

December 2012

Pierre Manent: Democracy without Nations? The Fate of Self-Government in Europe Study Guide, 2012

Steven A. Samson

Liberty University, ssamson@liberty.edu

Follow this and additional works at: http://digitalcommons.liberty.edu/gov_fac_pubs

 Part of the [Other Social and Behavioral Sciences Commons](#), [Political Science Commons](#), and the [Public Affairs, Public Policy and Public Administration Commons](#)

Recommended Citation

Samson, Steven A., "Pierre Manent: Democracy without Nations? The Fate of Self-Government in Europe Study Guide, 2012" (2012). *Faculty Publications and Presentations*. 408.

http://digitalcommons.liberty.edu/gov_fac_pubs/408

This Article is brought to you for free and open access by the Helms School of Government at DigitalCommons@Liberty University. It has been accepted for inclusion in Faculty Publications and Presentations by an authorized administrator of DigitalCommons@Liberty University. For more information, please contact scholarlycommunication@liberty.edu.

**PIERRE MANENT: DEMOCRACY WITHOUT NATIONS?
THE FATE OF SELF-GOVERNMENT IN EUROPE
STUDY GUIDE, 2012
Steven Alan Samson**

PAUL SEATON: TRANSLATOR'S INTRODUCTION

Outline

- A. PIERRE MANENT (vii-x)
 - 1. What Manent Has in Common with Charles de Gaulle
 - a. Both men have known how to speak to France about herself
 - 2. Manent Is the Ablest Defender of the Nation-State
 - a. And the most incisive philosophical student of politics
 - 3. Manent's Conception of Political Philosophy
 - a. Central themes present in his first books
 - 1) Liberal democracy
 - 2) Nation
 - 3) Political nature of man and political condition of mankind
 - b. His reading of eminent political thinkers is combined with his own voice
 - 4. Focus of First Four Books: The Birth of Modern Politics
 - 5. Original Liberalism: Body of Doctrines and Institutions Supporting Free Individuals
 - a. Object: Protection of man and his manifold freedoms
 - b. Evolution into a specific form of democracy: liberal democracy
 - 1) It is based on popular sovereignty and limited government
 - 6. Second Stage: Emergence of "Conservative-Minded" Liberal Thinkers
 - a. François Guizot and Benjamin Constant
 - b. Alexis de Tocqueville
 - 7. "The Situation of Liberalism," 1986
 - a. Liberalism's weaknesses
 - 1) Difficulty recognizing the true nature of ideocracies
 - 2) Dimming the civic instinct
 - 3) Weakening the sovereign state and nation
 - b. Collapse of Communism called for fresh thinking
 - 8. De Gaulle Talk, 1993
 - a. Status of the nation is a common European problematic
 - 9. Maastricht Treaty, 1992
 - a. Creation of European Union
 - 10. Fundamental Theme
 - a. "Postpolitical illusion" and the "antipolitical temptation"
 - 11. Postpolitical Illusion
 - a. Vision of global governance
 - b. Political correctness and multiculturalism in America
 - c. Transnational progressivism (John Fonte)
- B. THEMES OF THE BOOK (xi-xiv)
 - 1. "Reason (or Rationale) of Nations"
 - a. Pervasive ideas about democracy and Europe being used to reshape both
 - b. Apolitical idea of pure democracy
 - c. No place left for the nation
 - 2. The *Raison d'Être* of Nations
 - a. Political defense (apology) of democracy's older meaning and supporting framework

3. "Democracy without Nations?"
 - a. Ambiguity in the construction of Europe: Political Body or Network?
 - 1) A political body that supports democratic vocation of self-governing citizenship?
 - 2) A modern-day Alexandrine cultural bazaar lacking instruments for collective deliberation and decision?
 - b. The Nation: A European invention [actually, Old Testament Israel]
 - 1) A **concrete universal** composed of "common speeches and actions" (Aristotle)
 - 2) Temptation of self-sufficiency [autarky]
 - 3) *Hubris* [self-destructive pride] of European democracy
4. "What Is a Nation?"
 - a. Christianity
 - 1) Europe's *Sonderweg* [separate way or path] unthinkable apart from Christianity
 - 2) Religion's continued presence on the contemporary scene
 - b. Manifestly public aspect of religion
 - 1) Liberal arrangements that rule our actions should not govern our thought
 - c. Religion and Politics Overlap
 - 1) Both are forms of human communion
 - 2) Aristotle: *koinonia* is central to understanding politics and our rational nature as political animals
 - 3) Paul and Augustine: Church is a deeper *communion*
 - 4) Charles Péguy: *mystiques* constitution nation, church, and synagogue
 - d. **Hyperdemocratic fallacy**
 - 1) Inadequacy of current arrangements that exclude religion and the nation
 - 2) Consent must seek communion

Review

central themes	liberal weaknesses	postpolitical illusion
ambiguity in the construction of Europe		nation: a concrete universal
Europe and Christianity	forms of human communion	hyperdemocratic fallacy

FOREWORD

Outline

- A. EXPLANATION OF THE BOOK'S CHARACTER (3-4)
 1. Study of Political Philosophers
 - a. Baron Montesquieu
 - b. Alexis de Tocqueville
 2. Recognition of an Immense and Pervasive Phenomenon
 - a. It eludes our shared awareness as it grows apace [like the air we breathe unless it chokes us]
 3. Erosion and Dismantling of the Nation
 - a. A political form is not like a light overcoat to be put on or taken off at will
 - 1) It is a Whole within which we conduct our lives and in the absence of which each of us would become a stranger, a monster, to himself [cf. the schizophrenia of Dr. Jekyll and Mr. Hyde]
 - b. We still live largely from the fecundity (abundant creativity, culture) of the nation [and Christianity; as Hilaire Belloc put it in *The Servile State*: "There is a complex knot of forces underlying any nation once Christian; a smoldering of the old fires"]
 4. Author's Mission: To Explore the Process by Which the European Nation Was

