisions with other individuals. But on the contrary human beings do make decisions between values and are not paralyzed by such incommensurable goods, and argue about these decisions with reasonable fellow human beings. Hence, Berlin once again highlights the importance of our apparent capacity to

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[174] Crowder, *Isaiah Berlin*, p.139

[175] Isaiah Berlin and Bernard Williams, 'Pluralism and Liberalism: a Reply', *Political Studies*, Vol.42, No:2, p.307

[176] Berlin, 'My Intellectual Path', p.11

[177] Berlin and Williams, 'Pluralism and Liberalism: a Reply', p.307

communicate as a proof that humans do not have barriers among cultures or individuals that prevent the translation of these ideas or feelings into a common language. Moreover, Berlin also states that to argue otherwise, that there are no incommensurable values and we would be one day able to come up with a method that could determine the best action in all cases would mean a denial of human beings as moral agents:

> To assume that all values can be graded on one scale, so that it is a mere matter of inspection to determine the highest, seems to me to falsify our knowledge that men are free agents, to represent moral decisions as an operation which a slide-rule could, in principle, perform.[178]

It must be noted that the most controversial concept in Berlin's thought is incommensurability. Incomparability is used by some scholars, most notably Gray, as a substitute to incommensurability. Within this view, Berlin's incommensurability is interpreted as lack of rational arbitration or rational incomparability. This view is mistaken, according to Berlin, as already stated in Berlin's reply to Crowder.[179] The difference between the two is, in Berlin's view, the difference between pluralism and relativism.

As stated earlier, Berlin believed that our choices can be communicated to other reasonable human beings, and that this is a necessity of being human. Berlin's main argument for incommensurability was that it was not possible to judge two values, with a universal yardstick, a *summum bonum*, "highest good" or any other common currency. This means that decision making between incommensurable values can not be reduced to a mechanical system. However, this doesn't mean that the two can not be compared through rational means. Concrete situations will provide plenty of reasons to choose between the two. To argue otherwise, in other words, to claim that incommensurability is the same with incomparability would go directly against Berlin's conviction of a common human horizon and our capacity to communicate. Therefore, although, Berlin's own ideas about incommensurability are vague, it is obvious that incommensurability, as Berlin uses, does not refer to incomparability.

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[178] Berlin, 'Two Concepts of Liberty', p.216

[179] Berlin and Williams, 'Liberalism and Pluralism: a Reply', p.2

Overall, Berlin's commitment to 'negative liberty' with its existentialist nuance, his pluralism based on incommensurable and universal values, refusal of a static human nature for a common nature, emphasis on communication and our capacity to understand others, form the basis of his political thought. Berlin's pluralism recognizes that there are more than one human end, most of which are in perpetual rivalry with one another, and the capacity to choose among these is what makes us human beings and liberty valuable.

3.3 Gray's Naturalistic Value-Pluralism and Criticism of Berlin's Liberalism

The biggest debate about Berlin's liberalism was not generated due to its radical statements regarding the nature of our moral lives, mostly because monists dismiss his ideas as a form of relativism, but was ignited by John Gray, who argued that Berlin's liberalism conflicted with his pluralism. It is Gray who coined the term 'value-pluralism' in his book *Isaiah Berlin* to refer to Berlin's pluralism and what he held as a theory that had 'enormous subversive force.'[180]

Gray's criticism of Berlin is centered on the idea that value-pluralism, as Gray interprets it, does not support liberalism but on the contrary, it destabilizes the fundamentals of liberal thought. Gray argues that liberalism is among many legitimate forms of life that individuals or collectives can follow for a meaningful life. The liberal conviction that there can be a freestanding liberalism that is devoid of all cultural or social determinants is rejected as an enlightenment hope. This strong criticism of liberalism has led some commentators to label Gray as an anti-liberal.[181] Indeed, this description is not far off, but it must also be noted that Gray's objection to liberalism is not an essential one; Gray himself refers to his world-view as 'ultra-liberal' but refuses the arguments that the minimums advocated by liberalism is a necessary condition for all human beings to fulfill worthwhile lives. In that sense, although

[180] Gray, *Isaiah Berlin*, p.1

[181] Paul Kelly, 'The Social Theory of Anti-Liberalism', *Critical Review of International Social and Political Philosophy*, Volume 9, Issue 2, 2006, pp. 137-154

he is a liberal as an individual, he advances an anti-liberal stance which targets its monist tradition.

Gray's thought has also been referred to as anti-enlightenment.[182] Gray accepts the description of his thought as such, and is very critical of some enlightenment ideals and how they are employed in contemporary liberal thought. Meliorism, i.e. the belief in progress, and universalism, which form two of the four pillars of liberalism that Gray identifies, are, according to Gray, based on a particular understanding of human beings and history. Gray holds contemporary liberals have failed to address in a convincing way the reality of diversity, 'the strength of nationalism', 'fundamentalism' and 'the role of ethnic and religious allegiances in the conduct of war' in 20th century –arguments similar to those advanced by Berlin. Although, Gray recognizes that there have been attempts to formulate a liberalism devoid of the universalist moral claims and not based on a particular history of philosophy, most notably the theories of Rorty and Rawls, they fail to either cut their roots with enlightenment or provide good reasons for why people should not be relativists.[183] Enlightenment project of establishing universal moral standards based on the authority of reason alone and the consequent belief in moral improvement are two ideals that Gray argues we should abandon, in order to fully grasp the diversity of contemporary societies. In this respect, Gray adopts Berlin's criticism of monism.

Therefore, Gray thinks that we should reconsider the position of liberalism with greater emphasis on the cultural and historical aspects that feed and substantiate it. The universal character of liberalism is questioned with emphasis on its contingent and abstract character:

> Allegiance to a liberal political order can never be, solely or even primarily, allegiance to abstract or universalizable principles; instead it must always be allegiance to a particular common

[182] George Kateb, 'Is John Gray a Nihilist?', *Critical Review of International Social and Political Philosophy*, Volume 9, Issue 2, 2006 , pp. 305-322

[183] Gray, *Liberalism*, pp. 88-96

> culture, where this is itself a concrete historical form of life, not an abstract ideal.[184]

Gray's hostility to liberalism stems from the fact that liberalism works at the expense of illiberal but yet legitimate forms of lives, which are not let to flourish under the overarching liberal principles of universalism and belief in progress. Meliorism combined with the ideal of universal morals justifies many liberal interventions in the lives of different communities and societies with diverse cultural foundations and allegiances, in the name of improvement. This argument closely resembles Berlin's criticism of positive liberty which argued that liberty can be used for the justification of intervention on the basis of a final solution, and therefore become what it is not, i.e. domination. In a similar way, liberal idealists project their ideal form of life to others camouflaged by rationalist and universalist underpinnings.

Gray's proposal, based on Berlin's pluralism, is to abandon the universalist strand in liberalism and opt for a much less comprehensive liberal theory. In the *Two Faces of Liberalism*, Gray presents a history of modern liberal thought based on two rival philosophies; "one concerned with achieving a rational consensus on the best way to live, the other with peaceful coexistence among different ways of life."[185] Gray argues that the first one should be abandoned and the second, based on a modus vivendi, should be pursued if the fact of value-pluralism is going to be addressed in political theory:

> value-pluralism, which I have argued does not endorse liberal values but rather a moral minimum that can be met by a variety of regimes. The political theory suggested by value-pluralism is not liberalism – at least as liberalism is nowadays interpreted – but a theory of modus vivendi[186]

Before the details of Gray's theory of modus vivendi is analyzed in detail, it is necessary to note that Gray's thought has gone through significant changes

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[184] John Gray, *Enlightenment's Wake: Politics and Culture at the Close of the Modern Age*, London, 1995, p.67

[185] Gray, 'Reply to Critics', p.326

[186] Ibid., p.325

throughout his intellectual life. Crowder identifies three 'phases' of change in Gray's thought:

> an early 'subjectivist' phase, in which political choice among plural values is seen as fundamentally non-rational; a middle 'contextualist' period, where reasoned choice among plural values is possible within specific cultural traditions, implying a broadly conservative politics; and a recent 'pragmatic' turn towards the notion of 'modus vivendi' as a means of adjudicating conflicts among competing traditions.[187]

Crowder's categorization of Gray's thought is not inaccurate, but it misses some important aspects, which I will emphasize in this section. Gray's thought has evolved through various stages, but his major idea that value-pluralism undermines liberalism has not changed. In the first instance, which Crowder refers to as the subjectivist, Gray's emphasis on how decisions among incommensurables were made centered on the idea of 'radical choice'. Individual's when faced with incommensurables made choices that were not based on rational grounds. Gray's interpretation of value-pluralism as based on 'radical choice' is not without foundations, since Berlin's liberalism does inhibit within itself existential themes that affirm radical choice. The value of choice is defended, by Berlin, within this framework in many instances. However, whether or not decisions among incommensurables are not rational, in Berlin's thought, is something controversial. As stated earlier, Berlin did refer to choices that are not rational, but later argued that choices among incommensurables need not be irrational.[188] Crowder's observation of the emphasis made by Gray on choice as rationally indeterminable is correct, but the term subjectivist does not really describe Gray's thoughts in this period accurately. Gray never abandons the idea of universal values, always argues for a moral minimum and holds relativism, of which subjectivism is a version, as an inaccurate moral theory. In an article published in 1995, Gray in defense of his views against liberal universalism asserts that:

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[187] George Crowder, 'Gray and the Politics of Pluralism', *Critical Review of International Social and Political Philosophy*, Volume 9, Number 2, 2006, p.172

[188] See Berlin, 'The Originality of Machiavelli' and 'Liberalism and Pluralism'

> The argument against liberal universalism which has been developed so far is easily confused with relativism. It is wrong, however, to conflate the theory of objective pluralism which underpins claims about value-incommensurability with any sort of relativism or subjectivism in ethics.[189]

Therefore, Gray always viewed value-pluralism as distinct from relativism or subjectivism. Furthermore, in defense of the argument that value-pluralism, or objective pluralism, is not a form of relativism or subjectivism, Gray cites "the reality of goods and evils that are not culture-specific but generically human."[190] Therefore, in this early period, it does more of a justice to Gray to argue that the individual was the main concern and incommensurability was explained in reference to this individualism, and this was not a form of subjectivism.

3.3.1 De-emphasis of the Individual

The second period, the 'contextual' period in Crowder's terms, is one in which, according to Crowder, Gray has abandoned the idea of 'radical choice'. Rather, Gray opts for an idea of moral reasoning that tries to reconcile incommensurability with reasoned choice.[191] In this period, Gray argues that "incommensurability need not be an impediment to practical or moral reasoning."[192] In line with this, Gray modified his perspective on incommensurability with an emphasis on the social and cultural conditions within which decisions are made. This idea that in practice humans can make choices and provide reasons for them is also propounded on by Berlin himself.[193] The important point, in terms of Gray, is that Gray associates the context itself more with the cultural and social conditions, whereas Berlin refrains from making such a commitment explicitly. Although Berlin recognizes the importance of cultural and social conventions in how they support individuals

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[189] Gray, *Enlightenment's Wake*, p.80

[190] Ibid., p.80

[191] Crowder, 'Gray and the Politics of Pluralism', p.176

[192] John Gray, 'Where Pluralists and Liberals Part Company', *International Journal of Philosophical Studies*, Vol. 6, No:1, 1998, p.27

[193] Berlin and Williams, 'Liberalism and Pluralism', p.306

decisions, the individual is never subordinated to a collective. This aspect of Berlin's thought is a central theme that governs his convictions regarding liberty and totalitarianism. For Gray, the individual can be subordinated and still those cultural or social systems retain its legitimacy.

The shift that occurred in Gray, therefore, is one that moves from the individual to the collective; instead of reasons that stem form the individual, the emphasis is redirected to the cultural and social characteristic of that particular community. The idea of 'radical choice' is a very individualistic point of view, which eliminates all the outside effects. Gray moves away from this perspective, one that Berlin affirmed in a quasi-existentialist form, for one that puts much more emphasis on ways of life that flourish in communities as the source of reason in decision making.

Therefore, the importance Gray lays on the 'context' also shakes the position of the individual as the unit of politics in favor of the collective. Where Gray once claimed that "the central institutions of civil society – the institution of private property – has its rationale as an enabling device whereby *persons* with radically discrepant goals and values can pursue them without recourse to a collective decision-procedure that would, of necessity, be highly conflictual"[194], he argued later that this assumption was 'mistaken', because civil societies did not need to be based on the model of liberal democracies. Gray argues that in highly un-individualistic societies like those of Eastern Asia, without democratic institutions and emphasis on personal autonomy, legitimately civil societies can emerge.

Gray's emphasis on the collective as the unit of civil society also transforms his opinions about the best institutional organization necessary for a healthy society: "The institutional forms best suited to a modus vivendi may well not be the individualist institutions of liberal civil society but rather those of political and legal pluralism, in which the fundamental units are not individuals but communities."[195] The reason for crucial shift, according to Gray, is that the civil society model based on the individual is distinctively 'western-style', and

[194] Gray, *Enlightenment's Wake*, p.135, emphasis mine

[195] Ibid., p.136

his earlier thoughts about civil society preserved the liberal political morality. Gray believes that such legal and political pluralism will serve better than a civil society based on individuals, because modern societies are diverse in forms of life and therefore, 'legal recognition' of these communities and their jurisdictions would promote a model of peace. Gray's proposal of constituting legal pluralism in modern societies goes directly against the liberal convictions about the universality of humanity.

Through this emphasis on the collective as actors in civil society, Gray distances his value-pluralism from liberalism. This shift also makes value-pluralism much more open to 'non-liberal' regimes. The form of legitimacy that Gray searches for in these 'non-liberal' societies is one that promotes and protects different ways of life:

> Some liberal regimes may be highly legitimate. So too may be some non-liberal regimes. In both cases the test that value-pluralists apply is how regimes promote and protect valuable ways of life and ensure a modus vivendi among them.[196]

Gray, with the shift from the individual to the collective, adds social and cultural formations as a decisive condition of incommensurability: "Goods may be incommensurate in virtue of the social conventions that make them what they are"[197] and "depending on their histories and circumstances, different societies will have reason to opt for different mixes even of goods without which no good life can be lived."[198] This perspective leads Gray to conclude that solutions that are offered to conflicts among incommensurables are local and based on particular histories and social and cultural conventions:

> What follows is only that what makes a settlement of their conflicts better or worse is a local affair. There are no universal principles that rank or weigh generically human goods. Judgements of the relative importance of such goods appeal to their role in a specific way of life.[199]

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[196] Gray, 'Where Pluralists and Liberals Part Company', p.19

[197] Ibid., p.25

[198] Ibid., p.31

[199] Ibid., p.31

> The variety of pluralism that should shape the agenda of political philosophy today is not the pluralism of *personal plans* and *ideals* that preoccupies recent liberal theory. It is the strong pluralism of incommensurable goods and bads whose conflicts implicate *whole ways of life*. Conflicts between communities whose ways of life are incompatible are a major threat to human wellbeing in the late modern world. They ought to govern the agenda of contemporary political philosophy.[200]

Therefore, a solution to the conflicts in a society should reflect the particular aspects of that culture and history, but more importantly, imply a modus vivendi between various societies, communities that ensures peaceful coexistence, rather than adherence to a single overriding principle.

