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## Knowledge and Politics

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## Recent Books

### Book Review

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

#### I.

When the conjunction of two abstract nouns forms the title of a philosophical book, the book's thesis can often be summarized by changing conjunction to copula. For Professor Unger, knowledge *is* politics: solutions to the basic problem of epistemology—what can we know?—presuppose and in turn are presupposed by solutions to the basic problem of political theory—how ought society to be organized? Critical appraisals of proposed or received doctrine in either of these areas that ignore the reciprocal implications for and of the other are doomed to remain but partial critiques. Unger's goal, in contrast, is "total criticism," by which one should perhaps understand, not that the analysis proceeds without presuppositions, but only that it proceeds with the conscious aim of doing what has just been indicated: reducing to as few categories as possible the connections between current modes of thought about both what can be known and how society should be organized. The result is a description of received visions in each area that Unger finds defective in similar respects and for similar reasons: both visions share a small set of related and analogously faulty premises.

The faulty premises derive primarily from doctrines espoused by Hobbes and, in varying degree, by Locke, Bentham, and other contributors to classical, seventeenth century liberal thought. These doctrines, Unger suggests, point to moral arbitrariness in ethics and to overriding concern for the individual in the organization of society. Moral arbitrariness results because liberal "psychological" premises (the knowledge half of the inquiry, which includes for Unger both ethics and epistemology) assert that reason and desire are separate and that a whole is simply the sum of its parts. Reason thus cannot choose among ends, which are the dictates of random individual desire, but can perform only the instrumental role of choosing means most likely to further such ends. The principle of individualism guides the organization of society because parallel premises of liberal political thought assert that values are subjective and that the attributes of a group are reducible to the attributes of its members. Thus the State's only role is to restrain the "mutual antagonism" that results from the struggle to satisfy individual wants.

A critique of these "liberal" premises, as of the premises of any theory, may proceed either from within, through a demonstration of internal inconsistency, or from without, by showing that the theory inadequately accounts for experience. Unger's critique does both. The postulates of liberal thought, he argues, lead to "antinomies" or conflicts among "conclusions derived from the same or from equally plausible premises."<sup>1</sup> The "antinomy of reason and desire," for example, arises because the premises of liberal psychology lead to two equally untenable moral theories: a morality of reason and a morality of desire. The former, of which Kant's theory is an example, supplies all that reason can in the way of moral guidance given the premise of arbitrary desire: it provides principles capable of commanding universal assent from individuals with disparate ends only because the principles are so abstract that they provide no guidance in real cases. Kant's categorical imperative, the Golden Rule, the familiar "treat like cases alike" are all examples: they are empty formal directives, useless in the critical judgmental operation of determining "relevant" similarities and differences among the distinct objects of experience.

The morality of desire (which includes, for example, utilitarian theories that direct one to "maximize satisfactions") fares even worse. It is hardly a morality at all, but only "an inadequate descriptive psychology" (p. 52), toting up and comparing desires as given with nothing to say to the individual who wants to know what he *should* desire. Moreover, viewed as a moral doctrine, Unger finds it inadequate: it points to a life in which contentment, defined as the satisfaction of desire, can never be achieved because desire never ceases. Thus "two equally untenable and [conflicting] moral doctrines seem to follow from the postulates of liberal psychology" (p. 54).

In Unger's view, what gives rise to such antinomies is "the more fundamental problem of the universal and the particular." We can make sense of our ideas in science, morals, and politics, Unger claims, only by distinguishing between a universal element and a particular element: between theory and fact in science; between reason and desire in ethics; between rules and the values rules serve in politics. But this separation, though necessary, is impossible to uphold:

Whenever we think of [the universal] as independent from [the particular], we end by recognizing their interdependence. Whenever we start by conceiving them as interdependent, we are forced to the conclusion that they must be independent. [p. 137]

The primary aspects of experience that liberal thought subverts are the conception of self or personality and the idea of community.

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1. R. UNGER, KNOWLEDGE AND POLITICS 13 (1975) (hereinafter cited in the text by page number only).