- Constructed and Then Began to Deconstruct [cf. Bauhaus's international school [cf. Winston Churchill: "We shape our buildings; thereafter they shape us"; the Bauhaus "international school" of architecture sought to break down national differences]
- a. Its metamorphoses [perhaps a reference to Ovid's and Kafka's stories]
5. Separation of Church and State Is Precious as a Rule of Action, But Ruinous if We Make It the Rule of Our Thought
 - a. Religion and politics are inseparable

Review

erosion and dismantling of the nation

religion and politics

THE PRESENT SITUATION

Outline

- A. IDEA THAT HUMANITY IS PROCEEDING TOWARD ITS NECESSARY UNIFICATION (5-6)
 1. Tocqueville's "Sentiment of Resemblance" [cf. René Girard's Mimetic Desire]
 - a. It has now become a "passion for resemblance" [cf. Erik von Kuehnelt-Leddin's "identitarianism"]
 - b. We are required to see the other as the same as ourselves [René Girard regards this kind of uniformity as the result of a cultural breakdown, as following a "mimetic contagion"]
 - c. Refusal to see what is different
 - d. Resulting indifference toward the world is less hidden by humanitarian endeavors
 2. Our Political Body Helps Shape Our Experience of Similarity and Difference
 - a. Nation-state [Manent sees the nation-state as a cultural incubator; Francis Lieber extols it]
 - b. Dynamic partnership and rivalry with neighbors
 - c. European "concert"
 - d. Class struggle
 - e. Common humanity is found in bridging differences [not erasing them]
 3. Consequence of Weakening European Nations
 - a. It weakens this framework of recognition and meaning
 - b. Europeans seek refuge in a vague idea of human unity [*i.e.*, global governance]
 - c. Two versions of democratic empire
 - 1) European quietism
 - 2) American activism
- B. TWO VERSIONS OF EMPIRE (6-7)
 1. American Version
 - a. Central nation (America) acts as the model and guardian of democracy
 - b. World unity arises out of a network of relations composed of rules and regulations of (1) commerce and (2) human rights
 - c. Rogue states are thwarted by force
 - d. Primary newer element: vision of a united world where collective differences are insignificant
 2. European Version
 - a. Central human agency: pure democracy
 - 1) Democratic governance is detached from collective deliberation [cf. Rousseau's idea of a general will divorced from public participation]
 - 2) *Kratos* (rule) without a *dèmos* (people)
 - b. Vision of the world in which no collective difference is significant
 3. Both Groups Are Less Capable of Seeing Present Reality
 - a. Both are occupied with building their twin towers of Babel

- b. Their inability to overcome disunity is the condition of human liberty and diversity
- C. CONSTRUCTION OF A GLOBAL MIDDLE CLASS (8-9)
 - ["Transnational Progressivism" Is Similar to Earlier Visions of a Technocracy or a Meritocracy]
 - 1. Diffusion of Rules and Regulations Promoting "Good Governance" [Goo-goo]
 - a. Substitute for the reality and energies of collective willing (*e.g.*, legislation)
 - b. Two versions: (1) construction of Europe and (2) global democratization
 - 2. Extraordinary Temporal Retrenchment: Rejection of a "Culpable Past"
 - [cf. Edward Banfield's "limited time-horizon"]
 - a. Past is seen as composed of collective crimes and unjustifiable constraints
 - b. But monuments to these crimes are seen as elements of a global patrimony
 - 3. Double-mindedness
 - a. Barbarous pasts are rendered respectable as "cultures"
 - 1) "Conversion" (through proselytizing) alone is regarded as blameworthy
 - b. Extreme democracy, which enjoins respect for "identities," thus joins hands with death-dealing fundamentalisms [or, better, fanaticisms]
 - c. Contemporary Europeans would arrest all intellectual and spiritual movement
 - [rejecting such ideas as development and progress as expressions of bigotry]
 - 1) Object: An interminable liturgy of self-adoration
- D. UNBINDING OR "HOUGHING" (HAMSTRINGING) THE DEMOCRATIC NATION (9-10)
 - 1. Democratic Idea Once Nourished the Natural Self-Love a People Has for Itself
 - a. Now such love is criticized and mocked
 - b. What is the future of any human *association*? [This is an attack on pluralism]
 - c. Democratic nation's loss of meaning in Europe
 - 2. The Democratic Nation Once Tied the Democratic Future of Its People to the Monarchical or Feudal Past
 - a. Mores of the democratic present introduced a wider and deeper communion
 - b. "Barbarous" past was redeemed by the free present [now we hear, instead, of reparations]
 - c. Double authority of the past and future [cf. Burke's social contract between the living, the dead, and the yet to be born]
 - 3. Political Liberty Offers the Possibility of Responding to This Double Solicitude of the Past and Future in Their Full Amplitude
 - a. European nation was extremely meticulous in matters of space and territory
 - b. It also us to inhabit and bind time [to use Korzybski's expression]
 - 4. Problem: Today This Unifying Principle Has Lost Its Connective Force
 - a. The elements it had held together are now rediscovering their independence
 - b. By stripping the nation of its legitimacy we bring predemocratic "communities" (regions and religions) to the fore [cf. Nietzsche's return of the repressed]
 - [This is the opposite of subsidiarity, which cultivates local institutions without dissolving more general ones]
 - c. How can we continue to live without such mediation?
 - d. What human association will be able to bring consent and communion together?

Review

passion for resemblance

DEMOCRACY

Preface [first two paragraphs of "Current Problems of European Democracy," *Modern Age*, Winter 2003]

IN ORDER TO ENTER INTO the large topic of contemporary European democracy, in order to give ourselves some way calmly to evaluate it at the moment of its triumph—a triumph too complete not to

raise some anxiety in anyone familiar with the ordinary course of human affairs—I propose, as an initial orientation, to consider the history of democracy. More precisely, I propose to consider the chronology of its interrogations of itself, the history not of "dominant ideologies," but of "dominant questionings," if I may put it that way.