The change that occurred in Gray's interpretation of incommensurability is significant and very much related to this shift to the collective. Gray abandons the idea that incommensurability necessarily means indeterminacy. Gray, rather, focuses against the idea of a universal lexical ordering: "to affirm that goods are incommensurate is not to rank them in a lexical ordering. It is to say that they cannot be so ranked."[201] Moreover, Gray in a similar fashion to Berlin argues that reducing moral decisions to a calculus, method or a common 'metric' that serves as a tool to judge one against the other, would undermine ethical diversity and act directly against the essence of ethical life. Unlike Berlin, Gray accepts that in theory incommensurables can be reduced to a mechanical model, in a utilitarian fashion, but this would work at the expense of 'ethical life':

> Classical utilitarianism and more recent split-level, indirect utilitarian theories aim to make incommensurables comparable by developing a calculus or metric enabling them to be traded off against one another and the result assigned an aggregate value. A value-pluralist does not deny that such a metric can be constructed. Goods that are irreducibly different can always be made comparable as tokens of a single type of value… The objection a value-pluralist makes to all such accounts is that they displace the evidences of ethical life for the sake of a theory.[202]

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[200] Ibid., p.18, emphasis mine

[201] Ibid., p.25

[202] Ibid., p.26

This statement seems to contradict with Gray's earlier conviction that incommensurability means lack of lexical ordering. However, Gray does not reject the possibility that conflicts among such incommensurables can not be resolved. Gray's emphasis is that this can be done within a particular way of life; what is better or not can be determined 'in terms of that way of life': "Within any one way of life conflicts among incommensurables can have settlements that are better or worse in terms of that way of life."[203] Gray's position regarding values is therefore, much more complex than Berlin. Relations among values, themselves, are quite important in terms of incommensurability. Each value is related to other values: "Judgements of incommensurability track relational properties among goods and bads."[204]

For instance, the conflict between liberty and equality, can be resolved in a particular society in a certain manner, based on a loyalty to 'justice', which itself is a value that is essentially contestable. Gray's point therefore is that the relationships that define these values are socially structured and culturally derived. But when these whole structures of values conflict with others, resolution of these could mean the colonization of one set of values of the other.

However, these social structures themselves are not absolute. They may shift through time and their structure can be criticized and reevaluated in history. Indeed, Gray argues that this is what revolutionaries do:

> Conflicts among many incommensurable goods can be dissolved by breaking down their constitutive conventions. This is what moral rebels and reformers often seek to do, sometimes with good reason.[205]

Therefore, although Gray's contextualism resembles, as Crowder notes, conservatism, because modus vivendi is more concerned with preserving the diversity of ethical life, rather than 'improving' it, an ideal that Gray associates with failed Enlightenment sentiments, Gray recognizes that the door to change is still open in such societies. This point is important because, it recognizes the role

[203] Ibid., p.20

[204] Ibid., p.27

[205] Ibid., p.20

of the individual in initiating diversity, as deconstructers of value-conflict. The role of the individual, in this respect, is problematic in a system, such as Gray's, that attributes autonomy to the collectives.

Gray is also aware that incommensurability among values itself is rather hard to locate, and many times themselves controversial. Moreover, whether or not their status is contingent or necessary is a matter of debate as well. This means that incommensurability among two values, for instance, might be based on two understandings. For Berlin, the question of whether or not the incommensurability of certain values is a necessary condition, that is a permanent feature of all societies, is not clear. Berlin's thought on this gives the impression that there might occur changes that makes such incommensurabilities irrelevant. For Gray, if we consider his earlier remarks about how revolutionaries could rearrange values and, in a sense, deconstruct them, it would be reasonable to assume that some incommensurabilities can become irrelevant through time. Whether or not this occurs by a rational resolution, based on a new understanding of those values, or simply because such a conflict becomes irrelevant due to a drastic change in the conditions that warrant it, is not clear. Theoretically speaking, both of these reasons could serve in such a way.

Gray explains his position regarding this issue, i.e. whether incommensurabilities are necessary or contingent, by referring us to a metaphor by Wittgenstein:

> The question whether such conflicts express regularities in human life that are contingent (though unalterable) or whether they articulate conceptual impossibilities is not always easy to answer. In considering different sorts of conflict among values a sharp distinction between those that are matters of fact and those that express logical truths may not be helpful. A better way of thinking about what is accidental and what is necessary in such conflicts is suggested by Wittgenstein when he writes in On Certainty: 'the river-bed of thoughts may shift. But I distinguish between the movement of the waters on the river-bed and the shift of the bed itself; though there is not a sharp division of the one from the other. . . . And the bank of that river consists partly of hard rock, subject to no alteration or only to an imperceptible one, which now in one place now in another gets washed away or deposited.' Wittgenstein's metaphor suggests that whether values are

> uncombinable as a matter of necessity may be itself a matter of degree.[206]

In such a framework, the real issue, according to Gray, is how to reconcile whole ways of lives that conflict and Gray's proposal is a *modus vivendi* that satisfies a 'universal minimum morality' based on 'generically human goods and bads'.[207] Hence, Gray's whole argument against liberalism is that this universal minimum need not result in a modus vivendi that secures 'the full range of liberal freedoms', and yet this wouldn't make these societies, communities illegitimate. [208]

3.3.2 Rights, Goods and Legitimacy

A crucial aspect that defines Gray's political thought and his adherence to value-pluralism, which also serves as the defying character of his anti-liberal stance, is his conviction that 'good' is always prior to 'right'.[209] This aspect of Gray's thought, which has gone unchanged, motivates his anti-liberalism, since most liberal theories prioritize 'right' over 'good'. Gray very strongly disagrees with this view:

> In political philosophy claims about rights are always conclusions, never foundations. The bottom line is always an understanding of the good. Theories of the right cannot circumvent deep divergences concerning the good. The project of a rights based political morality is incoherent.[210]

Gray notes that most contemporary liberal thinkers hold that principles of liberalism are 'deontic' and are not dependent on a particular theory of value or a

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[206] Ibid., pp.21-22

[207] Ibid., p.20

[208] Ibid., p.20

[209] This is a criticism also advanced by communitarians such as Sandel. Although Gray adopts this approach, he is critical of communitarians for adhering to a view of community that is abstract, 'noumenal' and devoid of conflict. See Gray, *Enlightenment's Wake*, p.7 and p.109. Also, Gray, 'Pluralism and Toleration in Contemporary Political Philosophy', *Political Studies*, Vol. 48, 2000, p.330

[210] Ibid., p.28

specific conception of good.[211] Therefore, these liberalisms hold that liberal principles, or certain universal rights, which within themselves do not conflict, can serve as an underlying structure that makes the pursuit of various values possible. This argument, therefore, establishes these principles as detached from social or political constraints on a 'freestanding' position that governs the interaction of all various different identities or differences in a just and secure manner. State assumes a 'neutral' position in regard to differences, and serves to preserve the legitimate order, instead of trying to further the interests of a single view-point or form of life. Therefore, plurality of personal life-plans, values, differences, identities can all be managed within this sphere, and this makes liberalism legitimate, because it can substantiate plurality and let differences flourish. Hence, liberalism and pluralism do not conflict, but on the contrary liberalism makes pluralism possible on a stable platform.

Gray's argument against this line of thought is basic: principles of right can not be isolated from particular understandings of interest or well-being. This is because claims of right "are never primordial or foundational but always conclusionary, provisional results of long chains of reasoning which unavoidable invoke contested judgements about human interests and well-being."[212] Therefore, any theory of right will necessarily have to be conditioned by a particular understanding of human well-being, which might itself be a matter of dispute among various forms of life. The content of rights vary according to the 'conceptions of well-being', therefore a theory of rights can not serve as a tool to resolve disputes among form of life that hold different conceptions of well-being. This is also true for liberty as well. Gray holds that to argue that one is freer than another under a set of certain conditions, say a set of rights, and would also assume a particular rank of human interests:

> When we judge that one society or person is freer than another we are presupposing a ranking of human interests which articulates a particular conception of wellbeing. It is only that conception which allows us to weigh, even perhaps to individuate and enumerate, the options that we assess. *There can be no calculus of liberties whose results are neutral regarding rival conceptions of*

[211] Gray, *Enlightenment's Wake*, p.71

[212] Ibid., p.72

> *the good.* Liberty cannot be measured because the interests that are opened or closed by different options are often incommensurate. It cannot be maximized because what counts as the greatest liberty varies with different conceptions of the human good.[213]

Gray also argues that, based on Berlin's thought, the liberties that are defined in liberal theory are not harmonious, compatible or 'mutually compassable'. These various rights can conflict with each other in certain circumstances. Most notably the right to exercise of religious belief, worship and freedom of thought and conscience can conflict with many rights defined as universal rights. This means that some universal rights would be curtailed for the sake of another, in a ranking that is assumed to be universal. But such a ranking itself would necessarily be particular, based on a particular concept of human well-being. A person who values the particular dictates of his own religion could be less concerned about the freedom of thought associated of others. Vice versa, a person who is not religiously motivated or extremely anti-religiously motivated could view certain particular exercises of the right to worship as a curtailment of freedom of thought, or religious education itself as a self-imposed curtailment of freedom of thought. Therefore, a ranking among these rights, that disregards particular human interests, or assumes to be neutral, would be impossible to create. As Gray puts it:

> There is no one settlement of conflicting liberties or rights which any reasonable person is bound to accept. Reasonable people make divergent judgements as to how different structures of rights will contribute to human wellbeing. There are many ingredients of the good life; none has a weight that always overrides any other.[214]

In this sense, universal human rights are also susceptible to this criticism. Gray holds that much of the contemporary human rights discourse suffers from an underlying adherence to liberal values. This is because the 'universal requirements of political legitimacy and the particular claims of liberal values'

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[213] Gray, 'Where Pluralists and Liberals Part Company', p.30

[214] Ibid., p.31

are confused.[215] Gray argues that although in most cases they overlap, liberal values do not constitute the core of these rights. Rather, Gray holds, a conception of human rights should be wrapped around 'universal evils' that haunt human beings, instead of our habitual devotion to liberal values.[216] To push for the consolidation of liberal values throughout the world, in different cultures and societies with divergent histories would be a form of fundamentalism –liberal fundamentalism. Hence, Gray makes an important differentiation between requirements for political legitimacy and liberal values themselves. The requirements of legitimacy make narrower set of demands that does not leak over to conceptions of worthwhile human lives. Rather they "protect interests that are generically human."[217] Gray's approach is negative, in the sense that it is concerned with protecting and preserving rather than furthering some interests. Among these interests, Gray cites prohibition of genocide, slavery and torture. However, Gray denies that there can be a 'definitive' set of human rights at liberty of time:

> There can be no definitive list of human rights. Rights are not theorems that fall out of theories of law or ethics. They are judgements about human interests whose content shifts over time as threats to human interests change. When we ask which rights are universal, we are not inquiring after a truth that exists already. We are asking a question that demands a practical decision: Which human interests warrant universal protection?[218]

The answer Gray gives to his own rhetorical question is that rights should be enforced as long as they protect against universal evils, and because the evils that threaten human life can change with time there can be no set of 'once-for-all' rights that satisfies all possible scenarios. This means that human rights are open-ended and can be reconsidered: "Human rights are not immutable truths, free-standing moral absolutes whose contents are self-evident. They are conventions, whose contents vary as circumstances and human interests vary."[219]

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[215] Gray, *Two Faces of Liberalism*, p.110

[216] Ibid., p.110

[217] Ibid., p.111

[218] Ibid., p.113

[219] Ibid., p.106

The fact that human rights are open to change has been widely accepted and practiced as more issues gained importance. Through time as women's position in society began to acquire an important agenda in social and political thought, with the emergence of feminism, rights that concerned women's well-being were integrated into the political discourse of human rights. But Gray advocates an open-endedness that is not unilateral, that is one that works only in terms of addition of new rights. Gray advocates a bilateral understanding, in which abolishing some rights if there arise a need is possible. Gray gives the example that a tremendous increase in human population might result in the abolishment of or placement of restrictions on the right of procreation.[220] Therefore, under conditions that greatly endanger the human life some of these rights will become abolished for the pursuit of other interests, in this case the lengthening of life.

Gray, in this sense, recognizes a "vertical diversity" in terms of human rights, i.e. change through time but also recognizes that there is a core, which based on universal evils, that needs to be fulfilled by all regimes. In this sense, Gray's position, even though at times resembles relativism, still remains within the pluralist scheme, because through a requirement of political legitimacy it restricts some forms of life that human's may flourish in. In fact, Gray proposes an understanding of rights that only aims to fulfill criteria of political legitimacy.

Gray's understanding of legitimacy is based on his understanding of universal goods and evils. Contrary to the liberal position, Gray holds that human rights should not be used as a 'charter' for a world-wide regime, but rather should be upheld as the 'minimum standards of political legitimacy'.[221] The terms of this political legitimacy is rather obscure and difficult to pinpoint exactly. Historically, Gray, following Hume's lead, recognizes that in most practical cases the recognition of the legitimacy of a particular regime is "partly a matter of historical accident."[222] The history of humanity, Gray argues, is 'too complex' to precisely translate universal values, which we as humans have, into

[220] Ibid., p.114

[221] Ibid., p.106

[222] Ibid., p.106

a 'universal theory of political legitimacy'.[223] Therefore, the articulation of such a theory of political legitimacy is 'profitless' and very much subject to the particular needs and desires of that historical period. Nevertheless, Gray gives a non-exhaustive account of how a contemporary legitimate regime must be:

> …all reasonably legitimate regimes require a rule of law and the capacity to maintain peace, effective representative institutions, and a government that is removable by its citizens without recourse to violence. In addition, they require the capacity to assure the satisfaction of basic needs to all and to protect minorities from disadvantage. Last, though by no means least, they need to reflect the ways of life and common identities of their citizens.[224]

Although this description closely resembles contemporary liberal democracies, with its emphasis on effective representation, rule of law, protection of minorities, fairness and stability, Gray holds that these principles need not lead to liberal regimes. Contrary to the 'recent liberal orthodoxy', Gray argues that these are not principles that are 'free-standing', but are "conventions, framed to give protection against injuries to human interests that make any kind of *worthwhile life* impossible. A regime is illegitimate to the extent that its survival depends upon systematic injury to a wide range of these interests."[225] Regimes that depend on genocide, torture, suppression of minorities or religious intolerance, in order to sustain their existence are illegitimate because they are inflicting universal evils to their citizens.

Gray asserts that human interests that make 'worthwhile life' possible should be protected from injury and a legitimate regime is one that achieves this goal. However, this is a vague description. Similar to Gray's own criticism of liberalism, it might be argued that it puts rights prior to good, and therefore warrant an answer to the question 'What is a worthwhile life?' It is obvious that the answer is very much dependant on cultural or social conventions as much as personal preferences. Hence, one might argue that there can be no one description of a worthwhile life.

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[223] Ibid., p.106

[224] Ibid., pp.106-07

[225] Ibid., p.107, emphasis mine.

Nevertheless, Gray's point here is not to delineate a particular way of life, or a family of form of lives, like 'western', as those that can be legitimately put under the category of worthwhile lives. Gray, with a naturalistic approach, emphasizes those universal traits that all human beings have as being a part of a species, and not as an abstract ideal similar to 'human', that makes a worthwhile life possible. In this sense, Gray is different from Berlin, as for Berlin the basic needs are defined in terms of being 'human', with reference to phrases like 'human semblance' and 'human character'. This is because Berlin's liberalism, apart from Romanticism, also feeds from humanism to a certain extent. The 'human' in Berlin's thought is used as a category and not merely as a denotation of a certain animal with a moral capacity. Gray's perspective, on the other hand, focuses on a conception of 'human' as an animal with particular desires and needs. This animal is driven by some fundamental needs, but each can respond to them differently. This aspect of Gray's thought marks an important departure from Berlin's ideas, as it replaces the foundation of value-pluralism on naturalism. Although Berlin resolves the conflict between a rational self and empirical self, in favor of the empirical self, there is a category of human that is 'abstract', in the sense, that a shared commonality among all regardless of cultural divergences, which makes communication and inter-cultural understanding possible.