On the one hand, the morality of desire projects a portrait of the self as an unconnected sequence of arbitrary, changing desires, having nothing *necessarily* in common with the same self over time or with the rest of mankind. It thus denies both "the continuity and the humanity of the self" (p. 57). The morality of reason, on the other hand, whose formal, indeterminate laws ignore individual strivings, has an opposite and equally unhappy consequence: negation of the self's "capacity for moral innovation and its individual identity" (p. 57). On the social level, these consequences are reflected in the schizophrenic flight of the individual, first to the demands of public role and convention (the political analogue to formal reason, which leads to submission or resignation), then back to the inclinations of private life (the analogue to arbitrary desire, which leads to disintegration of the sense of unity with others). "To suffer at the same time from resignation and disintegration has become the ordinary circumstance of the moral life" (p. 62).

What is the way out? Why suppose, for that matter, that there is a way out? The predicament, after all, is an old one, as familiar in the history of philosophy as are most of Unger's arguments. The predicament may be described, as Unger chooses to describe it, in terms that point to the riddle of the relationship between the particular and the universal. It may also be described in less metaphysical terms as arising out of the limits of human ability to find authority or certainty in science or morals. If science could accept the view that things have intelligible, knowable essences, one would not have to be content with the relativity of definition and theory to purpose. If values were objective and knowable, moral disagreement would diminish as knowledge increases. In either case, if "God" would "speak," as Unger pleads at the end of his book (p. 295), the quest for authority could end. But Unger's plea, while it points to one particular path that the quest for certainty often takes, also points to the intellectual's despair over finding or accepting such a path himself.

All of these possibilities for finding authority depend, in short, on hypotheses modern man is unable to accept. Unger's book may be viewed as an invitation to take another look at the "unacceptable" hypotheses in the hope of finding at least one point sufficiently open to doubt to justify an attempt at intellectual revision. Such revision, Unger concedes, cannot take the form of outright denial of any of the premises of liberal psychology. One cannot simply assert that things have intelligible essences or that values are objective or that God has spoken. No such "philosopher's trick" (p. 17) can hope to affect the social experience of moral disagreement, scientific uncertainty, and unrevealed divine truth that gives such force to the postulates of liberal thought. One must start instead on a smaller scale,

revising liberal premises not *in toto*, but only as they apply to one particular phenomenon in the world: man himself.

In metaphysical terms, Unger, with a bow to Hegel,<sup>2</sup> proposes to solve the problem of the relationship between the universal and the particular that underlies the antinomies by viewing persons as "concrete universals." Unger's claim that this notion is easier to understand or accept than an outright denial of one or more of the liberal postulates rests on his suggestion that persistent aspects of experience, despite the pervasive influence of liberalism, support such a "foreign" way of thinking. Moral experience confirms that concrete examples (as in the case of parables) contain general lessons that cannot be reduced to abstract rules. Works of art convey universal meaning that cannot, however, be abstracted from the particular work itself. Finally, the Christian dogmas of the incarnation and the resurrection illustrate a view of the relationship between infinite and finite quite different from the view of the relationship between universal and particular that underlies the antinomies of liberal thought (*see* pp. 143-44).

This is not to say that one must accept Christian dogma in order to accept Unger's invitation. Unger is not attempting to persuade one of the existence of a heavenly kingdom, but of the possibility of establishing a kingdom of man on earth that significantly improves on the only kingdom that Unger believes liberalism is capable of supporting. Like Marx and Weber, Unger is sensitive to the connection between theoretical doctrine and social experience and to the difficulty of meaningfully altering the one without simultaneously altering the other. His aim in the first half of the book is to discover aspects of present experience capable of evoking the reader's empathy for both the critical analysis of liberalism and an alternative view of man and society. This alternative view seeks conditions that will allow fuller realization of both man's individual or "concrete self" and his sociable or "abstract self" (pp. 222-26). It is a view that rejects both extreme individualism (under which community collapses)

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2. *Id.* at 312 n.24. Parallels to the structure and substance of Hegel's thought may be found throughout Unger's book. In particular, both emphasize the synthesis of opposing intellectual ideas through a movement: that occurs between stages of society and emerging conceptions of value and truth; that leads to an increasing realization in history of the value of freedom; and that is motivated by the struggle to realize in history an ideal that is expressed in the idea of God. The most significant difference between Unger's theory and Hegel's (or Marx's) is that Unger makes no claim that the process is in any sense inevitable or likely (even in theory) to succeed.