But what chronology? Does not the choice of dates presuppose an interpretation of democracy, a conception of what it is, or ought to be? That is no doubt what a rigorous epistemologist would say. I, however, will not pretend to practice a virtue that would have the inconvenience, in addition to the difficulty, of being useless and therefore prejudicial. No, let us have some confidence in the density, the weighty force, of the social atmosphere—that is, let us have confidence in the dates that the public, without receiving marching orders from anyone, has retained as significant. When they begin, the philosophers and the learned who imitate them pretend not to know anything. I propose to begin our reflection with what we all know.

Outline

- A. THE DEMOCRATIC MOVEMENT (11-12)
 - 1. We Speak of Democracy in the Singular Today
 - a. Alexis de Tocqueville
 - b. Its Impetus: Movement toward greater equality of conditions
 - 2. Thirty Years Earlier We Spoke Otherwise
 - a. Liberal vs. socialist democracy [In Europe, it is increasingly socialist]
 - 3. Author Attempts to Retrace the Historical Movement of Democracy
- B. TWO DATES: 1848 AND 1968 (12)
 - 1. 1848: Initial Explosion of the Social Question
 - a. *Communist Manifesto*
 - b. Declaration of class warfare and the crushing of the workers' uprising in Paris
 - 2. 1968 [*Soixantes Huitards*]: Last Burst of the Torch Lit in 1848
 - a. Raymond Aron's analysis
 - 3. Axial Core of Modern History
 - a. The social question as *the* problem of democracy
- C. NEW INEQUALITY OF CONDITIONS (12-13)
 - 1. Tocqueville's *Democracy in America*
 - a. Double comparison
 - 1) French vs. American democracy
 - 2) Democracy vs. aristocracy
 - b. Tocquevillian Period
 - c. The Problem: How to institutionalize the sovereignty of the people as the legitimizing principle
 - 2. How Do These Two Great Periods Connect?
 - a. The emergence of the **social question** suggested a new inequality of conditions
 - b. Irony: Tocqueville became a cabinet minister just when his thesis appeared to be decisively refuted
- D. TOCQUEVILLE'S REVENGE (13-16)
 - 1. Another Irony: The End of the Social Question Announced Itself in the Guise of a Marxist Consensus [Soon Afterward, an Anti-Marxist Intellectual Movement Moved to the Forefront of French Political Philosophy]
 - a. Result: Return of a Tocquevillian interrogation of democracy
 - 2. Critique of "Totalitarianism"
 - a. The totalitarian experience required that the **Tocquevillian question** be posed again in an even more intense way
 - 3. '68: An Explosion of Democratic Mildness or Softness
 - a. How to interpret the events in Tocquevillian terms
 - 1) Upsurge of the democratic sentiment of "human resemblance." active source and cause of these transformations [again, mimetic desire] [The transformation is best called "demotic"]

- 2) Most visible sign: Diminished *distance* between governors and governed in the political realm and between teachers and students in school
 - a) End of Gaullist “hauteur” and Napoleonic discipline
 4. “Marxist” Period of Democracy (Social Question) Was Enveloped by a Tocquevillian Bed
 - a. In 1968 democracy rediscovered its unchallenged authority
 - 1) It also attained unprecedented legitimacy
 - 2) Thus began the reign of democratic consensus or uniformity
 - 3) This consensus was so powerful that Communism (via Mikhail Gorbachev) declared itself defunct
 5. But We Are Now Leaving the Tocquevillian Period (July 4, 1776-September 11, 2001)
 - a. Its preoccupation with institutionalizing the sovereignty of the people and reducing social distances or inequalities
 - b. The terrorist attacks quickly revealed a growing **divergence between the European and American orientations** [cf. Robert Kagan’s “Americans Are from Mars, Europeans Are from Venus”]
 6. What Defines This New Period?
 - a. Under cover of the democratic consensus, the sovereign state and the established people have been called into question [cf. Bertolt Brecht’s response to the East German government’s loss of confidence in the writer’s union: “Would it not be easier In that case for the government To dissolve the people And elect another?” – “The Solution”]
 - b. Key Point: “This was done in the name of democracy itself, or as a result of democracy having reached its final limits.” [This is where Francis Lieber’s “Rousseauism” or “democratic despotism” comes into view]
 7. Democracy Recomposes All Human Relations, Including the Self’s Relation to Itself
 - a. This **process of recomposition**, however, took place within the nation-state
 - 1) Tocqueville did not envisage the substantial transformation, much less the disappearance, of this form
 - 2) He raised questions about the power of sovereignty of the people
 - 3) “Today one has to inquire about the people’s very *existence*.”
 - b. Europe’s perplexity, caught between their old nations and the European Union
 - 1) America lost a great deal of its standing in world opinion for the sake of national defense [that is, of a common life] as it understands it
 - 2) Europeans now ask themselves: What sort of common life do we want?
 8. We Enter into a Third Circle
 - a. A series of concentric circles within circles arranged on a temporal axis
 - 1) First circle: The **social question** (1848-1968)
 - 2) Second circle: **Sovereignty of the people** (1776-2001)
 - 3) Third circle: Its diameter stretches from 1651 when Hobbes published *Leviathan*, which sketched the plan of the **modern nation state**, until it a possible future date when it gives way to some other form [as envisioned by those promoting “global governance”]
- E. THE QUESTION OF THE SOVEREIGN STATE (16-18)
1. **Philippe Raynaud**: Original Understanding of the Modern State
 - a. Founded upon strong links between individual rights and public authority (power)
 - b. Today this arrangement has been amended: Rights have invaded every field or reflection (and consciousness) while breaking their alliance with power
 - 1) Rights have even become the implacable enemy of power
 - c. From an alliance between **rights and power** we have moved to the demand for the empowerment of rights
 - 1) The sovereign “power of the judge” acting in the name of human rights is the best-known example
 - 2) Elevation of rights at the expense of legitimate power is an increasingly decisive and debilitating factor in European political life