3.3.3 Naturalism, Anti-Humanism and Modus Vivendi

An aspect of Gray's thought that has become more prominent in his writings lately has been the acceptance of value-pluralism as a part of naturalistic ethics. Gray in one of his latest articles defines his understanding of value-pluralism as 'a version of ethical naturalism' and 'a thesis in moral anthropology'.[226] As a part of naturalism, value-pluralism rejects the 'key claim' of 'moral relativism', which Gray associates with Rorty and Oakeshott, that "values are cultural constructions":

> As a version of ethical naturalism value-pluralism is a variant of moral realism, but it is not a complete theory of value. It applies

[226] Gray, 'Reply to Critics', p.326

> only to life inter homines – on any other than the most introverted humanist view, only a small part of what has value in the world. Value-pluralism is a thesis in moral anthropology, and as such presupposes a view of human nature. In contrast, the key claim of moral relativism – as advanced by Richard Rorty, and suggested in the writings of Michael Oakeshott – is that values are cultural constructions: we cannot criticise ways of life on the ground that they fail to meet human needs, for human needs are indefinitely culturally malleable. Berlin rejects this version of relativism, and so do I.[227]

Gray's remarks about values are in contradiction with Berlin's thought. Berlin affirmed the Romantics as initiating a revolution that understood values as 'invented' rather than 'discovered'. Berlin's emphasis on invention stems from his adherence to historicism and suspicion of metaphysical, freestanding theories of value. However, unlike what Gray argues, such an assertion, that values are invented, need not lead to moral relativism. As Berlin does, universal values can be identified with reference to practical human life, instead of metaphysical theories about values. As Gray notes, Berlin does reject relativism, based on the idea that there are universal values that define and make possible the 'human' – an ideal much more abstract than Gray's naturalist human- and the fact that we can communicate among cultures and understand them even in their most horrific forms.

Moreover, Gray also questions Berlin's adherence to human nature. As explained earlier, Berlin affirms that there is a common human nature and not a static human nature. Gray refuses this argument and asserts that there is a static nature of men which stems from their existence as animals.

In this respect, Gray, while denying firmly the dualist metaphysics of Descartes, opts for a naturalist stance and posits his own approach to human nature as follows:

> Contrary to Descartes, our minds are not mysterious entities directing our bodies from outside. They are an integral part of our animal equipment. Equally, contrary to Marx and to a long line of sociologists such as Durkheim, they are not primarily products of socialisation. Human responses vary somewhat from culture to culture; but the components of the human repertoire are universal.

[227] Ibid., p.326

> Among a host of other species-wide features are common facial expressions, a belief in superstition and an innate propensity to learn language as identified by Chomsky. Underneath the surface differences of physical appearance and local culture, the human species is one.[228]

The above quote is interesting for it highlights a diversion of Gray from Berlin's thought. For Berlin, as explained earlier, there is not a static human nature that will reveal itself if human beings are striped of their cultural or social identities. Although Berlin identified universal human interests, similar to Gray, his method was quite different than Gray's. Berlin marked universal values as a condition for the existence of human beings as such -interests that serve as defining elements of the human condition. Contrary to this, Gray holds very firmly that there is a static human nature, which stems from the fact that human beings are animals. Culture and society can only to a certain extent effect these basic natural interests. This also implies that human beings are limited through these basic needs and cannot transcend them fully. This approach is one that goes directly against many of the historical philosophies, ranging from secular philosophies based on reason to pre-modern monotheistic religions.

At this point, it should be noted that Berlin's own approach to liberty, and his criticism of positive liberty, but most notably his criticism of an ideal self which tames the empirical self, conflicts with his views on nature and human nature. Although Berlin does not refer to humanist vocabulary in his writings, there is a concept of 'human', based on the distinction between the empirical and the ideal. 'Human' as a moral subject, in Berlin's thought, is used as a category that determines what is legitimate and not. Empirical human beings, based on which Berlin deduces the various needs and desires that he identifies as universal, forms a yardstick in this sense. Therefore, this also creates the category of non-human –an area that marks the illegitimate. However, even tough Berlin tries to justify his own commitment to this ideal human as based on empirical evidence, that is such a conception of human as a condition that makes

[228] John Gray, 'The Darkness Within', *The New Statesman*, http://www.newstatesman.com/200209160044, accessed on 23 November 2007

speaking of morals and politics possible using our current vocabulary, it is not by itself sufficient to support his thought.

On the other hand, Gray strongly disagrees with Berlin's approach to human beings capacity to create a life for them. Gray understands Berlin's view of humans as:

> inherently unfinished and incomplete, of man as at least partly the author of himself and not subject comprehensively to any natural order… a view of man in which the idea of a common or constant human nature has little place, one in which the capacity of man as a supremely inventive species to fashion for itself a plurality of divergent natures is central.[229]

As demonstrated above, Gray's interpretation of Berlin's approach to human nature is wrong. Berlin envisaged a common human nature, but not a static human nature. In that sense, Berlin's approach is one that marks the limits of humans with reference to an empirical commonality, rather than one that marks their limits with reference to a static human nature. The difference is that while the former can be transformed through time, the latter stays with humans as long as they retain their animal nature, which, in this view, is something indispensable.

In another article, Gray marks the quasi-existentialist position of Berlin by citing a conversation with him:

> Berlin revered Alexander Herzen, the 19th-century Russian radical émigré, for many reasons, but it was his insistence that humans make their own lives that resonated most deeply. Just as there is no song before it is sung - a saying of Herzen's that Berlin loved to cite - so there is no human life until it is lived. It is an idea inherited from the Romantics, and while it captures something profoundly important, it also has a certain unreality. Humans may fashion their lives, but in some of their most vital decisions they have no choice. When facing circumstances they cannot alter, they can only act in character, sometimes with tragic results, and in this sense their lives are fated to unfold as they do.[230]

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[229] Gray, *Isaiah Berlin*, pp.9-10

[230] John Gray, 'Freedom Fighter', *The New Statesman*, <http://www.newstatesman.com/200703120045>, accessed 23 November 2007

Gray's naturalism takes hold of his view of human, and defies Berlin's anti-deterministic arguments to a great extent. Although Gray recognizes that humans have a choice in some respects, the norm is that they can not control their lives, as writers of their own destiny any more than animals can: "Most people today think they belong to a species that can be master of its destiny. This is faith, not science. We do not speak of a time when whales or gorillas will be masters of their destinies. Why then humans?"[231] According to this view, human beings as animals are in control of their destiny as much as gorillas are in control of theirs.

Gray views the denial of this animal nature by humanists as stemming from the desire to justify progress. When the idea of an unalterable animal nature is accepted the ideal of progress becomes inapplicable, and human nature serves as an obstacle to progress.[232] Moreover, Gray criticizes humanism as following an ideal of progress that is not sustainable in itself. The faith in progress, Gray argues, is a belief that is motivated by Christian religious doctrine, and much of the modern political ideologies that cherish progress and emancipation are underdetermined by these Christian ideals to a great extent. Hence, Gray views humanism and political ideologies that adhere to progress, as secular versions of religious belief and criticizes many philosophers and political theorists for taking pride in their anti-religious stance yet at the same time subscribing to some of its ideals. About contemporary philosophers, Gray states that:

> many of their views are secular versions of religious beliefs. Theories of progress are relics of the Christian view of history as a redemptive moral narrative, and Enlightenment ideologies of universal emancipation are avatars of the Christian promise of universal salvation. Modern political ideologies are post-Christian theodicies[233]

Humanism, therefore, according to Gray, is a religion in disguise, which refers to pre-modern ideals that stem from Christianity, as a foundation of its

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[231] John Gray, *Straw Dogs: Thoughts on Humans and Other Animals*, London, 2002, p.3

[232] Gray, 'The Darkness Within'

[233] Gray, 'Reply to Critics', p.340

premises. In this sense, humanistic morals inherent many aspects of the religious mode of thought, along with its intolerance to criticism. Gray compares the reaction of humanists towards skepticism about their basic premises with the reaction of Victorians to criticism of religion. The humanist, according to Gray, tries to defend his position by referring to the dangers posed by the abandonment of the ideals of moral progress and personal autonomy.[234] This danger is nihilism.

Gray strongly disagrees with this view, that without an ideal of progress and affirmation of personal autonomy humanity is destined to nihilism, and his criticism of this conviction is similar to his criticism of the hegemonic position liberalism enjoys in political theory today. Gray, against the criticism that his theory of value-pluralism is nihilistic, argues that this is a misconception that emanates from the humanist conviction that history must involve a meaning within itself –a meaning that humans will reveal. On the contrary, this belief, that "history without meaning is threatening is only [applicable] to those who inherit from Christianity a need to find meaning in history."[235] Value-pluralism doesn't adhere to such an ideal and attribute human's a special position. Therefore, the humanist sees value-pluralism which denies "humans the special standing in the world they have in Christianity and its secular successor-creeds" as nihilistic.[236] Gray holds that on the contrary humanism itself is nihilistic, because it views "value as being created by personality". Whereas in pre-modern societies it was accepted that values emanated from divine authority, religion, God, in modern secular creeds, including humanism, creation of values are ascribed to the will of the individual. This aspect of humanism, for Gray, reveals its inherent nihilism as it affirms that there are no universal values independent of the will, but only values that stem from an abstract ideal of human. In this sense, Gray refers to these views as nihilistic, because they fail to recognize the universal values that stem from static human nature.

It should be noted that Gray recognizes that humans are different from animals in some respects. One of the most important occupations of naturalism,

[234] Ibid., p.340

[235] Ibid., p.340

[236] Ibid., p.340

Gray argues, is providing explanations to the differences that humans and animals exhibit. However, this occupation is quite different from humanism's 'agenda'. Humanism, according to Gray, seeks to explain the powers that are attributed to humans by Christianity, without really questioning if human's actually poses these powers. In this sense, Gray also ridicules attempts to find 'scientific' explanations to 'free-will' as a futile occupation by those philosophers or scientists ignorant of the religious roots of their convictions about human beings.

At this point, it should be emphasized that Gray does not endorse a total lack of morality or that all morality is necessarily related to a religious view of the world and humans, but rather argues for a naturalistic ethics. Within this perspective, the values that are worth protecting through universal means are ones that stem from our universal definitions of good and bad, which are based on our static human nature. In this sense, a theory of ethics need not be perceived merely as a cultural construction. Contrary to Rorty, whom Gray argues defends such a view, Gray argues that there are many values the content of which do not shift from one culture to another:

> Though the theory that ethics is entirely a cultural creation has been defended by philosophers such as Richard Rorty, it should not be taken seriously. Some evils are human universals whose contents don't vary significantly across cultures. Hobbes was right in thinking that the risk of a violent death is a great obstacle to a decent life, but it is not the only one. To suffer humiliation because of one's religion or culture or to be denied access to the basic necessities of life –these are evils for nearly everyone and they can be just as disabling as the risk of fatal violence. The same point can be put more positively by saying that there are some goods that all human beings need if they are to lead tolerable lives: peace, security, the rule of law, not to mention clean water and medical care. Such a list can never be complete, or beyond reasonable dispute. Even so, the notion that it is bound to be arbitrary, or heavily culturally skewed, is silly. Human beings are not that different from one another. As with other animals, the

> conditions under which humans thrive can be known with a fair degree of accuracy.[237]

Hence, Gray's theory of value-pluralism is based on a naturalistic ontology and the view of human beings that this ontology imposes. Until very recently, political theory has responded to this fact, that human beings are as such, by affirming post-Christian humanist visions of human beings, with an inherent belief in moral progress and perfectibility of humanity. Value-pluralism, on the other hand, accepts that human beings can flourish in a plurality of ways and tries to incorporate this diversity within a structure that can sustain it without recourse to monistic explanations or aspirations. It should be noted that, in this respect, value-pluralism, as understood by Gray, is not concerned with diversity of morality but is concerned with the 'truth' that humans can flourish in different ways.[238]

The answer that Gray suggests to this problem is *modus vivendi*. Gray holds that in our contemporary world, in which human diversity is more and more a matter of dispute and more visible, the liberal fundamentalists arguments, which espouse that liberal values should be exported to other non-liberal regimes, are a recipe for disaster. Therefore, instead of trying to advance a liberal cause, the consolidation of a modus vivendi that is based on the values shared by all is Gray's proposal.[239]

This is an idea Gray derives from Hobbes. Gray puts great emphasis on how Hobbes reconstructed politics as a sphere of state of nature, where human beings are in a constant fear of danger for their lives. Gray identifies this fear as the foundation of liberalism:

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[237] John Gray, 'Are There Global Political Values?', *Prospect*, December 2001, http://www.prospect-magazine.co.uk/article_details.php?id=3737, accessed 23 November 2007

[238] Gray, 'Reply to Critics', p.331

[239] Gray, 'Are There Global Political Values?'

> The root of liberal thinking is not in the love of freedom, nor in the hope of progress, but in fear—the fear of other human beings and of the injuries they do one another in wars and civil wars.[240]

This aspect of human life, the fear that motivates our political life, is what makes politics instrumental. Gray affirms the modus vivendi of Hobbes, because it implies that "the most important feature of any regime is not how far it succeeds in promoting any particular value. It is how well it enables conflicts among values to be negotiated."[241] Hence, Gray takes up a position that takes the social as a sphere of continuing conflict among values, instead of a consolidation of a particular value as an ultimate. Politics is an attempt to answer this diversity.

At this point it is a legitimate question to ask if modus vivendi, which holds peaceful coexistence as a goal in itself, is not promoting peace as a super-value that overrides others. There is a tension between value-pluralism that holds modus vivendi as a practical solution to the diversity of conflicting values and the appreciation of peaceful coexistence as a means to solving this conflict. Following this line of argument, it is possible to claim that value-pluralism is a form of monism that holds peace as the overriding value of all. Gray responds to this criticism by noting that modus vivendi "will be pursued only if it is seen as advancing human goals, and in this sense it can only be a contingent good."[242] This defense of modus vivendi is a weak one for it also undermines the power of modus vivendi as a solution to the problem of conflicting universal values. When peace is contingent to the conditions that warrant it, and not dependent on the objective truth that there are universal values that demands a settlement that does not undermine one of them, value-pluralism itself becomes a contingent argument that warrants respect in cases where peace is more favorable to the pursuit of another value.

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[240] John Gray, 'Two Liberalisms of Fear', *Hedgehog Review*, Vol.2, No:1, Spring 2000, http://www.virginia.edu/iasc/HHR_Archives/Democracy/2.1CGray.pdf, accessed on November 23, 2007, p.9

[241] Gray, *Two Faces of Liberalism*, p.133

[242] Gray, 'Reply to Critics', p.333

The response of Gray to such criticism points out a fact about the kind of value pluralism that Gray defends, that it borders between a state of nature, and a stable society, to use the liberal vocabulary a civil society. The manner, in which Gray proposes modus vivendi and his argument that peace is only valuable when it furthers some goal, puts society in limbo between total anarchy, 'state of nature' and a stable society based on a single overriding value. In this sense, in defense of Gray it can be argued that only peace as a value can sustain such a position attributed to social life.

The importance of peace is in that it makes a living that is worthwhile possible. In this sense, Gray identifies the current situation that the world is in as similar to the conditions that Hobbes was describing in writings:

> Without peace, as Thomas Hobbes wrote in Leviathan at the start of the modern period, there cannot be "commodious living." There are-in Hobbes's celebrated formula-"no Arts: no Letters; no Society; and which is worst of all, continual fear, and danger of violent death; and the life of man solitary, poor, nasty, brutish, and short." Here Hobbes describes the condition of a large part of the human species at the start of the 21st century.[243]

Hobbes's response to the constant threat of death is also the main point of origin that differentiates it from the contemporary liberal theories, say of 'political liberalism' of Rawls, which also claim to respond to human diversity and plurality. Political liberalism fails, as it reduces political sphere to a jurisdictional legal procedure, and can not respond to the conflicts of values that it aims to resolve as it proposes a particular notion of man, that is liberal man, as a presumption. In Gray's view, the goal of this sorts of liberalism's are "a transcendental deduction of western institutions as the only legitimate form of government" and not the consolidation of a truly plural world order.[244] On the other hand, modus vivendi positions politics as "indispensably useful, while noting that its place in human life is modest and instrumental" because "politics

[243] Gray, 'Are there Global Political Values?'