This difference between the theories of Unger and Hegel leads Unger to resist strongly attempts to characterize his work as Hegelian. *See* exchange of correspondence between Professor Unger and Professor Kronman, 61 MINN. L. REV. 200 (1976) (commenting on Kronman's review of *Knowledge and Politics*). Unger admits that his position shares with Hegel's a "background of Christianity"; however, by insisting on the earthly unattainability of the ideal, Unger's work is "Christian" in a way that Hegel's is not. "The effort to participate in the dialogue between Christianity and modernism is one of the ruling ambitions of the work." Unger, 61 MINN. L. REV. at 200, 203.

and extreme collectivism (under which self disappears). In place of these extremes, Unger seeks a synthesis and sense of social union similar to that discussed in a recent work by John Rawls,<sup>3</sup> who, it should be noted, starts from quite different, "liberal" premises. The guiding idea, which Rawls suggests "is surely implicit in numerous writings,"<sup>4</sup> is that individuals in an ideal community will come to accept and sympathetically share in community choices different from the individual's own because community ends will increasingly reflect the individual's "species nature." At the same time, preservation of individual freedom to participate in the selection of ends and to develop particular talents and roles will facilitate continual community revision of its view of the nature of the "species," thus allowing for individual variation and species development in a manner reminiscent of the urgings of no less a liberal than J. S. Mill.<sup>5</sup>

Thus the stage is set for a transition from the critical argument to the construction of Unger's positive program. The assumptions of the program are boldly stated: (1) there is a unitary human nature, not in the form of an eternal "essence" revealed by reason, but in a form capable of developing and changing as man makes choices through history; (2) this nature will be revealed by common choices maintained over time in societies, *assuming* that such societies are free of domination and thus do not work a corrupting influence on the "shared values"; (3) the development of man's potential—the talents, the skills, the ends revealed by these shared values—is the good. "Evaluation and description meet at the point at which one defines human nature" (p. 196).

The implications of this alternative view are developed with care and insight in the final chapters of the book. These chapters connect Unger's "Theory of the Self" (ch. 5) with his examination of the society ("The Theory of Organic Groups" (ch. 6)) that must exist in order to provide the domination-free conditions under which the ideal self can develop. Chapter four ("The Theory of the Welfare-Corporate State") lays the groundwork for both analyses by examining the respects in which existing states fail to meet the "domination-free" qualification. The post-feudal liberal state, whose "master institution," the bureaucracy, ideally tries to allocate social place according to role, fails to meet the qualification because the principle of role appeals to a standard of merit, and "merit" is inevitably influenced in the liberal state by class. Moreover, even if the welfare-corporate state (or, for that matter, the socialist state) could succeed in dispensing with the influence of class by assigning place solely on the basis of merit, "the exercise of power by the higher talents over

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3. See J. RAWLS, *A THEORY OF JUSTICE* 520-30 (1971).

4. *Id.* at 523 n.4.

5. See J.S. MILL, *ON LIBERTY* 100-33 (ch. III) (London 1859).

the less gifted becomes simply another form of personal domination unless a moral standard can be found to justify and limit it" (p. 173). Escape from domination in the meritocratic bureaucracy is possible, Unger argues, only if two conditions can be met: (1) members of the institution must participate "equally and continuously in the formulation of common ends" (the condition of democracy) (p. 183); (2) social relations must be "based on shared purposes whose moral authority is recognized and in which men view and treat one another as concrete and complete beings" (the condition of community) (p. 184).