2. Recognition and Protection of **Human Rights**: Strongly Tied to the Construction of the Sovereign State
 - a. Rights served as the moral end and the sovereign state as the political means
 - 1) The sovereign state is the necessary political condition of the equality of Conditions
 - b. "Sovereign" means the state's legitimacy is superior to all social authorities
 - 1) The state brings equality into being; it produces the plane of equality without which we cannot conceive of a decent common life
 3. Question: What Animates This Deep **Hostility** to the **Necessary Means to Equality**?
 4. Three Principal Reasons
 - a. From the beginning, this irreplaceable instrument of our equal liberty could be **turned against liberty**
 - 1) Liberal arrangements were designed to protect against our protector
 - 2) Current hostility can be understood as a prolongation and radicalization of "liberal" distrust
 - b. Once an instrument has done its work, it may be taken down, like **scaffolding**
 - 1) The sovereign state compelled our ancestors to acquire the mores of equality [in the larger context of a Judeo-Christian civilization]
 - 2) Assumption: If we are governed by mores, we no longer need this outsized instrument
 - c. Today democracy is actively and aggressively turning against the state, not simply because it has outlived its use or out of ingratitude
 - 1) The sentiment of human resemblance is turning against this final difference [cf. René Girard: loss of differentiation in a mimetic contagion]
 - 2) Earlier conservatives criticized the state as an instrument of democratic "leveling;" now the leveler is to be leveled [nothing may rise above]
 5. The **Delegitimizing of the State** May Be Documented in Many Ways
 - a. Most revealing indicator: **Abolition of the death penalty** in all European states
- F. THE DEATH PENALTY AND POLITICAL JUSTICE (18-21)
1. Manent Focuses Specifically on the Relationship of the Death Penalty to the Principles of the Sovereign State
 - a. This **discrepancy** between Europe and the United States is derived from the great political difference between the two
 - 1) The United States is still a sovereign state; European countries no longer wish to be sovereign states, or even nations in the full sense of the term
 2. Returning to the Beginning: The **State of Nature** as Conceived by the Modern State's Architects: Thomas Hobbes and **John Locke**
 - a. Locke: In the state of nature, each person is the *executor* of the law of nature
 - 1) Each individual has the right to inflict the death penalty
 - 2) Each individual is the sole and "sovereign" judge of what constitutes legitimate defense
 3. Such a Situation Logically Leads to the "War of All against All"
 - a. In order to exit this state of nature, each individual must confer the exclusive right to execute the law of nature to a third party
 - b. That third party now becomes the legitimate superior and in the end becomes the sovereign state, which is legitimate by this act of consent
 - c. Max Weber's definition: modern state has "a monopoly of legitimate violence"
 4. Death Penalty Is Omnipresent in the State of Nature, Which Is Essentially a State of War
 - a. Michael Oakeshott: Death penalty has become "homeopathic" in the civil state
 5. Why Then Have European Countries Abolished the Death Penalty?
 - a. Author leaves aside all moral, religious, social, or properly penal considerations
 - b. The logic of the political argument
 - 1) Putting a human being to death is justified only in the case of legitimate Defense
 - 2) The life of the state is not endangered by the crimes and offenses that it must judge and punish

- 3) Therefore, the state does not have the right to put to death any member of society, no matter how criminal that person may be
NOTE: This hinges on the idea that the state is a person, which is a holdover from Roman law, under which we members of the state enjoy privileges (including limited liability) and immunities.
6. The Argument against the Death Penalty Is Very Strong
- a. The state must not allow itself to “resemble” either the murderer or the victim
 - b. Hobbes: The state is invulnerable, “immortal” [Thus, by the definition as understood today, the state is not and cannot be in a state of nature, at least not with respect to individuals. But Hobbes, having lived through two protracted wars in the 1640s, would have easily recognized the logical fallacy here].
 - c. In the absence of such a state, I would be obliged to “resemble” a murderer in order to defend myself
 - 1) Yet I would be legitimately defending myself because we both would be in a state of nature
[Question: Can a criminal act, especially an act of treason, put a citizen into a state of nature with his state? The drone strikes on American citizens who are making war on the United States may be considered answers in the affirmative].
7. The Argument Is Strong But It Lends Too Much of Its Force to the State
- a. It attributes to the state more power and strength than it has or could have
 - b. It also ignores the vital moral exchange between the state and its members that is the principle of its legitimacy and its strength
 - 1) The state requires us to renounce legitimate self-defense, except in limited circumstances [but less limited in Second Amendment America]
 - 2) The state teaches us forbearance from even preparing for self-defense
 - 3) It teaches us to lay down our natural defenses and put our confidence in the state [the American founders had little regard for such confidence unless the state were bound by the chains of the Constitution]
 - 4) Thus: “When a murder or a comparable crime is committed this sacrifice seems to have been made in vain and our confidence is betrayed”].
8. The State Suffers a Loss of Legitimacy to the Extent That It Shows a Lack of Power
- a. Yet most Europeans believe the death penalty “increases its weakness and loses more of its legitimacy: it “descends” to the criminal’s level, thus causing all of us to fall back into the state of nature [The assumption here is that the state is an adversary rather than a protector that can require our forbearance]
9. Summary of the Argument against the Death Penalty
- a. The state returns us to the state of nature when it inflicts the death penalty
 - b. Now the author begins unpacking its implications: Violent crimes the state cannot prevent show that we have not completely left the state of nature, and never will
 - c. When the state rejects the death penalty as a matter of principle and conscience, it pretends to have left the state of nature behind definitively
 - 1) But the state protects the murderer of the victim it could not protect
 - d. By pretending this, it severs itself from the original source of its legitimacy
 - e. Author’s concluding Q.E.D.: “How, without extreme and shocking injustice, can the state ask me to risk my life to defend it [e.g., in war] after it has erected a new constitutional principle stating that the worst criminal will never risk his own life at the hands of the state [or even at the citizens’ hands if they are disarmed]?”
- G. THE DEATH PENALTY AND THE CATHOLIC CHURCH (22-23)
1. The Church Historically Committed to the “Secular Arm” Those Deemed Worthy of Death
 - a. The church recognized as legitimate something it forbade itself from doing
 - 1) This was one way of recognizing the validity of the political order
Clarification: The distinction made between “ruled over and for [on behalf of] bodies” and “ruled over and for [on behalf of] souls” describes the respective jurisdictions of state and church
 2. Why Has the Church Modified the Rules by Which Its Teaching Is Applied?
 3. The Church Cannot Completely Abandon Its Exercise of “Indirect Power” over the