[244] Gray, 'Two Liberalisms of Fear', p.12

is not a path to salvation, but a learnt practice of mutual accommodation that at its best allows humans to give their lives to other things."[245]

Therefore, the role that is attributed to government or state, within such a structure, is one that does not endorse a 'universal civilization' but rather as a necessary instrument, an 'artifice', which stems from the need to protect human beings against the universal evils that haunt them.

Apart from the above affirmations of Hobbes' thought, Gray also identifies some deficiencies in a Hobbesian modus vivendi that needs revision. All there of the below objections, which are interlinked, stem from Gray's conviction regarding the primacy of the collective over the individual as a condition of a healthy modern modus vivendi.

The first of the criticism Gray directs at Hobbes is about his commitment to the individual rather than communities or cultures. Gray holds that Hobbes's 'abstract individualism' with 'rational choice' as its basis undermines the reality of humans as social and historical beings. In this sense, Hobbes's individualist approach is not suitable to understand and provide explanation to how cultures and communities can peacefully coexist.[246]

The second aspect, or in Gray's terms 'illusion', that needs a revision, which is related to the above objection, is one that Gray also associates with Rawlsian liberalism. This is the conviction that peace that is to be attained should be among individual life-plans, purposes. Hobbesian modus vivendi, along with contemporary liberalism, according to Gray, neglects the fact that different cultural identities can serve as sources of conflict. Hobbes's approach, therefore, reduces conflicts among cultural identities and conflicting goods to the sphere of voluntary association. Hence, institutions that relegate these differences to the private sphere are seen as desirable and such a structure in order to be successful, according to Gray, demands a culture that is already individualist. Therefore, in societies where there is no such dominant individualism, liberalism of this kind fails to respond to conflicts among identities.[247]

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[245] Gray, 'Reply to Critics', p.344

[246] Gray, 'Two Liberalisms of Fear', p.16

[247] Ibid., p.16

Lastly, Gray identifies Hobbes as envisaging a vision of politics that is 'marginalized' and, similar to modern liberalism, reduced to a legalist procedure, which depicts politics as 'redundant'. Gray argues that this is a vision that doesn't solve conflicts but only suppresses them. Politics on the other hand, should be the main source of peace and "political life as an enterprise of moderating and mitigating [universal] evils."[248]

In line with the above criticisms, Gray asserts that Hobbes was too optimistic to assume that a modus vivendi could liberate man from state of nature. This, Gray believes, was due to Hobbes' reluctance to follow naturalism to its fullest extent, and instead opt for a rationalism based on self-interest. As an enlightenment thinker, Hobbes is too preoccupied with reason to understand that there was limits to what reason could achieve. Hence, Gray asserts that reason can not alter human nature, the naturalistic nature that Gray identifies with. In this respect, Gray compares Hobbes with Spinoza who was also a rationalist, and in him finds a vision of society and politics that suits value-pluralism better.[249]

Gray argues that unlike Hobbes, Spinoza did not affirm that modus vivendi would free humans from state of nature. Where as Hobbes views human beings as outside of nature, a view which according to Gray stems from the influence of Christianity on Hobbes, Spinoza sees human beings as a part of nature and therefore, contrary to Hobbes who understood society and government as 'rational artefacts', envisages civil society as a mere variation of "the processes at work in the state of nature."[250] In this sense, government or civil society shares the evils that haunt state of nature, and a collective separation from this natural condition is not possible as it is a part of the human condition. In this respect, Gray identifies his modus vivendi as neo-Spinozan rather than neo-Hobbesian as he did in earlier works.[251] Nevertheless, Gray's modus vivendi is a rendition of Hobbesian modus vivendi, with certain modifications, and an emphasis on naturalistic basis.

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[248] Ibid., p.16

[249] Gray, 'Reply to Critics', p.335

[250] Ibid., p.335

[251] Ibid., p.335

Gray's project, in line with the revisions proposed above, is not a type of pluralism that interprets cultural identity in terms of voluntary association –a type which he associates with 'political liberalism' or anti-political liberalisms. Rather, it is one that affirms such cultural differences and originates a political system that confirms to this fact of life, without reducing it to personal preferences. It also rejects the enlightenment ideal of convergence on a single civilization and opts for an understanding of politics as an open-ended quest that aims to fulfill the demands of cultural diversity while also responding to the universal evils that haunt human beings.[252]

As I have noted earlier, the kind of modus vivendi Gray proposes is one that puts society in limbo between total anarchy of a state of nature and the consolidation of a hierarchical system of values that tries to dominate its alternatives. In this sense, this is a kind of modus vivendi that is highly fragile and entropic. It bleeds off its energy to sustain a modest system of accommodation. This is, in a sense, what Gray is aiming at, but whether or not it can sustain the value-pluralism that Gray envisages will be put under scrutiny in the next chapter.

[252] Gray, 'Two Liberalisms of Fear', p.22

CHAPTER IV

DIFFERENCE, IDENTITY AND AUTONOMY

The most important question that troubles liberalism, today, is if non-liberal, illiberal communities and cultures should be tolerated, and if so to what extent and under which conditions. This is a question that is gaining more and more importance on the agenda of political philosophers as the current state of affairs in the world demands such a critical examination. This recent surge in interest to this question is also related to a shift that occurred in social and political philosophy, generally referred to as 'cultural turn', which moved focus from economics to culture.

One of the consequences of this shift has been the critical examination of liberalism's neutral subject and its loss of authority as the source of legitimacy when the social and cultural realm acquired greater importance with respect to the construction of the subject. This shift in emphasis, by undermining the abstract individual, revealed a paradox that continues to jeopardize liberalism's fundamentals. This is the dilemma caused by liberalism's commitment to respect for individual's being and will, and recognition that 'cultural turn' initiated, that the individual is to a large extent the product of the culture and environment that s/he is situated in. The universal abstract subject could no longer sustain legitimacy. If the subject is a product of a particular culture than universalism of liberalism is very much questionable.

In early modernity, Descartes' cogito formed a stable ground for the liberal project as it secured the basis of the ideal of equal treatment of all, through the universal subject and the morality that stemmed from it. Yet with the cultural turn, cogito could no longer sustain its position as liberalism's 'equal treatment' principle, a prerequisite of justice, became fundamentally debated.

Gray's value-pluralism, in this respect, is an attempt to formulate a solution to this problem that takes into account both the cultural diversity aspect and the demands of universalized humanistic values. It is a political theory that aims to find a middle ground between liberalism and absolutism, universalism and particularism, monism and relativism. Gray defends a modus vivendi based on value-pluralism as the best form of arrangement that can sustain in a peaceful manner the type of diversity that modern societies exhibit. In this respect, Gray presents his theory as an alternative to contemporary theories such as Huntington's 'clash of civilizations' and 'democratic capitalism' of Fukuyama, both of which he views as misunderstandings of the present condition world is in, and political and comprehensive forms of liberalism.[253] What differentiates Gray from political liberalism, which also aims to respect plurality, is his challenge of the most fundamental, basic presumption of liberalism: personal autonomy.

Contrary to liberalism and conventional wisdom, Gray dismisses personal autonomy as one among many legitimate values that can be pursued and not a necessity of a legitimate system of government. Rather, Gray's value-pluralism assigns a large degree of moral and legal autonomy to collectives, which includes restrictions on personal autonomy, as long as members of those collectives, communities or societies are protected from universal evils by certain universal rights. Personal autonomy, which is held by liberals as an indispensable ingredient of a healthy society, is not given a primary or overriding status within Gray's set of universal rights. Instead, political legitimacy is based on the ability of the system to respond to the needs of its members. Therefore, the autonomy of the individual can be undermined for the sake of the cultural preservation of the community and the particular type of human flourishing it subsists. In this respect, cultural autonomy overrides personal autonomy.

One of the most significant consequences of such an undertaking is a questioning of liberal democracy and the concept of legitimacy it subsists on. Gray summarizes his position regarding democracy and legitimacy as follows:

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[253] See John Gray, "Global Utopias and Clashing Civilizations: Misunderstanding the Present", *International Affairs*, Vol.74, No:I, 1998

> …democracy is justified by the human needs that it serves, and … these are complex, have varying degrees of importance in different circumstances and are sometimes conflicting. Governments are legitimate in so far as they meet the needs of their citizens. Those that fail in this will be judged by their citizens to be illegitimate whether or not they are democracies. People everywhere demand from governments security against the worst evils: war and civil order, criminal violence, and lack of the means of decent subsistence. How a state performs this protective role is the core test of its legitimacy. Unless it is discharged competently no other criterion can come into play. Thus it is not whether a state is a liberal democracy that most fundamentally determines its legitimacy; it is how well it secures its citizens against the worst evils. This is a universal requirement, rooted in human needs that are universal, but how it is met depends on many and varying circumstances. No one regime is always and everywhere best.[254]

In this respect, Gray does not attribute democracy any primacy over other forms of government. Gray's project conceives:

> political life as the search, never completed, for a modus vivendi in which the human goods of cultural diversity can be harvested, while the unavoidable evils arising from the conflict of evils are tempered and moderated. Among the diverse and changeable forms that such a modus vivendi can take, democratic institutions are only one; they have no special privileges of the sort conferred on them in recent versions of the Enlightenment project.[255]

Gray defines the criterion of legitimacy for a government as its ability to respond to the needs of its citizens or members, and within Gray's naturalistic social ontology, the ultimate needs of human beings are security from war and disorder. Apart from these basic needs, how all other needs are satisfied is subject to the value-system that that society or community has embraced and this would be diverse in many conditions. In this sense, Gray subscribes to a Hobbesian, instrumental concept of legitimacy, where the ultimate duty and legitimacy criterion of the government is to secure the well-being of its citizens. As a consequence of this instrumental understanding, consent is also dismissed as a founding stone of legitimacy. Gray admits that in cases where other values

[254] Ibid., pp.149-50

[255] Gray, 'Two Liberalisms of Fear', p.22

might need protection, the 'right of exit', an individual's right to release themselves of a social association, might be restricted. This is a very controversial stance, as 'right of exit' is considered as a minimum necessary right of man by many pluralists and multiculturalists, so that the individual can protect himself from possible harm caused by the collective.

Political theories that move away from individual autonomy for the sake of cultural diversity and peace undermine the mechanisms that make such diversity and peace possible. In this sense, Gray's modus vivendi, constructed on his interpretation of value-pluralism, is open to such criticism as well. Without the individual autonomy and 'right of exit' that Gray is willing to forego for the preservation of cultural identity, neither the diversity that is being protected from the liberal fundamentalist attack can be protected nor can peace be built upon relatively stable grounds. Therefore, Gray's modus vivendi is less capable of preserving the achieved peace and sustaining peaceful transformation. Modus vivendi, without political arrangements that limit the autonomy of the collectives for the sake of the individual, or institutions through which dissenting individuals can realistically have a chance to alter their conditions, is less serving to peace than its liberal alternatives.

The reason for this shortcoming is that Gray's modus vivendi and legal pluralism do not do justice to the legitimate demands of diversity. They ignore the ultimate minority, the individual, and approach identity from a perspective of conservation which ignores the fact that identity is not itself monolithic or homogeneous, but is in a constant state of change.[256]

Even if Gray was to accept 'right of exit', his theory would still be problematic as 'right of exit' demands the consolidation of many other rights that would make its exercise possible, like a political environment where individuals are open to genuine alternatives. In this sense, 'right of exit' is itself problematic and must be supported by other set of rights that would make its exercise a genuine possibility and not just a right on paper, which opens up many

[256] For a conception of identity as in a constant state of change, see Chantal Mouffe, 'Citizenship and Political Identity', *October*, Vol. 61, Summer, 1992, pp.28–32, and Alan D. Schrift, 'Nietzsche, Foucault, Deleuze, and the Subject of Radical Democracy', *Angelaki*, Vol.5, Issue 2, August 2000 , pp. 151-161

problematic matters regarding education and institutional arrangements. However, without it, the most fundamental principle of modern political life, freedom from arbitrary violence, is made ineffective.

Although, it is true that anthropologically, there emerged forms of human flourishing that do not respect 'right of exit' or 'personal autonomy', and yet still represent a valuable form of life for certain individuals, a political theory that takes responding to diversity as its ultimate aim, such as Gray's value-pluralism, can not ignore the necessity of 'right of exit' as a means of peaceful transformation. Therefore, Gray's project, by refusing to acknowledge this aspect and adopting a pro-conservation stance rather than pro-diversity, contradicts its initial purpose.

In order to make explicit how Gray ends up in this position, the nature of diversity should be explained. Diversity can be categorized under two headings: "vertical" and "horizontal diversity". "Vertical diversity" refers to diversity that occurs within time, throughout history. "Horizontal diversity", on the other hand, is diversity that is spatial, i.e. observed at a particular time. For example, the difference between the pre-republican Turkish identity and modern Turkish identity is a type of vertical diversity. The diversity that Turkish identity now exhibits is horizontal diversity. Both vertical and horizontal diversity causes many problems and forms the basis of many conflicts.

The major problem with Gray's value-pluralism is that it neglects vertical/temporal diversity and the conditions that make it possible for the sake of horizontal/spatial diversity. This is because Gray's modus vivendi is formed on an understanding of identity that is static and fixed. Within a group or individual, identity shifts through time as the conditions that form it change.[257] Gray's modus vivendi neglects the fact that identities themselves are constructed through social practice, much of the time practice that directly challenges the majority. Human beings, as temporal beings that thrive and flourish in time, need the conditions that make such challenging possible. Therefore, individual autonomy is a necessary commitment if diversity is to be respected.

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[257] For a discussion of such change, see Isaac Levi, 'Identity and Conflict', *Social Research: An International Quarterly of Social Sciences*, Vol.74, No:1, Spring, 2007, pp.25-50

In this respect, there are three points where Gray's theory fails. Firstly, Gray's value-pluralism adheres to a deficient understanding of identity that neglects to a large extent the complexity of contemporary identity, and therefore the modus vivendi and legal pluralism proposed fails to respond to the demands of diversity in modern societies and adheres to a policy of deferral as a solution to political problems. Although, Gray acknowledges that diversity of human flourishing is a part of the human condition, instead of securing the conditions that could make new flourishing possible, i.e. individual autonomy, Gray spends his energy to preserving the already existent diversity at the level of the collective. In this sense, Gray favors spatial diversity at the expense of temporal diversity, and neglects the ultimate minority: the individual.

Secondly, Gray's value-pluralism promotes conflict rather than peace because by refusing to acknowledge personal autonomy and 'right of exit' as a permanent and necessary condition for legitimate regimes, because of a lack of institutions and mechanisms which could regulate internal dissent, it opens the way for the violent expression of dissent. Moreover, due to an excessive emphasis on peace at the expense of agreement, it stimulates use of violence as a way of achieving political objectives, as the more peace is threatened the more responsive the system becomes to demands. Although, Gray puts emphasis on peace rather than consensus, because of a lack of faith in an ideal, universal, perfect type of government for all, disregarding this vision altogether deprives humans from the motivation to continue debate and communication through peaceful ways.

Thirdly, Gray's modus vivendi demands a full allegiance to naturalism and recognition of value-pluralism as a fact. It is a system that relies heavily on naturalism to justify universal rights, which differentiates it from cultural relativism, thereby making it open to the criticism that comprehensive liberalism suffers from, i.e. a commitment to a particular comprehensive world-view. Moreover, value-pluralism necessitates a common understanding of what is valuable and not, because incommensurability demands an active form of tolerance. This aspect problematises Gray's modus vivendi as active tolerance also demands an open society, where alternatives are genuinely available to all.