What would a society that fulfilled these conditions look like? Unger provides a speculative glimpse in his final chapter. The features that emerge can be briefly listed, but cannot be appreciated or fairly evaluated except in the context of the sustained argument that leads to them. Much of the discussion at this point draws on familiar sociological themes. Increased sympathy, for example, requires in Unger's view the same "intimate face-to-face association and cooperation" found in such "primary groups" as the family.<sup>6</sup> But, as others have observed, such primary groups cannot foster the sense of community as long as they remain "detached from positions of functional relevance to the larger economic and political decisions of our society."<sup>7</sup> Thus Unger suggests that one must seek face-to-face association within groups that are organized to deal with the broad economic and political decisions affecting members of the group. The closest example of such a community is the emerging occupational group, united at first only by the production goals of the working place, but capable of becoming a "community of life" through the provision of joint facilities for housing, health care, education and recreation (pp. 264-65). Drawing on the literature of alienation from Marx to Durkheim, Unger suggests that within such groups the division of labor must leave room for individual choice and experimentation, encouraging people to see and treat each other "as concrete individuals rather than as role occupants" (p. 261).

With this in mind, the salient features of the positive program may be briefly summarized. They include: (1) "organic" groups, faced with a broad range of life situations, but small enough to allow face-to-face dealings among all of the members; (2) a basic freedom on the part of individuals to join and leave such groups; (3) diminished importance of talent, with any assignment of roles by merit representing a political, collective choice, rather than a technical given; (4) distribution of benefits according to a standard that combines merit and need, with "basic needs" to be satisfied independently of capacity or effort; (5) flexible division of labor, with

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6. See C.H. COOLEY, *SOCIAL ORGANIZATION* 23-38 (1909).

7. R. NISBET, *THE QUEST FOR COMMUNITY* 54 (1953).

less emphasis on specialization and greater room for individual experimentation and choice, including, for example, rotation of tasks and the sharing of indispensable but "generally abhorred" tasks as a "common burden" (p. 275).

## II.

Those accustomed to evaluating argument and analysis by the standards of professional philosophy will find much to criticize in Unger's book. How, for example, can one categorize Kant with Hobbes as thinkers equally responsible for doctrines suggesting that values are subjective and arbitrary? It was, after all, precisely the attack of British empiricism on the basis for belief in the authority of science and morals that led Kant out of his "dogmatic slumbers" to the formulation of a theory designed to justify such beliefs. How, for that matter, can one in a few pages dismiss all varieties of utilitarianism as inadequate "moralities of desire" on the basis of arguments that are at least as old as Plato<sup>8</sup> and that few professional philosophers would accept as conclusive, much less self-evident? Not all consequentialist ethical theories require the naïve calculus of the way to "contentment" that Unger seems to take as the model for his attack. Moreover, the claim that liberal psychology condemns reason to a purely instrumental role with nothing to say about the choice of ends would be dismissed by some as either trivially true or false. One *can* reason about ends more or less likely to produce happiness (perhaps by reference to those same aspects of human nature that Unger describes), even though the proof that happiness itself is the ultimate end rests, like all first principles, beyond the reach of reason.

These reactions, however, can result only from a failure to appreciate Unger's objective. *Knowledge and Politics* is not an exercise in the history of philosophy or a commentary on or analysis of any particular philosopher or philosophical theory.<sup>9</sup> Unger is

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8. See PLATO, GORGIAS (B. Radice & R. Baldick eds. 1960).