Political Order

- a. Yet it accepted the principle of religious freedom at the Second Vatican Council
- b. Although the church no longer claims to act positively within states in the name of its divine authority, the possibility remains of diminishing the spiritual authority of these political bodies
 - 1) States are communities to which men have devoted themselves to the point of preferring the salvation of the state to the salvation of their souls
 - 2) By adopting both a pacifist stance and opposition to the death penalty, the church advances both the exterior and the interior disarmament of the secular state
- c. Should we suspect that the Church is merely pursuing in new circumstances the old struggle between the papacy and the emperor? [The Investiture Contest]
NOTE: In the interplay of Hegel's "spiritual masses (forces)," the "secular state is itself becoming secularized." By giving up its claim to spiritual authority, the state has been effectively purging spiritual authority from its domain: in what Richard John Neuhaus called "the naked public square." Here the church's response may in this view (for argument's sake) be to allow, dialectically, the natural consequences to occur and, in effect, to say to the state: "thy will be done." [cf. Rom. 1:24-25; 7:13]. The state's rule over and for the body is redefined to exclude the spirit altogether, somewhat like both Marcello Pera's concept of "the secular equation" and C.S. Lewis's "abolition of man"].

H. THE DEATH PENALTY IN THE UNITED STATES (23-25)

1. The Church Places Itself in a Profound and Serious Spiritual Opposition to "the American Empire"
 - a. Its militant rejection of the death penalty and its accentuated pacifism
 - b. This contrast requires us to consider certain phenomena belonging to the third circle (nation-state: see p. 15) to the extent these are unintelligible in terms of the second circle (sovereignty of the people) of Tocqueville's analysis.
 - 1) Progressive development of **democratic "mildness" or "gentleness"** is explained by the growing sentiment of human resemblance [everybody is just the same]
 - 2) There is no democratic reason why the United States and Europe should find themselves at such different points on the compassion spectrum.
 - c. How can we explain why it appears that democratic mildness has halted or even reversed in the United States, the birthplace of democracy. NOTE: This assumes the United States was the birthplace of democracy. Could it be that democracy, like dueling, was a French import during the War for Independence?
 - 1) This development is even more striking in view of the country's avante-garde role, as with relations between the sexes
2. Author's View: The Tocquevillian Country Par Excellence Has Not Broken with the Hobbesian Scheme of the Western Nation-State
NOTE: In an earlier version of this section, Manent wrote: "One can certainly invoke various historical, sociological, and 'cultural' arguments. The principal reason sends us back to a pre-Tocquevillean geological foundation, however: to a Lockean or Rousseauan source. In the United States, the social contract has not been broken as it has been by the nations of Europe. The United States has not yet rejected the political justice which combines rights and duties, the power of the state with the natural rights of individuals. Thus, as recent events have recalled, the United States is still a nation, a nation-state (albeit a federal union), which is what the European nation-states are less and less."
 - a. There is a paradox or history mystery because the United States came into being by breaking with the sovereignty of Westminster [thus it earned sovereignty by its own sword, rather than inheriting it from dissolved dynasties]
 - b. The experience of the state of nature has never been completely forgotten there.
 - 1) Wars and 9/11 have reinforced it
 - c. The legitimacy of the death penalty goes hand-in-hand with the view that each

- individual has the right to possess arms for self-defense
3. Summary
 - a. Europeans believe that the Hobbesian logic speaks in their favor and “insist it is contradictory to exercise a right that in principle has been yielded to the state.”
 - b. “Americans respond that since the risk of violent death at the hand of others never completely disappears, the right to self-defense cannot completely disappear”
 - c. Europeans consign the sovereign state to the thrift store because it has completely fulfilled its purpose; Americans find this “accessory” indispensable [By keeping the state, Americans preserve political antibodies that may prove critical]

Study Questions

1. **1848 and 1968** What is significant about two dates: 1848 and 1968? What does the author mean by “the axial core of modern history” and “the social question?” (12)
2. **A New Inequality of Conditions** Identify the two axes of Tocqueville’s *Democracy in America* that define the Tocquevillian period (1776-1848)?

_____ / _____, _____ / _____
 How did the emergence of the **social question** refute Tocqueville’s perspective that **democracy** (the American rather than the French “institutionalization of the sovereignty of the people”) means “equality of conditions?” (12-13)

3. **Tocqueville’s Revenge** How does 1968 represent Tocqueville’s revenge? What experience required the re-posing of the Tocquevillian question? How did “the explosion of gentleness” reduce political and social differences in favor of resemblance (or lack of differentiation)? Identify some consequences of “the reign of democratic unanimity?” What defines the new period that began on September 11, 2001? What framework has democracy now called into question? Why are Europe and America growing more distant? (13-16)
4. **The Question of the Sovereign State** What was the founding conception of the modern state, according to Philippe Raynaud?