These shortcomings of Gray's value-pluralism will be analyzed below, starting first with the problems caused by Gray's approach to identity. After that, the problems of legal pluralism will be taken up, and finally the relationship between modus vivendi and naturalism, along with some problematic implications of value-incommensurability, will be examined.

4.1 The Self and Identity

One of the central claims of Gray's value-pluralism is that it is able to respond to demands of identity, especially the demands of identity in late-modern societies, better than liberalism. In criticism of the dominant liberal perspective, Gray defends his project as "not the project of privatizing cultural identity in the realm of voluntary association that is advanced in the standard liberalisms of today" but as a project that "instead attempts to enable plural identities to find collective expression in overlapping political institutions."[258] In this respect, Gray views the problem that contemporary societies suffer from as the lack of 'collective expression' of identity and therefore envisages a system that makes such representation and expression possible.

The essential aspect that makes contemporary identity politics different from previous political movements that advocated the rights of various minorities or cultural groups is that it is not oriented towards recognition of these groups as part of humanity, but on the contrary as different identities. Whereas previous rights movements, in this sense, advocated unity and sameness among humanity, modern identity politics emphasizes difference and diversity. As Kruks puts it:

> its demand for recognition on the basis of the very grounds on which recognition has previously been denied: it is qua women, qua blacks, qua lesbians that groups demand recognition. The demand is not for inclusion within the fold of "universal humankind" on the basis of shared human attributes; nor is it for respect "in spite of" one's differences. Rather, what is demanded is respect for oneself as different[259]

[258] Gray, 'Two Liberalisms of Fear', p.9-10

[259] Sonia Kruks, *Retrieving Experience: Subjectivity and Recognition in Feminist Politics*, New York, 2001, p.85

The most important propellant of the shift described above has been the emergence of the feminist movement, which challenged not only liberalism and the enlightenment ideals it imposed, but also Marxism which reduced inequality, of all sorts, to the economic realm and class conflict. The feminist movement helped enlarge the discourse on power relations to a wider context and liberated, to a great extent, the debate from the state-oriented approach and economic reductionism.

Within this scheme, the recent surge in interest to 'identity' has lead to the emergence of a two-fold position regarding identity: the first is a quasi-conservative/essentialist view generally regarded as 'identity politics' and the second is an anti-essentialist, anti-transcendent view critical of the totalizing power that identity inhabits, i.e. 'politics of difference'.[260] Although both terms refer to difference, the former does so by emphasizing belonging, whereas the latter does so by emphasizing difference.

The proponents of the first category have put identity at the center of their social ontology, ultimately striving to either integrate certain identities they perceive as oppressed into existent institutions or structures of power, or to create institutions through which these identities can find expressive or representative liberty. The advocates of the second category, mostly those influenced by post-structuralism and post-modernism and intent on deconstructing social phenomenon, recognizing the importance of cultural and social associations in politics, advance a theory of identity that views identity itself as a repressive notion. With a critical eye, these philosophers draw attention to identity's inherent function to unify, homogenize and incite essentialism. The two positions lead to two different perspectives on the role of identity in politics.

Many proponents of 'identity politics' advocate a theory of self and identity that relies on a discourse of authenticity. Within this view, the authentic life is described as life that is true to one's self.[261] Such an understanding of an authentic self combined with a discourse of liberation from oppressive conditions

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[260] Iris Marion Young, *Inclusion and Democracy*, New York, pp. 87-92

[261] Cressida Heyes, 'Identity Politics', *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, http://plato.stanford.edu/entries/identity-politics/, accessed 23 November 2007

provokes a nostalgic desire to return to a pre-oppressed authentic state which dominates identity politics. This desire may manifest itself in many ways. For instance, in some post-colonial societies, a discourse of returning to an original state of affairs, perceived as truer to their previous pre-colonial identity, was developed. Hence, the emphasis is on returning to or reinstating an ideal identity.

The discourse of authenticity immediately raises questions regarding essentialism. Berlin, in his criticism of positive liberty, emphasized that application of notions like an ideal, authentic self, true self, to liberty invoked a discourse of oppression through which the defenders of such a self oppressed the masses, while seemingly acting in favor of more liberty. This meant that the individual's who defined themselves as part of that collective, as part of that identity would be subject to a homogenizing pressure from within. The effects of this homogenizing attitude can be seen in all spectrums of political life, ranging from conservatives to radicals. For instance, some radical feminist argue for segregation of men and women in social life in order to liberate women from the patriarchal system that has been imposed on them.[262] Whereas most other feminist's refuse such propositions as extreme, feminist separatists argue that these critics are not true feminists, but that they present true feminism. The problem arises from the lack of consensus on what constitutes the identity of woman; whereas all parties to the debate claim to speak in defense of and in favor of woman in general, there is little consensus on the essential aspect of the debate.

However, it should also be noted that this is not an issue that only troubles identity politics. As Berlin notes, most liberal philosophers who defend negative liberty rely on a concept of human nature they perceive to be true, and according to this nature formulated the limits of liberty. What makes Berlin despise the elitist totalitarianisms that he associates mostly with positive liberty is the inherent potential they exhibit on exerting on the individual what is best for him. Berlin, himself, in order to avoid such a paradox, instead of positing a

[262] See Marilyn Frye, 'Some Reflections on Separatism and Power', in *The Lesbian and Gay Studies Reader*, ed. Henry Abelove, Michèle Aina Barale, David M. Halperin, New York : Routledge, 1993, pp.91-98

metaphysical image of human being, derives a set of general traits that defines human beings based on empirical human beings. Most political movements that are built upon a certain identity also suffer from such a difficulty.

In terms of identity politics, instead of a general image of human, a certain particular set of traits that is perceived as true is defined, and based on this image, liberty is pursued. Any alternative understanding that is not loyal to this particular image is dismissed and explained away through mechanisms similar to 'false consciousness' or 'ideology' as distorted understandings of reality.[263]

In this respect, identity politics suffers from a paradox; while working to liberate a certain group from the oppression of majority, it works against the diversity that it inhabits within. Since no group of people can be held to be identical to the extent that their differences do not make any difference, the difference of these individuals pose a threat to the existence of an identity, due to the fact that such a challenge jeopardizes its unity. Identity as a descriptive notion functions as an oppressive tool in this context.[264]

Moreover, proponents of identity politics, due to the nature of the argument, reduces the complexity of the individual to a single category and tend to understand and interpret other categories of identities that an individual might be holding through the lens of that single identity. For example, radical feminists perceive all types of oppression in the world as stemming from repression of woman. In this respect, it oversees the fact that individuals hold many different identities, some of which could be in conflict with each other in some respects.[265]

The other view, 'politics of difference', acknowledges the difficulties mentioned above. These scholars adopt a concept of identity that is critical of the two difficulties mentioned above. Firstly, identity is not seen as a fixed entity that attaches itself on the subject through a socialization process, but more of a set of discourse or narrative that is not in any sense itself fixed, working to form the subject within a complex process that can not be isolated from other subjectification processes. This means the construction of a subject that is

[263] Heyes, 'Identity Politics'

[264] Ibid.

[265] Levi, 'Identity and Conflict', pp.25-28

multifaceted and in a constant process of becoming. Mouffe refers to this process as follows:

> the social agent is constituted by an ensemble of subject positions that can never be totally fixed in a closed system of differences. The social agent is constructed by a diversity of discourses among which there is no necessary relation but a constant movement of overdetermination and displacement. The "identity" of such a multiple and contradictory subject is therefore always contingent and precarious, temporarily fixed at the intersection of those subject positions and dependent on specific forms of identification.[266]

Deleuze, influenced by a similar concern, promotes the concept of *nomadism* as a possible type of life that consciously avoids the unifying and homogenizing effects of identity.[267] Instead of fixing oneself in a certain identity, Deleuze's nomad lives in a state of transition from one identity to the other. Since, a vacuum of identity is not possible, in order to avoid the homogenizing force of identity, the nomad temporarily settles in one identity only to move to another. Braidotti explains nomadism as follows:

> Being a nomad, living in transition, does not mean that one cannot or is unwilling to create those necessarily stable and reassuring bases for identity that allow one to function in a community… Rather, nomadic consciousness consists in not taking any kind of identity as permanent. The nomad is only passing through; s/he makes those necessarily situated connections that can help her/him to survive, but s/he never takes on fully the limits of one national, fixed identity. The nomad has no passport – or has too many of them.[268]

The core of this approach to identity is the emphasis on becoming and temporality. 'Politics of difference', different from 'identity politics', focuses on the processes that construct identities, as much as how various identities form the subject as an amalgam. By taking into account the history of these identities, it

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[266] Chantal Mouffe, 'Citizenship and Political Identity', *October*, Vol. 61, Summer, 1992, p.28

[267] Paul Patton, *Deleuze and the Political*, New York: Routledge, 2000, p.66

[268] Rosi Braidotti, *Nomadic Subjects*, New York, 1994, p.33

also acknowledges that identities are temporal and that there is a process through which they have evolved and will evolve.

At this point, it is appropriate to return to the roots of how cultural affiliations, diversity and identity emerged as a defining feature of modern politics. One of the themes that Berlin frequently revisits in his writings is the 'need to belong'. According to Berlin, the need to belong is one of the 'natural' qualities that make us human. In this context, "emotional as well as economic, social and political bonds" are considered as essential to a 'mature' and 'developed life'.[269] The theoretical framework of 'need to belong' is derived from Herder through whom the Romantics later picked up the concept and applied to culture. In this respect, Berlin argues that some of the values that are commonly exalted in contemporary political theory were initially introduced by the Romantics, such as "the idea that variety is a good thing, that a society in which many opinions are held, and those holding different opinions are tolerant of each other, is better than a monolithic society in which one opinion is binding on everyone."[270] Therefore, it is possible to claim that the basis of modern multiculturalism and identity politics has been laid by the Romantics with their emphasis on culture, difference and the 'need to belong'.

It should be noted that the need to belong as a theoretical tool is not enough to explain some of the more complex diversity that is witnessed in contemporary societies. The need to belong is positive forms of affiliation, which can not by itself explain the heterogeneous and multifaceted nature of identity. This is due to a lack of acknowledgment that as much as a 'need to belong', human's are subject to another need: "need to differ". Using another terminology, the above two needs can be referred to as 'identification' and 'differentiation'.[271]

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[269] Berlin, 'My Intellectual Path', p.9

[270] Ibid., p.13

[271] Hatab refers to the tension created by need to belong and need to differ and its effects on self as follows: "The human self is a complicated interplay and tension between individuation, socialization, identification, and differentiation that is not resolvable into any discrete or stable reference." Lawrence J. Hatab, *A Nietzschean Defense of Democracy, An Experiment in Postmodern Politics*, Illinois, 1995

This aspect of our moral and political lives has largely been neglected. Although many philosophers, psychologists and sociologists have drawn attention to our need to belong, for various reasons, 'need to differ' has largely been ignored. In ancient Greek thought, the individual, as discussed in the first chapter, was perceived as subordinate to the city and the greater whole. Aristotle, for instance, held that only the city was able to sustain itself as an independent entity, and therefore it formed the ultimate body that all other political bodies served to preserve, including the individual.[272] Ability to sustain itself as a self-sufficient entity was perceived as the criterion of independence and within this scheme the individual, as a social being, occupied an instrumental role.

It was in Enlightenment that individual's dependence on society became a matter of critical investigation as the question of political freedom liberated itself from the society vs. state dichotomy. The initial implications of this restructuring can be observed in the thought of Rousseau, Kant and Mill, followed by Nietzsche and the existentialist movement, in which relations of power are analyzed within a greater context that takes into account individual and society relations, thereby making individual's independence from the collective a primary matter of concern.

"The need to differ" may manifest itself in two ways: the need to differ as an individual within a larger group, and the need to differ as a member of a group. While the second sense of the phrase supports the need to belong, the first sense works against the unity and homogeneity that is implied by membership to a group. Hence, while one may prefer to belong to humanity, 'humanity' as an abstract ideal, and fulfill one's need to belong, one can fulfill the need to differ by belonging to a nation, religion or ethnic group. In this respect, these sorts of affiliations, apart from serving as categories that imply homogeneity within, also serve as contours that separate and highlight one's being by emphasizing difference.

The individual's position in between these two needs is complex. As much as we strive to belong to a collective through which our life may gain an additional meaning or emotional maturity that we would lack otherwise,

[272] Aristotle, *The Politics*, p.14

belonging in a perfect sense or ultimately is impossible. Individuality and uniqueness creates a gap that breaches the unity belonging to a collective implies.

On the other hand, it is also true that independence in an absolute sense is not possible. As much as human beings strive to differ, their actions or the values they base their actions on are determined to a certain extent by their environment, which includes the society and culture they have matured in. Moreover, the identities that they identify with are part of a greater shared social knowledge that is evolving and changing through interaction with other subjects some of whom they might not identify with.

Therefore, the individual is always subject to a multiplicity of identities and may find him/herself in a position where the commitments of one identity might conflict with commitments of other. It is always possible that "identifying with a group [may not] entail a unique system of value commitments and, indeed, may not entail any or any very significant value commitments at all." [273] However, in cases where there occurs a conflict among identities, the individual is faced with the choice of either abandoning one of the identities, if that identity is one that can be acquired by will-full association like a religious commitment, or try to reconcile the conflicting identities through a process of modification and reinterpretation. In this sense, the individual might sustain his/her identification with that particular identity but reinterpret it in such a way that the conflict no longer poses a problem and the two identities can coexist in a consistent manner. Levi explains this desire for consistency as a matter of making 'sense':

> just as agents seek to systematize their beliefs about the world with the aid of explanatorily comprehensive theories, so too they seek to organize their value commitments into systems they judge to "make sense.[274]

This means that while the individual retains his/her identity, the content of it has changed through internal retrospection, hence "the identification may

[273] Levi, 'Identity and Conflict', p.27

[274] Ibid., p.33

remain constant even though the value commitments change over time."[275] The implication of this diversity within the individual is a divided self, that is not transparent or monolithic, and the manner in which these identities are reconciled creates a unique new personal identity.

Therefore, the natural implication of 'need to differ' is individualism and the individual in question is a platform of conflict itself. The individual is also the ultimate body that can sustain this sort of difference, because whereas collectives can sustain conflict within their identity, albeit not in a peaceful manner, individual must form a unity of self in order to function.

Although, Berlin does not state 'need to differ' as a basic human need, and rather refers to 'need to belong' as a need that legitimizes affiliation to different cultural or national entities, his pluralism combined with negative liberty is, nonetheless, designed to preserve individual's 'need to differ' from the collective. Gray, on the other hand, because personal autonomy is discarded as a prerequisite, fails to respond to this need altogether. Gray, due to his pro-collective attitude, opts for 'belonging' rather than 'difference'. This differentiation between 'belonging' and 'difference' maps on to the differentiation between identity politics and politics of difference. It is clear that as need to belong when taken to its extreme can lead to oppressive and aggressive forms of identity politics, the need to differ when taken to extreme forms may lead to nihilism or relativism. Therefore, it is essential to create a balance between the two if diversity is to be served without neglecting one aspect of it. Gray's project fails to achieve this balance.

Overall, it is obvious how Gray's pluralism works against diversity rather than for diversity. It neglects how the processes through which new identity emerges, individuals are subjectivized and overlooks the diversity within collectives and individuals, and only focuses on diversity among collectives. In this respect, it fails to achieve its fundamental goal.