9. In this respect, the exchange of correspondence between Professors Unger and Kronman, published with the latter's review of Unger's book, *see note 2 supra*, is puzzling. In his review Kronman criticizes in some detail Unger's tendency to ignore or to treat superficially the responses philosophers have given to many of the problems Unger discusses. It seems to me that Unger's only defense to such criticism, as well as to the charge that he "treats too cavalierly, and at times positively misrepresents, the views of classical liberal thinkers," Kronman, 61 MINN. L. REV. at 205, is his repeated insistence that he is painting his own picture in *Knowledge and Politics*, rather than describing the views of any particular philosopher or rehearsing familiar—and endless—"partial" philosophical debates. See KNOWLEDGE AND POLITICS 8-11, 106, 118-19. *See also id.* at 293-94 (on the limits of philosophy). In the exchange with Kronman, however, Unger defends himself as if what is at stake is the precise relationship of his work with that of other philosophers. The Kronman-Unger exchange is dominated by disputes over whether Hegel is or is not Spinozist, whether Unger is or is not Hegelian, and whether Unger's book is or is not "Christian." It is

painting a picture—a metaphor to which he explicitly resorts (*see* pp. 14-15)—of the chief elements in the thought and consciousness of modern man. He identifies elements that typify the basic style of the post-seventeenth century era, much as one might identify Baroque style in art without analyzing in detail the variations among particular paintings or artists (*cf.* p. 122). He invites the reader to look and see and to compare with his or her own experience the portrait that results. The fact that the themes and arguments are familiar becomes a basis less for criticism than for conviction that the portrait is accurate.

On this level, Unger's critique of Kant, and of theories of justice based on Kant, should strike a responsive chord in anyone who has tried to apply such theories to practical problems requiring hard moral or social choices. As for utilitarianism, while Unger does not pause to make the same detailed critique of such theories that one can find, for example, in Rawls<sup>10</sup> or Nozick,<sup>11</sup> he weaves his own version of such critiques into an account of the causes of moral skepticism and uncertainty under liberal postulates. Again the resulting tapestry is recognizable. Modern welfare economics, rejecting the relevance of a calculus that might select the choices that an individual ought to prefer, or despairing of its ability to perform such a calculus, simply accepts preference curves as given. And to suggest that a prescription to "maximize happiness" can be conceived broadly enough to include even Unger's theory of human nature as the good is to make the prescription superfluous. Aristotle too thought happiness the ultimate end of man. But that became for him only the starting point for an analysis of human potentiality bearing close affinity in spirit to Unger's theory. Unger, in short, like the classical Greek philosophers, suggests that developing a theory of the good is more important than refining a prescription to maximize whatever results from that theory. It is the preoccupation of "moralities of desire," however conceived, with the latter refinements that reverses cart and horse and contributes to the sense of moral skepticism.

This focus on a theory of the good marks Unger's book as a rare contribution to contemporary Anglo-American philosophical literature; the skill with which the theory is developed makes it a valuable addition as well. One of the most remarkable characteristics of the book is its extreme breadth of vision. It encompasses in telling synthesis a vast body of relevant but seemingly disparate sociological, philosophical, political, and psychological literature. On this level

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ironic that while Unger here protests against Kronman's oversimplification of his position, Unger's synthesis of the views of other thinkers in *Knowledge and Politics* is susceptible to similar criticism.

10. *See* J. RAWLS, *supra* note 3, at 31, 54-194.

11. *See* R. NOZICK, *ANARCHY, STATE AND UTOPIA* 26-53 (1974).

of broad synthesis, the discussion is rigorous and intellectually honest in the best scholarly tradition. The argument is coherent, tightly organized, and rich with connections and analogies among fundamental aspects of human experience and the insights of diverse, speculative thinkers.

The discussion is also exceedingly abstract, although no more so perhaps than any philosophical treatise that examines the connections among ideas as basic as those that concern the nature of man, morals, and society. But unlike treatises that confine their analyses to "the order of ideas," Unger continually compares the theoretical order with "the order of social consciousness," giving life to abstract discussion by reference to experiences ranging from personal, romantic, and perverse love (pp. 218-19) to the philosopher's quest for ontological proofs of the existence of God (p. 293). In each case, these brief discussions appear, not as diversions, but as integral, illuminating parts of the argument.