_____ = _____
 Identify some consequences of the more recent exaltation of rights (“power of rights”).. Historically, what is the necessary condition for the equality of conditions? What three reasons help explain why Europeans have turned against this precious safeguard, *i.e.*, the sovereign state? What is the most decisive indication of the **destitution of the state** (and its loss of transcendence)? (16-18)

5. **The Death Penalty and Political Justice** According to John Locke, what gives man (as the sovereign judge) the right to inflict death in the state of nature? Where (according to Hobbes) does this right lead? How does one escape this resulting state of war? What makes the death penalty “homeopathic,” to use Michael Oakeshott’s expression? What is the argument against the death penalty? What is the profound difficulty with this argument? How does the state betray us by renouncing the death penalty? What paradox results? (18-21)
6. **The Death Penalty and the Catholic Church** How has Roman Catholic doctrine changed with respect to the death penalty? What reason of “high policy” (with regard to secularization) might account for this change of attitude? (22-23)

7. **The Death Penalty in the United States** How can we explain the halt in the progress of “democratic mildness (gentleness)” in the United States? What makes the United States different from European nation-states? (23-25)

Review

1848	1968	Tocqueville's perspective
social question (inequality)	Tocquevillian question	resemblance
(limited) modern state	European/American divergence	democracy recomposes all relations
third circle: sovereign state	Philippe Raynaud	(human) rights vs. power
consequences of the sovereign state	reasons for deep hostility to necessary means for equality	
this final difference rejected	delegitimation of the state	death penalty renounced
John Locke	state of nature	Michael Oakeshott: death penalty homeopathic

ADDENDUM: THE DEMAND TO EMPOWER RIGHTS: CONSEQUENCES OF OUR CULTURAL REVOLUTION

In *Democracy without Nations?* Pierre Manent describes our challenge thus: “Philippe Raynaud has recently underscored the following important point: the original understanding on which the modern state was founded strongly linked individual rights and public authority or power. Today, however, rights have invaded every field of reflection and even every aspect of consciousness. They have broken their alliance with power and have even become its implacable enemy. From an alliance between rights and power we have moved to the demand for an empowerment of rights. The well-known sovereign ‘power of judges’ claiming to act in the name of human rights is the most visible manifestation of this trend.”

Manent sees this as “an increasingly decisive and debilitating factor at work in the political life of the European nations.” But not only in Europe. In *What Is Secular Humanism?* James Hitchcock summarizes the West’s declension from its Bible-based moral and political culture as follows: “The moral revolution was achieved in a variety of ways. On the simplest level, it consisted merely of talking about what was hitherto unmentionable. Subjects previously forbidden in the popular media (abortion, incest) were presented for the first time.” Resistance was broken down by making them familiar. In the Marshall Kirk-Madsen campaign for gay rights, as described by David Kupelian in *The Marketing of Evil*, this is the stage of “desensitization.”

Hitchcock continues: “The second stage of the revolution is ridicule, the single most powerful weapon in any attempt to discredit accepted beliefs. Within a remarkably brief time, values the media had celebrated during the 1950s (family, religion, patriotism) were subjected to a merciless and constant barrage of satire. Only people with an exceptionally strong commitment to their beliefs could withstand being depicted as buffoons. . . . Negative stereotypes were created, and people who believed in traditional values were kept busy avoiding being trapped in those stereotypes.” This corresponds with “jamming” in the Kirk-Madsen strategy.

Again Hitchcock: “The final stage of the moral revolution is the media’s exploitation of traditional American sympathy for the underdog. Judaeo-Christian morality, although eroding for a long time and on the defensive almost everywhere in the Western world, is presented as a powerful, dominant, and even tyrannical system

against which only a few brave souls make a heroic stand on behalf of freedom.” This is designed to culminate in Kirk-Madsen’s third stage: “conversion.” The Apostle Paul describes the process very effectively in Romans, chapter 1, when he discusses how we have exchanged the truth of God for a lie. The conversion stage is where the memory banks get erased or rerouted via the politics of memory.

J. Budziszewski describes this process very well in his book, *The Revenge of Conscience*: “As any sin passes through its stages from temptation, to toleration, to approval, its name is first euphemized, then avoided, then forgotten. A colleague tells me that some of his fellow scholars call child molestation ‘inter-generational intimacy’: that’s euphemism. A good-hearted editor tried to talk me out of using the term ‘sodomy’: that’s avoidance. My students don’t know the word ‘fornication’: that’s forgetfulness.”

Now let us apply these observations to the European project as Marcello Pera describes it. As he notes in *Why We Should Call Ourselves Christians*, the “positive” values that are used to replace religion and nationality are democracy, welfare state, environment, and peace. This is an updating of Kant’s prescription: the disappearance of borders, citizenship extended to everyone (such transnationalism shapes the immigration debate), the kingdom of ends, and a vision of perpetual peace. But Alexis de Tocqueville already had a sense of the danger early during the democratic experiment in what he variously called tyranny of the majority (or by those ruling in the name of the majority) and soft despotism.

Today, French revolutionary nationalism is at last giving way to yet another variety of tyranny: the revolutionary cosmopolitanism of global governance by a Rousseauian Legislator through a “deficit of democracy.”

So what is to be done?

Here let Eugen Rosenstock-Huessy have the last word: “We speak our mind. Any thought about the life and death of our own group compels us to convey it to others. We cannot keep the thought to ourselves forever, however slow we may be to talk to our neighbors about it. . . . Death cannot be fought in society except through engaging younger men to join the battle-front. Social disintegration compels older men to speak to younger men. Education is not a luxury for the sake of the younger individual; is it not very often their ruin? However, society needs allies in its fight against decline. The true form of social thought is teaching.” If that is true, where else should such a battle for the future of humanity take place than within our schools, universities, and other public forums—at the confluence of *Wissen* and *Gewissen*: science and conscience?