[275] Ibid., p.27

4.2 Legal Pluralism and 'Liberals' Dilemma'

The diversity that late-modern societies exhibit and the growing importance attached to cultural affiliations and identity among multiculturalists have led to the questioning of to what extent legal systems around the world can respond to this legitimate diversity without curtailing it. One answer, the answer that requires little political change, has been to take into consideration the cultural motives that prompt certain actions while judging certain individuals. In the US, a Chinese man was acquitted of murder charges citing a Chinese "custom that allows husbands to dispel their shame in this way when their wives have been unfaithful."[276] In a similar fashion, a Japanese-American woman who attempted to kill herself unsuccessfully along with her children, who died, defends herself and successfully gets a reduction in sentence by explaining that according to Japanese culture parent-child suicide is an honored traditional practice.[277] Decisions like these, which challenge conventional wisdom and the principle of equal treatment, have lead to the question of if the demands of culture are taken too seriously at the expense of basic human rights.

The logic behind these decisions is that the cultures from which these assailants are originally from perceives these actions as acceptable, if not necessary. Since, the identity of an individual and what motivates them is determined by the cultural values they hold and liberalism is respectful of these cultural differences, individuals should be judged according to their own cultural practices and not in light of values held by western, American culture. The dilemma is that since liberalism stands for the individual's liberty and right to be different, and since the individual's identity is a product of the cultural rituals, traditions and values, a commitment to respect one's person would also necessitate respect for their culture. This approach, that is judging individuals according to the practices of their own culture, is what Coleman refers to as 'individualization of justice' and the dilemma between respect for individual and

[276] Doriane Lambelet Coleman, 'Individualizing Justice through Multiculturalism: The Liberals' Dilemma', *Columbia Law Review*, Vol.96, June 1996, p.1093

[277] Ibid., p.1093

respect for culture as 'the liberals' dilemma'.[278] Naturally, the question of to what extent the liberal should extend respect to another's culture and how much of this respect should be integrated into the legal system arises immediately.

Gray's answer to this dilemma is that we should not tolerate cultures that inflict universal evils on their members, but other than this there shouldn't be any restrictions. Hence, the above two examples would not necessitate any special treatment within Gray's scheme as they do not respect the right to life which is one of the universal rights that Gray recognizes. However, in other cases, for instance the practice of female circumcision by Somalis or the punishment of woman by beating in the case of Muslims, Gray's pluralism does not for see any restrictions, because personal autonomy is not among the rights that are secured.

Gray's solution to the problems caused by conflicting value-systems, which are equally legitimate and worth pursuing, is to delineate them from each other and to assign them their own sphere of authority in which they can sustain their existence in accordance with their own rudiments. Gray aims to preserve diversity through legal pluralism, and instead of individualizing justice, proposes a legally pluralistic system that takes into account collectives.

Legal pluralism initially came to the forefront of legal studies due to unwanted consequences of colonialism. As colonial powers superimposed their laws to the colonized cultures and societies in various parts of the world, there emerged a duality between the codified European rationalistic system of laws and the local indigenous system of laws, written or unwritten, based on religion, culture or tradition, due to the resistance of the latter. Later, the paradigm on legal pluralism shifted from its colonial roots and enlarged to explain the diversity of legal practices in late modern societies.

This shift also implies an enlargement of the understanding of law and a criticism of traditional legal studies which viewed legality and laws only as part of a court system and state imposed law.[279] The new perspective focused on non-state laws, specifically the "relations between dominant groups and

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[278] See Coleman, "Individualizing Justice through Multiculturalism: The Liberals' Dilemma', *Columbia Law Review*, Vol.96, June 1996

[279] Sally Engle Merry, 'Legal Pluralism', *Law & Society Review*, Vol. 22, No. 5, 1988, p.874

subordinate groups, such as religious, ethnic, or cultural minorities, immigrant groups, and unofficial forms of ordering located in social networks or institutions."[280] Complexity and diversity that is evident in late-modern societies, coexistence of communities with loyalty to pre-modern traditions, implies a multiplicity of laws as a social phenomenon. Hence, legal pluralism, as a phenomenon, can be interpreted as an indispensable part of late-modern societies' social ontology. Although such multiplicity is undesired from the perspective of modern codified positive law, it has always managed to sustain its existence.

The type of legal pluralism that Gray is advocating is different from the above description of legal pluralism. Legal pluralism as a social phenomenon, the idea of law enlarged to non-state imposed forms of social regulation including tradition, is an actuality that all societies to different extents exhibit, even those where there exists a codified positive law tradition. However, Gray's legal pluralism as a solution to the conflict that arises from the diversity of communities is legal pluralism in a *juristic* sense.

Gray does not explicitly discuss legal pluralism in detail in his writings; however some legal arrangements in various parts of the world are frequently cited as successful examples. Therefore, it is possible to deduce from these the type of legal pluralism that Gray proposes for his modus vivendi.

Gary refers to the Ottoman millet system, Roman non-territorial jurisdiction and Indian legal pluralism as successful examples:

> Among non-liberal institutions which have framed a modus vivendi between communities and traditions the Roman practice of recognizing several non-territorial jurisdictions and the Ottoman millet system of communal autonomies are notable. In India today Muslim law and secular law apply to different communities. [281]

It is clear from these examples that the type of legal pluralism that Gray advocates is one that attributes 'communal autonomy' to different cultural

[280] Ibid., p.872

[281] Gray, 'Where Pluralists and Liberals Part Company', p.33

groups. Therefore, Gray's legal pluralism fits Sally's definition of juristic legal pluralism:

> A legal system is pluralistic in the juristic sense when the sovereign commands different bodies of law for different groups of the population varying by ethnicity, religion, nationality, or geography, and when the parallel legal regimes are all dependent on the state legal system.[282]

The Ottoman millet system was such a system where members of different communities, based on religious identity, were not only given freedom to live according to their own religious practices and laws, but were subject to these laws unless they choose to submit themselves to the Muslim religious law. The state performed as the body that sustained laws coercive power over the subjects. In this sense, Ottoman legal system was enforced by the state and the legal pluralism it envisaged was within the confines of state imposed law. In this sense, the multiplicity of legal systems was very much different from the pluralism witnessed immediately after the ratification of Swiss civil code in Republican Turkey, where religious laws survived and governed some social interactions, like marriage, of the population to a large extent despite the state enforced law. The difference is that where one is enforced by the state, the other is enforced by either social regulation of the population or the consent of the individual's involved.

This difference is important to highlight in order to understand that Gray's legal pluralism gives authority to endorse the laws that govern each community. Although Gray does not explicitly state so, when the fact that Gray recognizes some rights designed to protect people from universal evils should be enforced by the government, and that this is exactly what makes governments legitimate, is considered, it would logically follow that state would be responsible to enforce these standards over communities. Therefore, to summarize, Gray's legal pluralism is a system in which an asymmetric relationship exists where state enforces universal rights and the communities enjoy autonomy and enforce their own laws within either their area of jurisdiction or over their people.

[282] Merry, 'Legal Pluralism', p.871

The problem with this model is that, although it seems very productive of peace as it diminishes much of the problems that could arise due to conflicting values of collectives, Gray's scheme of universal rights do not include personal autonomy. The major and the most crucial difference between liberalism and Gray's value-pluralism, an aspect that makes it appealing, interesting and provocative, is the fact that the latter does not endorse the autonomy of the individual as an indispensable part of the universal human rights. Legal pluralism with personal autonomy is itself a problematic system, but without personal autonomy, it is much more problematic.

Some of the problems that legal pluralism must resolve are defined as follows:

> the need to decide when a subgroup's law applies to a particular transaction or conflict, to what group particular individuals belong, how a person can change which law is applicable to him or her (educated Africans in the colonial era, for example, chafed at being judged under African law rather than European law), choice of law rules for issues between people of different groups, and determinations of which subjects, particularly family law, and in which geographical areas subgroup law should be accepted … It is often difficult to determine what the subgroup's rules are, particularly when they are not part of a written tradition.[283]

Most of these problems are practical problems that legally pluralist societies in history have also suffered from. For instance, the question of which law would apply when there arises a problem between two members of different communities who have engaged in an economic relationship have been a problem for Ottoman legal system as well.

However, apart from these mostly practical problems, the essential problem with this model is that, due to the fact that there might be different interpretations, it is difficult to sustain a particular code of law within a community. For instance, Islamic law is not a monolithic set of codes that is interpreted through out different communities the same. There are many schools of thought that approach the sources of law with different interpretations. For

[283] Ibid., p. 871

instance, even the most important principles of Islam, i.e. oneness of Allah, are open to interpretation as to what the nature of that oneness is.

In this sense, Gray is susceptible to his criticism of Rawls with regards to the incapacity of 'political liberalism' to respond to conflict. Gray criticizes Rawlsian political liberalism for removing "all fundamental issues … from political deliberation in order to be adjudicated by a Supreme Court. The self-description of Rawlsian doctrine as political liberalism is supremely ironic. In fact, Rawls's doctrine is a species of anti-political legalism."[284] But Gray's legal pluralism, instead of setting up mechanisms other than judicial organs that can resolve political differences, by creating legally autonomous entities, resolves conflicts of values through a strategy of avoidance. This strategy of avoidance for the sake of peace is a method that is self defeating as those non-liberal and undemocratic autonomous legal entities inhabit no mechanism that can answer the demands of internal dissident groups. It is clear that within a single minority group there can emerge dissident groups who would challenge the majority for legal autonomy. This is a fact that Gray recognizes as well. While discussing value conflict and incommensurability Gray argues that "conflicts among many incommensurable goods can be dissolved by breaking down their constitutive conventions. This is what moral rebels and reformers often seek to do, sometimes with good reason."[285] However, even though Gray recognizes the potential that challenging the majority 'with good reason' is possible, in circumstances where such incommensurabilities are attempted to be dissolved through a deconstruction, Gray gives the majority authority to suppress these movements. In this respect, legal pluralism, rather than promoting peace and sustaining diversity, works to promote violent revolt and suppress diversity.

Therefore, Gray's pragmatic peace oriented approach, paradoxically, opens the way for the use of violence in order to achieve recognition. Since the autonomous legal entities, at least those that are not liberal, do not have mechanisms through which internal dissent can be regulated, domesticated and integrated to the main circuit of society, the dissident collectives are left with the

[284] Gray, *Two Faces of Liberalism*, p.16

[285] Gray, 'Where Pluralists and Liberals Part Company', p.20

option of resorting to violence, which is the initial 'vice' that Gray's pluralism aims to avoid. In this respect, legal pluralism provides only temporary solutions to problems and works at the expense of internal diversity within collectives. While it achieves a peace through isolation of collectives, it fails to achieve internal peace within collectives.

However, one aspect of Gray's value-pluralism can be used in his defense, that modus vivendi is not a final condition, and that wherever there arises a dissident collective within a host collective, the modus vivendi would be enlarged to include these groups as well. This defense is insufficient, as Gray does not recognize the 'right of exit' as one of the universal rights that must be protected. About legal pluralism Gray states that:

> Such institutions are rejected by liberals because they allow insufficient freedom of exit from communities; but freedom of exit is only one good that a regime may have reason to protect. The avoidance of war, the protection of the environment and the maintenance of valuable forms of common life make no less valid claims. Where its exercise endangers such goods, individual choice has no automatic or overriding priority.[286]

Moreover, in order for the host collective to consent to an enlargement, it must come to the comprehension that the dissident collective is a genuinely incommensurable alternative, as value-pluralism demands such an understanding. This is too much of a demand from the host collective as the dissident group is not just a neutral group with regards to the host, but one that is critical and dissenting of the majority. Therefore, ironically, Gray's position that individual choice and the right of exit can be curbed for the sake of peace leads modus vivendi to a state of war.

At this point, a more fundamental question should be asked: Can value-pluralism appeal to monists or is it just pluralism for pluralists? This is an important question as legal pluralism, if it is to be a realistic alternative to liberalism, must explain how it would appeal to monists, including liberal fundamentalists, who would not be content with an arrangement that allows, for instance, oppression of woman. Since modus vivendi and legal pluralism are

[286] Ibid., p.33

proposed as a solution to problems caused by value incommensurability, it is important to understand how value-pluralism itself would be perceived through different perspectives in order to understand if they can really deliver the promise of peace.

In order to examine what Gray's value-pluralism means to groups and how they can respond to them, monists and pluralists perspectives should be examined. It is clear that this categorization can not be considered exhaustive, but nonetheless such an examination can give us a vision of how value-pluralism would be received sufficient to pass judgment in general.

The first category, pluralist, as it has been described through out this work, is someone who accepts that legitimate value-systems might come into conflict in an objective sense, and therefore argues for tolerance of other forms of life as long as they satisfy some universal rights –rights which do not necessarily lead to the morality of liberalism. The pluralist accepts this type of diversity that creates conflicts as a permanent part of the human condition. However, this doesn't mean that it does not subscribe to a particular value-system at all. Gray emphasizes this aspect of pluralism, as to argue otherwise would be to argue for nihilism. Therefore, the pluralist is someone who subscribes to a set of values, yet recognizes that there might be alternatives to that particular value-system that is equally as legitimate. Hence, the pluralist is not a nihilist or a relativist. It is not a nihilist because it subscribes to a value-system, and it is not a relativist because it subscribes to a set of universal rights.

The monist is, by definition, someone who denies the arguments of the pluralist. The monist assumes that values can be integrated together in a conclusive, absolute, coherent and hierarchical system, whether it be secular, religious or philosophical; and the diversity that is evident in societies is a result of either erroneous application of reason, a lack of necessary information for a healthy judgment, or simply immorality. Therefore, monism excludes alternative value-systems by promoting its particular hierarchy or values as the absolute, true one. Hence, monism is hostile to both other monists and pluralists.

However, this is a simplified description of the monist. The monist's reaction to the pluralists and other monists depends on how that particular monism views others. For instance, the toleration and autonomy extended to

Jews and Christians in the Ottoman millet system, in terms of having their own autonomous legal systems, was not based on a pragmatic necessity of preserving peace as other dissenters from the dominant Islamic view would be subject to punishment. Rather, this toleration was based on the tradition of Islamic law, which dictated that Jews and Christians be given protection and that to do otherwise, in the words of Sultan Mehmed III, would be against "the command of God and in contravention of the Holy Law of the Prophet."[287] Therefore, Islamic law, which is monist, preached tolerance to other monists, Jewish and Christians, as a matter of faith.

In this respect, tolerance was extended to these faiths, while retaining the monist position of Islamic law. Moreover, liberal fundamentalists, who are monists in Gray's scheme, tolerate others not because they see those views as legitimate but that they perceive an environment of peaceful debate as a healthy way of achieving truth. Therefore, monism and tolerance do not logically exclude each other. The monist may preach tolerance as part of that monist creed. Therefore, the conviction that monism is necessarily anti-pluralist is not correct. This means that a value-pluralist or a legally pluralistic society could be a viable option for some monists.

Nonetheless, it is also true that most examples of monism are anti-pluralistic, anti-nihilistic and anti-relativistic, and would deny the truth of value-pluralism ultimately. The argument that values are necessarily in conflict and can not be resolved into a permanent consistent whole does not necessarily bind these sorts of monist in any sense. If pluralism, the idea that truth does not form a consistent whole is a part of the human condition, then the pluralist is someone who has grasped and come to terms with this truth and the monist is the disillusioned who needs to be enlightened. Therefore, the relationship between the monist and the pluralist, from the perspective of the pluralist, is not much different from that of the monist who tries to make his own views accepted as the absolute truth. As understood, value-pluralism does not demand tolerance that stems from a lack of understanding the other, but an awareness that two values, genuinely, objectively can not be positioned to form a consistent whole.