At times, some of these same features make the book difficult reading. Unger assumes that the reader will be familiar with abstract concepts whose content is not always clear even in the literature he surveys. There must, for example, be less obscure ways of describing the potential for harmonizing individualism and anti-individualism than by suggesting "a synthesis of transcendence and immanence" as an "alternative conception of the emergent mentality" (pp. 180-81). Moreover, the brevity of the arguments and the tendency to quick synthesis, particularly in comparison with the breadth of the themes treated, adds significantly to the effort needed to follow the argument. Finally, the style is infused with an air of such personal conviction and confidence in the analysis that it may prove an irritant, preventing objective appraisal by those who believe that the inability to find solutions to questions as basic as these should generate humility in even the most enlightened prophet. But these are minor problems. Compared to much of the current popular literature that appeals to "new consciousness" movements, Unger's book does a far better job of examining the theoretical structure of and the prospects for such anti-liberal movements.

Despite its virtues, however, and despite Unger's candid confrontation, for the most part, of the assumptions on which his positive program depends, there remain some hidden assumptions that are crucial to the success of his project. One is that there is something wrong with antinomies. For Unger the inability to resolve these represents "the outer limits of our ability to escape tragedy in life" (p. 141). But tragedy, as the Greeks knew, can be the occasion as much for exhilaration and admiration as for sorrow and pity. For Kant, the antinomies that set the bounds to reason also open up possibilities for hope and free will that otherwise remain in doubt.

For some contemporary philosophers who share Unger's view of the plight of man, the consequence is not despair but welcome recognition of the fact that man's inability to find authority makes faith possible and lends meaning to life precisely because contradiction and conflict are accepted as an inescapable part of the human predicament.

Utopian theories have, after all, received a bad philosophical press of late, not so much or only because they are implausible, but because they do not appear necessarily preferable to nonutopian alternatives.<sup>12</sup> Unger insists that his is not a plan for utopia, because utopias envision a static society isolated in history, whereas Unger contemplates continued reciprocal development of society and self through history (p. 237). But if the motivation for the establishment of organic groups is provided by an ideal that seeks complete resolution of uncertainty in the central aspects of human existence, then the recognition that only God can achieve the ideal perhaps should and will at some point eliminate the motivation. In Unger's terms, should one not consider whether agreement by many about the inevitability and the desirability or beauty of contradiction and conflict at these basic levels is evidence that *human* nature is better served by the acceptance of antinomies?<sup>13</sup>

A second assumption is that Unger's positive program will in fact eliminate or lessen the antinomies of liberalism. Indeed, the most disappointing feature of the book is its failure to link the proposed solution to the problems which ostensibly give rise to the proposal. Consider the problem of adjudication, which for Unger arises out of "the antinomy of rules and values." Liberal theory reconciles freedom and order by positing impersonal rules whose impingement on individual liberty is justified because the rules are justified, either in direct substantive terms or on the basis of the procedures by which they are selected. But even assuming the rules can be thus justified (which Unger does not concede), they must still be applied. And adjudication under the premises of liberal political thought inevitably forces the law applier to impose his own subjective values, thus undermining the liberal justification for the restriction on liberty. Again, the problem is a familiar one, and again, Unger dispatches it quickly, dismissing in a few short paragraphs recent models of judicial decisionmaking that purport to eliminate such discretionary judicial power.<sup>14</sup> But Unger's suggestion that shared values and common ends might solve the problem because every decision could then be judged "according to its capacity to promote the common ends"

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12. See, e.g., Dahrendorf, *Out of Utopia: Toward a Reorientation of Sociological Analysis*, 64 *AM. J. SOC.* 115-27 (1958).

13. Cf. R. Nozick, *supra* note 11, at 297-334 (suggesting a "utopian" vision that emphasizes "individualism" to the point of near-extinction of "community").