THE NATION

Outline

- A. THE SHOCK OF SEPTEMBER 11 (27-28)
 1. What the Event Revealed
 - a. Present-day humanity is marked by more intractable separations than we had thought
 - b. The upbeat trend we believed led to the unification of mankind was upended
 - c. The fall of the Berlin Wall placed this unification beyond doubt; but the events of September 11 revealed another wall

- 1) The mutual impenetrability of human communities despite the growing ease of communication
 2. We Spoke Glibly of Difference as Something Superficial
 - a. It was an aesthetic vision: a tourist's view
 - 1) But we were called back to political reality
 - b. Instead, human communities are dense, compact, and hard to penetrate
 - 1) Each is endowed with a distinctive perspective on the world
 - c. Human communities take hold of their members at such a deep level that even the instruments and pleasures of modern life are unable to create a truly common life
 3. The Majority of Terrorists Came from Saudi Arabia, an American Ally
 - a. Lesson: The most perfected instruments of commerce and communication remain external to the lives of peoples
 - 1) They have failed to unite peoples as liberal opinion had counted on
 - b. Communication does not create community
- B. OUR DISDAIN FOR THE HISTORY OF THE NATION-STATE MISLEADS US (29-33)
1. Liberal and Progressivist Illusions Concerning the Powers of "Communications"
 - a. They find support in the oldest and most convincing definition of man
 - 1) Heraclitus on man: The animal who had *logos*, articulate speech
 - 2) Montaigne: We do not connect each other except through speech
 2. But the Bond between Human Association and Speech Is Asymmetrical
 - a. It is community that produces and maintains speech
 - b. All speech finds its first site and primary meaning in the political association: the City
 - 1) If human life takes place between prose and poetry, it is held together by the mediation of justice, which is the proper work of politics
 - 2) The political community holds the whole range or register of speech together and, though its harmonic scale, allows every voice to resound and every vote (or veto) to find its echo
 3. We Overestimate the Power of the Instruments of Communication
 - a. The instrument of a common language alone does not produce communication [George Bernard Shaw is said to have remarked that Britain and America are two nations divided by a common language]
 - b. Mutual comprehension presupposes that interlocutors share the same political community
 - 1) But how often have nations with similar histories and regimes fought each other? [And among religions, it is the heretic or infidel, not the unbeliever, who poses the greater threat]
 4. European Languages Are Called "National Languages"
 - a. Our languages are rooted in a rather intelligible political history
 5. Racine and Shakespeare
 - a. French was the language of the court and was firmly set in abstract categories
 - 1) It almost naturally then became the language of a republic that set itself up as schoolmaster and lecturer
 - 2) it is a language of narrative discourse that prefers the sign to the thing, a language of the most subtle inflections
 - b. English had been a barbarous language that Shakespeare soon brought to its highest degree of expressive "ruddiness" (having a healthy, reddish color)
 - 1) Its simplicity and force made it a language of utility
 - 2) It is also a language of imitation
 - c. European languages are admirable distillations brought about by the nation-state
 - 1) It is the great synthesizer of European life
 6. The Nation-State Was to Modern Europe What the City-State as to Ancient Greece [cf. Francis Lieber]
 - a. It produced the framework of the meaning of life by producing Aristotle's "things held in common"

- b. They are the only two political forms capable of realizing the intimate union of *civilization* and *liberty* [another theme of Lieber: see *Ethics*, Book 2, chapter 13]
 - 1) Even the mildest empires lacked liberty; tribes lack the conditions for establishing the amenities and charms of civilization
 - c. Manent here sets aside any further attention to the city-state
 - 7. We No Longer Appreciate What the European Nation-State Accomplished during Its Historical Development [It Was Not Mere Scaffolding]
 - a. It was an enterprise unprecedented in its intensity, in duration, as well as in the variety of its psychic registers
 - b. The nation-state extended civic life (the condition of “living free”) to associations of countless people [Burke’s little platoons]
 - c. “It was a matter of governing immense collectivities of men while leaving them free.”
 - 8. We Are Separated from Our Full History by an Iron Curtain Erected over 1914-1945
 - a. Pre-1914: Culpable history that culminated in Verdun and Auschwitz
 - b. Rebirth after 1914 but without conversion or baptism
 - 1) Democracy purified of national identity
 - c. This tale will not do: We must establish an understanding of the continuity of European history
 - 1) Instead of supposing Europe emerged after WWII after long centuries of pagan nationalism
 - 9. The Long Duration of the European Nation-State Is Admirable
 - a. Its nations are recognizable over the course of seven or eight centuries
 - 1) No one spoke French better than Joan of Arc six centuries ago
 - 2) Question: Why this long continuity despite enormous transformations and reversals?
 - b. However explained, European nations knew how to invent new, unprecedented political instruments that would allow the adventure to continue
 - c. Whenever political arrangements seemed to have exhausted their possibilities, Europeans invented immense and audacious artifices (contrivances)
 - 1) For example, feudalism was replaced by the paradox of an absolute sovereign exercising authority over free subjects (Jean Bodin)
 - 2) When royal absolutism and its lack of political liberty exhausted the virtues of this arrangement, representative government was instituted
 - 10. The Sovereign State and Representative Government Have Allowed the Accommodation of Huge Masses within an Order of Civilization and Liberty
 - a. The world wars led to a (continuing) redefinition of our political order
 - 1) The state is becoming less sovereign
 - 2) The government is becoming less representative
 - 3) Political instruments are more functional-bureaucratic and less political
 - 4) Our political contrivances grow more artificial and recede from view
- C. THE CONSTRUCTION OF EUROPE (33-34)
- 1. Representative Government Presupposes the Sovereign State
 - a. Léon Gambetta, a founder of the Third Republic, came after Cardinal Richelieu
 - 2. The Sovereign State Alone Is Capable of Instituting Two Essential Ends Simultaneously
 - a. The “abstract place” of representation
 - b. The plane of citizens’ equality without which democratic representation is impossible
 - c. Therefore, there can be no representation without sovereignty
 - 3. Post-WWII Construction of Two Great Artifices: Europe and the Welfare State
 - 4. Construction of Europe
 - a. This project has changed its meaning
 - 1) Original intent: Open a viable future free from national rivalries
 - 2) Purpose: Prolong lives of nations but lead to their **convergence**
 - b. Without Europe, there would have been no German or Italian miracle
 - 5. The Maastricht Moment Marked a Decisive Change