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[287] Quoted from Bernard Lewis, *The Jews of Islam*, Princeton, 1984, pp. 43-44

In line with the above, it is clear that the type of toleration that value-pluralism demands is one that is motivated by a sense of value attributed to the tolerated. On the contrary, the toleration of classical liberalism, that of Locke, respects diversity in an instrumental, pragmatic sense in the hopes that through such tolerance there will emerge a unified point of view. In this respect, it is useful to delineate toleration into two categories based on the reasons of their respect for the other, active and passive tolerance.[288]

The first option is to adopt an attitude that acknowledges that there are diverse values, goods, life-plans which may not be compatible and therefore we should cherish and emphasize these differences. This approach to diversity is *active, positive tolerance*, or in its extreme forms as 'heterophilia'.[289] Heterophilia is problematic as it is based on the idea of diversity for the sake of diversity, and a metaphysical conviction that diversity is good as such.

The second approach observes, empirically that there are various values and goods, but nonetheless still retains that there can only be one universal good, even though most people might not agree, and hence diversity is not necessarily an essential part of human condition. This approach can be labeled as *passive, negative* tolerance. It recognizes diversity, but takes tolerance as a matter of *pragmatic* necessity and not a metaphysical ideal, like heterophilia. Within the passive tolerance model, it is also possible for a monist value-system to tolerate others not due to pragmatic necessity but that such diversity is legitimate due to the dictates of that value-system.

Therefore, it is apparent that the type of humans who can subsist in a value-pluralist system is pluralists and those monists whose value-system preaches tolerance. Within such a framework, it is possible to ask if value-pluralism really offers a possible solution to the types of problems that arise from diversity of strictly monist positions that is observed in late-modern societies.

This underlying difficulty is also highlighted by Berlin's conviction that, citing Schumpeter, 'civilized' men are those who know the relative validity of

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[288] See Guy Haarscher, 'Tolerance of the Intolerant?', *Ratio Juris*, Vol. 10, No:2, 1997, pp. 236–246

[289] This is a term that literally means 'love of other'. See Andrew G. Fiala, *Tolerance and the Ethical Life*, New York, 2005, p.26

their position yet unflinchingly stand for them.[290] The problem is that value-pluralism demands a society composed of 'civilized' people, in this sense, and is therefore not much different from the Enlightenment rationalism's hopes that someday human beings would recognize true moral standards which should apply to all, which Gray fiercely criticizes.

Therefore, the problem with how value-pluralism should treat monists is rather difficult. In an extreme form, Hardy claims that 'most mainstream forms of religion' should be rejected:

> Aggressive, triumphalist nationalism and most mainstream forms of religion (especially but not only in fundamentalist form) have to be rejected, on this basis, as radically wrong-headed, built as they are on the anti-pluralist (or 'monist') assumption that there is only one right way, superior to all other candidates.[291]

Such an approach raises the question of if really value-pluralism and the political structure it envisages can sustain monists with diverse commitments or only a society of pluralists who adhere to various commitments conscious of their relative validity. Neither Berlin nor Gray provides a satisfactory answer to this question. Without the acceptance of value incommensurability as an objective fact by all, which means a society composed only of value-pluralists, it is not clear how legal pluralism can be sustained in societies with various conflicting monisms, like our late-modern societies.

4.3 Modus Vivendi and Naturalism

In Gray's scheme, modus vivendi is a model that does not demand a rational agreement of the kind that necessitates positive-active tolerance towards others. It is a pragmatic and peace oriented arrangement that recognizes value-pluralism as a fact, that values conflict in an objective sense and this conflict may not be resolved legitimately due to incommensurability, and builds on it a theory of common existence. Hence, "the ethical theory underpinning modus vivendi is

[290] Berlin, *Liberty*, p.217

[291] Hardy, 'Isaiah Berlin's Key Idea'

value-pluralism."[292] Gray justifies his modus vivendi based on the conviction that "we do not need common values in order to live together in peace. We need common institutions in which many forms of life can coexist."[293] Moreover, Gray describes "Modus vivendi is liberal toleration adapted to the historical fact of pluralism."[294] It is important to note that Gray envisages modus vivendi based on the passive tolerance model of liberalism, which does not demand a sort of respect for other's legitimate being.

As it was discussed earlier, the institutional arrangement that Gray envisages is not necessarily democracy. Democracy is described as one among many legitimate forms of government that a society might choose to satisfy the needs of its members. Therefore, the types of governments that are adopted are perceived in Gray's scheme with an instrumental eye, which regards them as an instrument of peace, rather than platforms of politics. In a similar pattern, rights are merely perceived as instrumental to the satisfaction of the needs of people, than to form the basis of a political arrangement.

The problem with this instrumental, pragmatic modus vivendi that Gray promotes as an alternative to the models advocated by comprehensive liberals is that it heavily relies on a social ontology which implies a particular image of humanity, and is itself controversial. In other words, while Gray tries to avoid relying on comprehensive philosophical, political theories that imply certain human goods as universal and therefore their enforcement as a necessary condition in all communities, Gray dictates his own social ontology as the basis of the underlying structure that supports modus vivendi.

One of the basic criticisms that Gray directed at liberalism is that it neglected the fact that good always precedes right. In this respect, Gray interprets all rights theories that advocate universal rights as being based on comprehensive views that are not upheld by all. However, Gray does not deny the necessity of universal rights that should be satisfied by all forms of governments in order to be considered legitimate. Gray justifies these set of universal rights based on the argument that there are evils that human beings as a

[292] Gray, *Two Faces of Liberalism*, p.6

[293] Ibid., p.6

[294] Ibid., p.6

species are universally against. In this respect, Gray's naturalism, in theory, allows Gray to adhere to a set of universal rights without recourse to metaphysical, comprehensive worldviews or Enlightenment ideologies which he deems to be monist and authoritarian. Gray expects this naturalist ontology to be accepted as a truism that science has proven and therefore presents it as an objective, neutral basis. Gray, by opting for a naturalist ethics, relies on the biological particulars that define human beings as a species, as a basis which serves as an avoidance of the metaphysical, speculative convictions regarding human beings.

This naturalism, as much as it helps Gray escape Enlightenment humanism that he associates with counter-peaceful notions of progress and utopia, causes a bigger problem for Gray's value-pluralism. This is the problem that Berlin identified with scientism, that political questions are directed to the realm of experts and scientists who are applying their own criteria of truth for the whole of humanity. As Gray basis universal human rights on universal evils that stem from our existence as a species, the content of these evils is left to the consideration of scientists and experts, and all other modes of exposition, which could be based on 'supernatural' entities, are dismissed. Reality is perceived to be exhausted by nature, and therefore 'supernatural' explanations are necessarily left out.

This creates the unwanted situation in which, a question which should be of political nature, such as what universal human rights are and what is their content, is left to the discretion of scientists rather than of politics. Not only does this create a difficulty in terms of its elitist underpinnings but also due to the fact that much of the theories that Gray cites as a basis for the universal human, such as Chomsky's generative grammar, are open to debate and controversial.[295]

Against this criticism, it might be argued that even if the content of what these universal evils would be is left to the realm of politics, there would still be debate and disagreement as much as that observed in science. It would be better

[295] For critiques of Chomsky's generative grammar see Ian Robinson, *The New Grammarians' Funeral: A Critique of Noam Chomsky's Linguistics*, Cambridge, 1975 and Louise M. Antony and Norbert Hornstein, ed., *Chomsky and His Critics*, Malden, MA, 2003

to let philosophers and scientists discuss this matter because they apply more rigorous and objective criteria for truth and are, in a sense, free from the power relations that could dominate debate in the public sphere.

But this is exactly what makes such disagreement political in character rather than a simple scientific inquiry into human nature. Gray's naturalist approach limits discussion of universal evils to the realm of science and delegates their description to the authority of few experts, thereby reducing a matter that interests all to the realm of scientific discussion. It neglects the fact that in terms of politics it is how human's perceive themselves that counts and matters, to a large extent, rather than what human beings are scientifically. Gray's naturalism is positively biased towards anti-humanist interpretations of human-nature relationship, and therefore is political in character and implies a comprehensive worldview. In this respect, it can not serve as the neutral basis that Gray envisages it to be for a modus vivendi.

Gray's modus vivendi suffers from another major problem, one that stems from its allegiance to value-pluralism. This problem is that in order for the incommensurability of certain values to be evident to individuals, there needs to be a sense that both conflicting values are worth-pursuing ends. To be judged as incommensurable, values should be firstly considered as worth pursuing ends. This is a necessity that arises from the fact that the inability to compare two values by itself does not give one any reason not to dismiss the argument that they are incommensurable. Even when a person does not attach any significance to a value, for instance friendship, s/he could not be able to compare or reduce them to a common currency. In most cases, conflicts arise from the perception that some value-system is not valuable at all, whereas others attach it a great significance.

For instance, in the case of friendship and loyalty, in order for a person to acknowledge that there is a value-incommensurability between the two, that person should have the conviction that loyalty is a value that is worth-pursuing – something valuable initself or a value that makes a desirable form of life possible. If that person has no conviction that loyalty is valuable, then there would be no case for incommensurability. Hence, value-pluralism of Gray demands that there be homogeneity in terms of what are valuable and what are

not in order for the incommensurability to be objective as Gray designates it to be. Therefore, if value-pluralism is to serve as a basis for a modus vivendi, there should be a consensus on what constitutes value. Such homogeneity is not possible and is not a realistic demand.

Moreover, the above criticism implies another shortcoming of Gray's value-pluralism. This shortcoming originates from the fact that in order to comprehend the value of an alternative good, one must be exposed to it in some respect, and thereby develop an understanding of it. A person who has grown up in a commune composed only of atheists, without a comprehension of the idea of God, can not comprehend the type of value that a theist would attach to a life of devotion and reverence. Such a form of life would be perceived as not valuable.

The type of understanding value-pluralism demands in order to make a judgment about incommensurability of two values is more than just an acquaintance with other value-systems or a sense of commonality implied by our ability to communicate across cultures, that Berlin and Gray present as a proof that there are no isolated value-systems. It necessitates genuine comprehension of what the other value promises or means in order to understand that there is incommensurability. It is impossible for a person to come to the conclusion that two values are incommensurable without having a deep sense of how that value could appeal to other humans and why humans would prefer them to another conflicting value. Without such a comprehension, value incommensurability is nothing more than a disagreement that occurs due to a lack of understanding. However, the idea of incommensurability demands an appreciation of the other's value, rather than its ignorance.

As Berlin also emphasized with reference to Schumpeter's famous quote, what differentiates 'civilized' man, i.e. the pluralist, is the fact that s/he defends her/his views knowing that they are only relatively valid. In this respect, knowing the relative validity of one's view necessitates a through comprehension of the other's views as well. This implies that contrary to what Gray argues, modus vivendi necessitates a type of tolerance that is more inclusive than that of liberalism, which is pragmatically oriented. It demands an active form of tolerance, and not a simple tolerance of convenience.

It is also open to question if modus vivendi and legal pluralism can sustain the type of understanding that value-pluralism demands. In order for the individuals to develop such an understanding as minimum they should be exposed to various value-systems. This means that there should be a diversity of life forms in public life. This creates a problem for legal pluralism and modus vivendi as some forms of life, which respect basic criteria of Gray, aim to control not only private life but also the public life. In this respect, the collective that enjoys autonomy would be inclined to not let other forms of life find expression in public life. For example, the feminists separatists mentioned earlier advocate segregation that necessitates not only exclusion of men from their private lives but more importantly of all aspects of public life. in such an environment it is impossible for an individual to develop a sense of what other types of lives, which include men in public life, could offer so that she can observe that some values are incommensurable.

Moreover, it is also obvious that human conflict can not be reduced only to value-incommensurability. There can emerge conflicts among different interpretations of the same identity. In fact, it would not be erroneous to claim that most of the conflicts that politics deal with do not stem from a value-incommensurability, but originates from different interpretations of values or the question of what the best ways to respond to the demands of those values are. Hence, even if it was possible to resolve all problems that arise due to value-incommensurability through modus vivendi and legal pluralism, there would still be conflict among and within collectives. Value-pluralism, in this respect, falls short of providing a satisfactory answer to this type of diversity and conflicts that do not stem from value-incommensurability, and leaves it upon the particular collective to solve these problems.

Lastly, if value-pluralism is true, that *some* values are incommensurable and not comparable objectively, then it is also true that *some* values are comparable and commensurable, objectively. This means that there is a sphere of values which can be ranked and commensurate in a manner which should be acceptable by all. Since the basic argument of value-pluralism is that some values are incommensurable and therefore are legitimate, valid and deserve tolerance, what should we do in cases of conflict that arises regarding objectively

commensurate values? In other words, should we tolerate those who do not lend themselves to the objective hierarchy of values among commensurate goods? For example, if it was objectively true that friendship and loyalty can be commensurate, and that loyalty overrides friendship, should those who do not accept this ranking be tolerated knowing that it is subjective and arbitrary?

This is a question that reveals a problem of value-pluralism's claim of objectivity. Since, Gray is generally concerned with more diversity rather than less, it could be argued that value-pluralism would tolerate even those who do not lend themselves to the objectively defined set of values. To argue otherwise, that we should not tolerate them because they do not accept the objective hierarchy, would contradict with Gray's general commitment to diversity. However, tolerating the subjective ranking reveals a bigger problem.

If even those who do not accept value commensurability are to be tolerated, and since value-pluralism also tolerates those who accept value pluralism, then why is value-incommensurability needed as a basis to support modus vivendi or value-pluralism as a meta-ethical theory to define what is legitimate diversity or not? It seems that value-pluralism does not tolerate only those who do not accept value-incommensurability. Those who do not accept objective value commensurability are tolerated, nonetheless.

Gray uses value-pluralism, as a basis, to convince others that where there is incommensurability there should be toleration. But since there is also toleration when there is no incommensurability, then it would be safe to conclude that modus vivendi does not need the support of value-pluralism at all. Modus vivendi can sustain itself with only recourse to naturalism, which defines natural evils and thereby safeguards a minimum area of universal rights, as both incommensurable and commensurable interpretations of value conflict are tolerated unless they violate the universal minimum. Whether or not two values are incommensurate or not does not matter as long as the minimum that naturalism provides is protected. Then the only purpose the theory of value-incommensurability serves is to convince monists that their stance is wrong. Hence, we find ourselves once again in a situation where the monist is expected to change and become a pluralist, or a 'civilized' man, in order to fit in with the system. Gray's modus vivendi has no mechanism to facilitate the monist, which

forms the majority of human diversity. In this respect, it is a narrow theory that can only answer the expectations of the pluralists and the monists who are aligned to an understanding of tolerance.

CHAPTER V

CONCLUSION

In this study, John Gray's value-pluralism was examined in a critical manner. Gray's value-pluralism is a fresh and thought provoking alternative to both liberalism and cultural relativism. Based on Berlin's idea of value-incommensurability, Gray develops a critique of enlightenment rationalism and challenges the consensus on the neutrality of liberalism and its universalism, from a naturalist standpoint, while retaining a commitment to universal human rights. In this respect, Gray's political project is an effort to find a middle ground between liberalism's homogenizing aspect and relativism's particularistic divisionary force, leaning more towards the particularistic side, which could inhabit greater diversity than liberalism.

It is the conclusion of this study that Gray fails to achieve this goal as it can not provide a satisfactory resolution to the tension between the collective and the individual. The solution that is proposed, which is in favor of the collective, fails to safeguard the conditions that make diversity possible. This is due to the fact that Gray's approach to identity is one that does not take into account the changing, unstable, multifaceted aspect of identity. Therefore, Gray bypasses most of the conflicts that take place within collectives and within the individual subject and only focuses on conflicts among collectives. Gray's project favors "horizontal diversity" over "vertical diversity".

In order to put forward this thesis, Gray's value pluralism, with respect to its Berlinian roots, was examined. In the second chapter, a history of liberalism, based on Gray's differentiation of a pluralist and monist traditions was examined. Gray argued that the history of liberalism consists of two competing traditions. The first one, whose hegemony has been strengthened since Enlightenment, is

Truth oriented viewing peace as a means to the achievement of the true, ideal way of life that would be applicable universally. The monist tradition within the liberalism has been dominant and its influence heightened since enlightenment and modernity, due to the success science has achieved in explaining natural phenomenon.