14. See, e.g., Dworkin, *The Model of Rules*, 35 *U. CHI. L. REV.* 14 (1967).

(p. 101) assumes that such ends will be so specific that reasonable men could not disagree about which decision best promotes them. Because Unger makes no attempt to speculate about the shared values and common ends that will emerge from his positive program (*see* pp. 241, 245), the basis for this assumption is unclear. Moreover, even if consensus emerges with respect to some ends, others, even in organic groups, will remain outside the area of core agreement—else there would be less need to lay such stress on the importance of the condition of democracy. But it is in part the condition of democracy in liberal society, forcing compromises among shifting minorities, which leads to the problem of adjudication in the first place, making the “purpose” of majority-selected ends inherently indeterminate (*see* p. 95). Unger’s program, in short, promises at best only to shift the problem of adjudication from the penumbra that surrounds the contingently accepted values of present society to the penumbra surrounding the essentially shared values of organic groups.

Similar problems confront the attempt to find in the positive program a solution to the antinomy of reason and desire. Unger’s criticism of the morality of reason as an empty guide to conduct proves to be based less on his indictment of liberalism than on his view of the importance of practical or prudential, as opposed to theoretical, moral reasoning. Our ordinary moral concern to know what we ought to do in the case of concrete problems of choice requires in Unger’s view a theory of practical reasoning that analogizes particulars directly to each other, guiding moral choice by appeal to concrete examples of right conduct rather than to abstract rules or principles. But Unger confesses, “I have no worked-out account of [practical reasoning] to offer, not because I believe such an account to be impossible or unimportant, but simply because I have not found one” (p. 258). Absent such an account, the problem of concrete moral choice remains equally insoluble in organic groups. Conversely, with such an account (supplementing a morality either of reason or of desire) why should it not work as well in liberal society? Even if one supposes with Unger that practical moral judgments will prove “more secure” in organic groups, that is a long way from suggesting that the problem which formed a large part of the critique of liberalism will be solved by his positive program.

In view of these considerations, and in view of Unger’s own admission that, with or without liberalism, there may be “basic and ineradicable conflicts” in morals, knowledge, and politics (p. 141), one may well ask why one should “surrender the safeguards against evil that liberalism so painfully built” (pp. 247-48) in exchange for a program that offers little assurance of coming any closer to resolving such conflicts. One can find a better answer to this question in Unger’s book than that provided by his focus on “antinomies.”

The answer lies in Unger's description and analysis of those experiences that individuals sometimes, if rarely, encounter in cases of aesthetic contemplation, personal love, and religious worship: delight in being and a sense of meaning that stubbornly resists and confounds the only meaning that liberalism offers. These remain in current society extraordinary experiences. The motivation for, and the measure of the success of, Unger's positive program lie in the promise it holds of extending the extraordinary into the everyday (*see pp. 231-35*). It is this possibility of achieving a community that is "the political analogue of personal love" (p. 220), rather than concern about resolution of antinomies or conflict, that is more likely to justify attempts to realize Unger's social program.

This conclusion has two consequences. First, it makes Unger's analysis of the value of and the pre-conditions for achieving greater social sympathy more important than his claim that liberalism is essentially to blame for the failure to achieve such sympathy. Second, it tends to undermine that claim. One need not accept Unger's hypothesis of an objective species nature in order to accept his arguments for the positive program. Indeed, the claim that liberal psychological premises leave the self with nothing necessarily in common with the rest of mankind proves itself false in one respect: under those premises, all men at least share in common the same inability to establish objective values. Why should not recognition of that common plight foster, rather than depress, natural human inclinations for sympathy and community? Liberal thinkers such as Adam Smith and Hume, after all, stress the value of sympathy and benevolence as virtues to be cultivated, although Hume admits the natural feeling is a weak one.<sup>15</sup> Liberals such as Rawls buttress the natural feeling with a theory designed to establish the rationality of principles of justice that are consistent, as we have seen, with an idea of community very similar to that explored by Unger.<sup>16</sup> Other rational arguments for taking the "impersonal view" leading to empathy and altruism can be made without the aid of a theory of objective value.<sup>17</sup> Unger, in short, may be right that, *if* his theory of an objective species nature is correct *and* can be accepted, it will help motivate and make more stable the establishment of the positive program. But it would be a mistake to conclude from Unger's insistence on the "unity of liberal thought" (ch. 3) that one who is unable to escape from the "metaphysical prison house" (p. 229) of such thought is justified in thinking that Unger's social theory stands or falls with his moral theory.