Within this model of monist liberalism, or in Gray's terminology 'liberal fundamentalism', politics is viewed as a means to achieving the ideal state of affairs and morals is viewed as a search into the answer to fundamental questions of morality. In this sense, both Descartes and Locke, although the former is a rationalist and the latter is an empiricist, are monists, in Berlin's terminology, who view morals and politics as a means to achieving the ultimate moral truth. This is a model that suits the ontological and epistemological fundamentals that Descartes puts forward, in that rationalism, in both Platonic and Cartesian versions, affirm the ideal and the transcendent. Locke's subscription to this form of liberalism, as an empiricist is surprising, as structurally empiricism is more open to difference and plurality. However, as explained in the second chapter, Locke positions himself, in terms of morality, as a quasi-rationalist who adheres to an understanding of moral truth, and delegates differences to the sphere of opinion. In this respect, Locke views cultural differences not as fundamental in the formation of knowledge or self. This is typical of liberal fundamentalism, which reduces difference to the level of the superficial, and thereby deprives cultural difference of its fundamental constructive role in human subjectivity. The natural consequence of such an understanding is that differences are tolerated not due to their legitimate status, but by an understanding that under circumstances of tolerance, the different would conform to the true way, that of liberalism, as a necessity of rationality and truth. This leads to a negative form of tolerance, which is paradigmatic of monist liberalism. Tolerated is perceived as a burden and tolerance is extended in an instrumental sense.

Descartes, in this respect, is fundamental. Descartes achieved to redirect the subject to the transcendent even after its links with deity were severed with enlightenment. In the works of Descartes, subject reconstituted itself as transparent and detached from the social and the cultural, and reason, in this respect, acquired the role of anchoring it to the universal. While the individual

cut its roots with transcendence, and Truth freed itself from the authority of God, reason replaced the vacuum created, and the individual became sovereign over himself/herself, strongly anchored to reason as a fundamental point of reference. Reiman refers to this process as the 'democratization of reason':

> Descartes gave us nothing less than a secular version of the Judeo-Christian notion of imago Dei, the idea that all human beings are created in the image of God and worthy of special respect and treatment because of that fact. But the secular version, rather than being based on human beings' soul or spirit is based on their capacity to reason. As the Greeks saw this capacity as the grounds for sovereignty over others, so it became in the post-Cartesian world the ground for each rational being to be sovereign over himself or herself. Democratizing reason, Descartes opened the way to liberalism.[296]

Hence, Descartes laid the groundwork for both individualism and universalism through the 'democratization of reason'. The particularistic strand, implied by the sovereignty of the individual over himself/herself, is tamed and controlled by the universalizing force of reason. Within this framework, the idea, which Berlin identifies as the first assumption of western moral thought, that there is a single true answer to questions of morality and values can be structured coherently, retained its fundamental position. In this respect, Descartes prepared the grounds for the monist liberalism that Gray is fiercely critical of.

Berlin identifies Romanticism, which has its roots in thinkers such as Herder, as challenging and turning this trend around, and reinstituting the cultural realm as a fundamental aspect of political life. More recently, post-structuralism and post-modernism engaged in a similar mission of reinstating culture to a heightened position in political philosophy.

Thus, Berlin's criticism of positive liberty is also very much related with the philosophy of ideal self, put forward since Descartes. Berlin views himself as an empiricist who refuses to submit to the prospect of an abstract universal, 'ideal' self woven around a collective. In this respect, Berlin's approach to human nature is greatly affected by this effort to distance his theory from the ideal. Although Berlin affirms that there is a human nature, it is position as fixed

[296] Reiman, *Critical Moral Liberalism: Theory and Practice*, p.41

is denied, and human nature is understood as a changing notion within a common horizon. Instead of a design where our nature is implanted in us, e.g. Aristotle, Berlin employs Wittgenstein's notion of 'family resemblance' to emphasize the shifting, changing aspect of human nature through interaction and time, while also underlining the connectedness of humanity. In this sense, Berlin, in line with what he has inherited from Romanticism, regrounds human nature from the transcendent to the empirical, in an effort to avoid the implications of teleology and idealism, while preserving a sense of unity of humanity which is not evident in relativism.

Gray's approach to human nature is similar to Berlin's in that both identify similar traits as a part of our fundamental constitution. However, it also differs in a significant respect in that Gray posits a fixed human nature. Unlike Berlin, who aims to deduce human nature from particulars through a process of inspection, Gray relies on a naturalist ontology to posit a nature based on our animal constitution. This is a significant departure from Berlin as the fundamental concern of Berlin in his criticism of positive liberty was to draw attention to the potential it carried in subordinating the individual to the collective for the sake of an ideal self. In this respect, as much as Gray is critical of scienticism of enlightenment as a means to oppression in a similar vain to Berlin, as it has been emphasized in this study, his understanding of human nature is prone to such abuse. Gray, by designating a human nature based on our animal constitution, and various accounts of human fundamentals, such as Chomsky's universal grammar theory, delegates questions that should be within the scope of politics to the sphere of science where the standards of proof or legitimate argument are not as inclusive as those in politics. In this way, it risks leading the discussion to the sphere of specialists who would designate what is against human nature and what is not, thereby delegitimizing certain forms of diversity which could be considered legitimate within a political process. In this sense, not only does this open the way to the rule of specialists, which Berlin fears, it also leads to a more closed society, where the scope of politics is constrained.

The second tradition, which Gray's value-pluralism stems from, is oriented towards peace with a pragmatic concern of coexisting and not as a

condition for the achievement of ultimate good. In this respect, Hobbes, according to Gray, is the prime example of this strand. As explained earlier, Hobbes's materialistic ontology, naturalism and approach to political philosophy are fundamentally different from that of his contemporaries, in that he views philosophy and science similar in essence as instrumental and applies them not for the ultimate truth but for providing solutions to problems. In this respect, Gray inherits a similar view of politics from Hobbes and sees Hobbes' construction of political sphere based on fear as a fundamental aspect of his project. Although, Hobbes' political project is more authoritarian than liberal, Gray sees in his theory the seeds of a political theory that opens the way for the constitution of conditions of peace. In this respect, Hobbes provides a ground for Gray.

Gray expands this basic idea to the cohabitation of different forms of life and cultures, and posits politics as a means to achieving a relatively stable status. It should be emphasized that in Hobbes' theory, contract is achieved in a mechanistic way as a necessary consequence of an interaction of political bodies, i.e. individuals, due to his mechanical materialistic ontology, unlike Locke whose contract theory is based on what the civil society promises to individuals. In this sense, Hobbesian contractarianism is negative, in the sense that individuals are motivated by what they fear rather than, as in the case of the Locke, by what civil society offers them. In this respect, whether or not Hobbesian modus vivendi can sustain Gray's value-pluralism is questionable. Value-pluralism demands from individuals not only tolerance based on fear for themselves, which doesn't necessitate any contemplation about the other, but tolerance that is based on the conviction that there are other legitimate forms of life that others can value and pursue as a worthwhile life. It is not an agreement of convenience that is merely motivated by fear for oneself, but a genuine appreciation of the value of other. In this respect, value-pluralism it demands a positive modus vivendi that is motivated by what the modus vivendi would offer to them. Gray's modus vivendi is based on the aspect of fear that collectives would be threatened by homogenizing force of the other, and therefore fails to respond to the demand of value-pluralism.

In the third chapter, Isaiah Berlin's liberalism, which forms the basis of Gray's value-pluralism, was examined along with Gray's critique of it and his interpretation of value-pluralism. Berlin's political theory is oriented towards the protection of the individual from the collective, while recognizing that affiliation with collectives are also a part of the fundamental needs of humanity. In this respect, Berlin posits a form of pluralism that protects the individual through negative liberty, while also sustaining diversity. The basis of this pluralism is the meta-ethical theory of value-pluralism. Value-pluralism asserts that there might be values that are incommensurable and therefore the ideal of forming a consistent and coherent set of values ultimately, which according to Berlin has been the fundamental goal of western moral theory since Plato, can not be attained. This means that, at least in some cases, the fundamental assumption that there is a single true answer to questions of morality is not true. Therefore, Berlin draws the conclusion that faced with such a moral reality, respecting and tolerating these other alternatives that are equally legitimate is necessary as a condition of being human.

Gray challenges Berlin's argument that personal autonomy is a fundamental necessity of a legitimate form of life. In contrast, Gray takes Berlin's value-pluralism a step further and dismisses personal autonomy as a value that might be itself incommensurable and therefore, discarded in some instances. Hence, Gray reduces liberalism to another form of life among many others, fundamentally shaking its position as a neutral set of norms that guarantees liberty of the individual, and thereby argues that 'personal autonomy' can be curbed in legitimate regimes for the satisfaction of other values. This aspect of Gray's theory is the fundamental point of its departure from Berlin and liberalism, which also causes great problems.

In the fourth chapter, the major problems of Gray's modus vivendi were examined along three axes. The first axis is its approach to identity. One of the fundamental claims of Gray's project is that it is able to respond to the needs of diversity better than liberalism; in other words it is more inclusive of difference than liberalism is. Gray aims to achieve this by approaching identity from the form of a collective expression, and argues that such an approach is more productive of peace than liberalism's individual oriented approach. One of the

conclusions of this study is that Gray's modus vivendi can not achieve this goal of sustaining difference better than liberalism due to a deficient understanding of identity, which does not do justice to temporality of identity. Gray neglects the fact that identity is itself changing and is a product of social interaction and culture, and therefore is temporal. Gray's project assumes that individuals and collectives are monolithic and homogeneous bodies which do not contain any sort of internal dissent within, and attempts to preserve these collectives rather than maintain the conditions that make their existence, that is individual autonomy possible. Although Gray recognizes the role of individuals in initiating change, it neglects in protecting the ultimate minority, i.e. the individual.

The second axis is the legal pluralism, which Gray puts forward as a system that could sustain different forms of lives in peace. Gray argues that a system where different collectives have their own sphere of authority is more productive of peace than a monolithic system, where law does not respond to the particulars of a certain culture or community. It is argued in this study that, contrary to Gray's conviction, such a system is more productive of conflict than peace, because Gray refuses to acknowledge 'right of exit' as a fundamental right. Individuals or groups do not have a mechanism to resort to in circumstances where there is dissent. Gray's fundamental aim is to create a system where different collectives can find expression of their identity, but by refusing to accept 'right of exit' as a fundamental right, Gray leaves individuals with little option other than to resort to violence. Therefore, without 'right of exit' such a system is more productive of conflict than peace.

Thirdly, it was argued that Gray's adherence to naturalism as a basis for universal rights is itself open to criticism as it demands from individuals the acceptance of the view of human as fundamentally of an animal constitution posited by naturalism and thereby, demands adherence to a comprehensive world-view. In this respect, Gray's theory is open to the same criticism he directs to political liberalism, that it demands many different forms of lives to conform to a particular vision of human nature and thereby, dictates a particular worldview as fundamental.

Moreover, value-pluralism is problematic as it defines value-incommensurabilities as objective phenomenon of moral reality. Although Gray

argues that these incommensurabilities might not be permanent and might change gradually, Gray never abandons the emphasis that they are objective and not subjective or relativistic. However, Gray's value-pluralism, Berlin's version included, does not answer the question of how pluralists should react to monists and groups who refuse to accept the 'objective' status of these incommensurabilities.

Another shortcoming related to value-pluralism is how the fact of value-pluralism would appeal to monists. The monists, who form the majority of collectives, by definition, refuse the argument that there are multiple legitimate worthwhile values and that this is an objective condition of moral reality. Gray's value-pluralism demands a society composed of individuals, who monolithically accept that some values are incommensurable, i.e. value-pluralists, in order to facilitate modus vivendi. It contains no provisions for those monists who affirm that there are some universal values, but refuses to accept that value-incommensurability as a fact. A conclusion that can be drawn from this shortcoming is that a political theory that aims to answer to the diversity of identities should conform to the fact that most of the conflicts that it aims to resolve are created by monist identities, therefore declaring them as mistaken, even if it is true, is a non-starter.

Apart from the immediate conclusions mentioned above, there are some further conclusions that can be drawn from this study. As Berlin has noted our social and political ontology is structured around 'personal autonomy'. Without personal autonomy, our political and moral vocabulary demands a fundamental change in that speaking in terms of contemporary human beings would be incomprehensible. Whether or not we are free or autonomous scientifically, is not important as we perceive ourselves as free and act in accordance with this assumption. The social and legal order that we subsist in is based on this basic assumption.

In this respect, it could be argued that any solution to the difficulties that arise due to the diversity and complexity that we witness in late-modern societies need to subscribe to this fact in order to find an affordable and enduring solution. However, there is always the question of what this idea of autonomy should entail.

As Crowder points out, 'right of exit' demands support from other rights which would make its exercise possible in highly undiversified societies.[297] The right to exit one's collective makes sense, when there are genuine alternatives provided to individuals. In a society where genuine alternatives can not flourish, the exercise of this right would not be possible.

Moreover, even if the society is diversified enough that there are alternatives, there is always the issue of having a 'capacity' to make critique. It can be argued that an individual, who is deeply immersed in a culture which greatly reduces his/her capacity to make critical judgments for his/herself could not make use of this right even if there were genuine alternatives available. Therefore, it could be argued that 'right of exit' should lead to a complete theory of 'personal autonomy' where securing the conditions that make the exercise of our capacity to rationally and critically examine ourselves is a necessary part. These are arguments strengthen liberal's case for a universal system of values. However, they are also very problematic.

Such an undertaking leads us back to the problem that Berlin drew our attention to with positive liberty. If 'right of exit' by itself is not sufficient to safeguard its exercise, and the support of other rights, such as the right to an education which would equip humans with a capacity for critical thought is necessary, then this would mean that a rational 'ideal self' is being posited as a necessity to all. From Berlin's point of view, such a perspective, could lead to the rationalist monisms. Gray's position also conforms to Berlin's. In line of the above, it is possible to conclude that what is needed is an understanding of autonomy that is less complete than a liberal conception of 'personal autonomy' and more expanded than a simple 'right of exit'.

It might be argued that 'individualization of justice', i.e. treatment of individuals with respect to their own cultural values, could resolve many of the problems posed in this study. However, it should be noted that it is also problematic as it tends to protect the assailants rather than the victims. Moreover, it is not a sustainable system where there is a tendency to "privatize justice". Since, within the liberal perspective, the legitimacy of a system of justice is

[297] George Crowder, 'Two Concepts of Liberal Pluralism', *Political Theory*, Vol.35, No:2, 2007, pp. 121-146

based on the general consent of the people who are subject to it, by individualizing justice, the way for a system where each individual is given not only moral autonomy in terms of their private beliefs, but also legal autonomy of choosing to which system of justice they should subscribe to, is opened. This, as mentioned above, to a certain extent, was observed in colonial societies, where educated elites preferred to be judged by the laws of colonizers. In that they demanded a right to choose by which laws they should be judged. This is an idea that essentially jeopardizes the coercive force of law, and renders it impractical.

Finally, even if 'right of exit' is accepted universally, the question of what to do if a certain individual exercises this right to its extreme form and declares or demands his/her legal autonomy stands. Difference and unique identity of the individual can be used to validate such demands. Even though, it is not practically desirable, it is theoretically possible if 'right of exit' is not regulated in some respect. Therefore, the question of to what extent differences should be respected is always open to debate. A sober answer to this question is to restrict the exercise of this right in certain aspects in order to subsist a relatively stable society. Without such provisions, the institutions that make social life possible could not be sustained. Therefore, the balance between peace/order and freedom should be regulated.

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