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15. *See*, A. SMITH, *THE THEORY OF THE MORAL SENTIMENTS* 1-30 (pt. I, § I, chs. I-IV) (1967); D. HUME, *A TREATISE OF HUMAN NATURE* 275-328, 455-70 (bk. II, pt. I; bk. III, pt. I, § I) (Selby-Bigge ed. 1888).

16. *See* text at notes 3-4 *supra*.

17. *See* T. NAGEL, *THE POSSIBILITY OF ALTRUISM* (1970).

As for the moral theory itself, its plausibility depends on a final assumption in Unger's analysis that is not hidden at all but is explicitly confronted. It is the assumption that one can overcome two profound problems of circularity in the argument for the positive program. Both arise from Unger's basic premises: human nature is the good (the only objective evaluative standard); human nature is whatever does not arise from domination; domination is *unjustified* power. Under this set of definitions it appears that to determine human nature one must already have an independent evaluative standard (apart from human nature) for distinguishing legitimate from illegitimate power. Unger's response is to suggest that the apparent circle may be turned into a spiral. Advance is slow but advance does occur. Classical arguments in favor of slavery illustrate the difficulty of knowing where one is in the spiral or even whether one is proceeding in the right direction (pp. 244-45). But widely shared moral beliefs now reject the classical arguments. It is not, in short, hopeless to suggest that the justification of power is itself to be determined by widely shared beliefs capable of becoming increasingly secure, though never final, with each advance.

The second problem is that the entire program is futile from the outset if it should turn out that domination is itself a basic part of human nature. One may sympathize with Unger's reluctance to speculate about the shared values that human nature will reveal in a yet-to-be-established, domination-free society; but the assumption that such a society is possible at all already depends on a view of human nature yet to be established. It is an assumption that prefers Rousseau's view of man to Hobbes' and that rejects the view of man implicit in religious concepts of original sin and in scientific and anthropological theories that stress man's link to his animal origins. Unger's answer is simply to concede the assumption. The premise that underlies the entire enterprise is a belief in the ultimate harmony of being and goodness, truth and beauty—a belief that for Unger excludes the possibility that human nature might be inherently domination-seeking (see pp. 247-48). It is a view that links reason, fact, and value in a way that has strong adherents in the history of philosophy, beginning with Plato. Among contemporary American legal theorists it is a view that, in a different context, has been given lonely voice for some time in the writings of Professor Lon Fuller<sup>18</sup> and that shows signs of gaining modest support in recent analyses by other philosophers of the judicial process.<sup>19</sup>

It is in this basic motivational premise of the undertaking that the ultimate value of Unger's book is to be found. *Knowledge and*

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18. See L. FULLER, *THE MORALITY OF LAW* 159 (1969); L. Fuller, *Positivism and Fidelity to Law—A Reply to Professor Hart*, 71 *HARV. L. REV.* 630 (1958).

19. See R. SARTORIUS, *INDIVIDUAL CONDUCT AND SOCIAL NORMS* 169-73 (1975):

*Politics* does not advance inquiry into the questions, what can I know? and what ought I to do? It does advance inquiry into the question of Kant's Third Critique, "what may I hope?" Hope, by definition, entertains beliefs whose plausibility reason cannot establish. But hope must have some rational structure if it is not to degenerate into idle dreaming. Unger's entire essay is an attempt to provide such a structure. It is "an act of hope," pointing "toward a kind of thought and society that does not yet exist and may never exist" (p. v). That it is a kind of society that could exist and is not simply the result of wishful thinking by those bent on the "quest for community" Unger, given his premise, demonstrates with passion and precision. Those who share his faith in the ultimate harmony of truth and goodness will find in Unger a powerful intellectual ally against those who claim such faith is blind.

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