- a. The European contrivance detached itself from the national political bodies
 - b. Result: “Endeavor without end” or political meaning [“mission creep”]
 - c. Sole Prospect: Indefinite extension that no one knew where or how to stop [cf. H.L. “Bill” Richardson, *What Makes You Think We Read the Bills?*]
- D. THE WELFARE STATE (35-38)
1. It Has a Multitude of Aspects That Are Hard to Unpack
 - a. On the One Hand, It Is an Extension and Perfection of the Representative State
 - 1) Its embrace of the working class or “popular strata” co-opts them [cf. what Paul Rahe calls the “politics of friendship,” in which people accept benefits and become clients or dependents; the resulting irresponsibility leads to the “tragedy of the commons;” public choice theorists relate this to a “moral hazard,” where risks are severed from consequences]
 - 2) Thus, their desire for a change of regime is blunted [The same argument is made about the bureaucracy providing employment for college grads]
 - b. But with the advent of this contrivance, representation changes its meaning
 - 1) Guarantee of “social rights” and the distribution of benefits tended to abolish the “working-class condition”
 - 2) All citizens equally become “rights-claimants” [cf. Frederic Bastiat’s provocative concept of universal plunder]
 - 3) The state must show an equal solicitude to everybody’s social needs
 - c. Manent is not here concerned to prove any decline in responsibility [but see a1)]
 - d. What interests him is the paradoxical interplay inherent in responsibility
 2. What the (Continued) Vitality of the Representative Process Presupposes
 - a. One Must *Be* in Order to Be Represented
 - 1) Thus one must be in a “condition” independent of representation [Kenneth Minogue notes that Idea of the state required that it be an association of independent disposers of their own resources; masterful men who composed the state prevented despotism by refusing to become instruments for projects of others. See *Politics*, p. 112].
 3. History Verifies This
 - a. The proletariat demanded representation at the highest levels of the nation’s political institutions
 - b. On the other hand, it organized its autonomy as a class and showed distrust of the state whose recognition it demanded [cf. Paul Rahe’s “politics of distrust,” which was approved by the early classical liberals and the founders]
 - c. Manent’s point is the ambiguity of the mechanics of representation
 4. Genuinely Vital Political Representations Requires the Reluctant of Each Part of the People to Be Represented or to Trust Its Representatives [Merely Complaining about Representatives Does Not Count]
 - a. The period evoked by the author was full of the sort of social and political unrest that we congratulate ourselves today for having overcome [cf. Jefferson’s idea of the continuing revolution]
 - b. Citizens of that period were furious at being poorly represented
 - c. But these passions gave life to a genuinely representative political regime
 5. We Live under a Noticeably Different Regime
 - a. The rights-guaranteeing state substitutes for the previous arrangements
 - 1) These arrangements aimed at articulating and connecting an independent people with their representatives
 - b. During the Thirty Glorious Years of prosperity, citizens felt well-represented
 - c. Now we have moved back into a period of “**representative unhappiness**” [better: uneasiness (*inquiétude*)]
 6. Dissatisfaction with the Economic Situation and Anxiety about It May Be Part of the Problem, But Total Wealth and Health Continues to Grow
 - a. Rather than unemployment and insecurity, it is the loss of representative capacity in our political life that is more important
 - 1) In France, this loss has institutional causes, such as “cohabitation”

- 2) But the problem is more deeply rooted
 - b. Anguish at no longer being representable; fear of no longer being a people [In 1996, the topic discussed at the Philadelphia Society meeting was “America: An Idea or a People?”]
 - 1) Both the societal and national articulations of the people are being lost
 - 7. Evidence in Ordinary Language
 - a. There are no long the “proletarians” or distinctively “popular” elements that characterized the old pluralism and class consciousness
 - b. Only the “excluded” (those who fall through the cracks of social protection) are a distinct category [but Manent does not seem to include “minority groups”]
 - c. The poverty is the same but is now only a glitch in the social machine
 - d. What happened was that different parts of the body politic successfully entered into the representative regime; exclusion refers to individuals rather than groups
 - e. Problem: There is no longer any “social reserve” (Marx), no independent “class” that (through “class consciousness”) could nourish an effective desire for representation [NOTE: The “alienation” Manent describes relates to the leveling of institutions and classifications that has accompanied the loss of hierarchies; the loss of “mediating structures” (sphere sovereignty, subsidiarity) means that each of is plugged directly into the matrix/incubator/welfare state; politics is increasingly replaced by administration].
 - f. We now hear only the multiplied echoes of other frustratingly isolated patients
 - 8. The Stage and the Scene Appear the Same as Before [cf. Garet Garrett’s “The Revolution Was”]
 - a. We continue to elect all sorts of representatives, but we have left the representative regime more than halfway behind
 - b. The state that universally guarantees “human rights” becomes a substitute for the combination of a sovereign nation-state and representative government
 - c. But do we need a state for that?
 - d. Shouldn’t representative government be replaced by democratic governance?
- E. THE CURRENT CONFUSION IN OUR POLITICAL SENTIMENTS (38-41)
1. This Substitution of “Governance” for “Government” Is Indicative of a Problem
 2. On the One Hand, We Deplore Both Our Civic Apathy and Occasional Electoral Revolts
 - a. Our governments stoically observe their inability to put what they call indispensable and urgent reforms into practice
 - b. Democratic governance: A representative government that neither represents nor governs
 3. On the Other Hand, We Congratulate Ourselves on the Quality of Our Democratic *Values*
 - a. French congratulate themselves on the mildness and humaneness of their mores
 - 1) In contrast to the vindictive moralism of the Americans
 4. Both Are Effects of the Same Cause: The French Political Regime in Its Present Phase
 - a. The new instruments of government shackle self-government more each day
 - b. Karl Polanyi on a new type of nation: “crustacean nations”
 - 1) Many have renounced national currencies and have thin, porous shells
 - 2) They have disproportionate pincer-like administrative instruments
 - 3) Gridlock or *immobilisme* leads them to reinterpret their mission in a way that justifies their political passivity and spiritual inertia
 - 4) They may be simultaneously indignant about their paralysis and self-congratulatory about their virtues
 - 5) They console themselves with being vanguards: “the first instantiation, the generative association, of the growing body of unified humanity”
 5. What Accounts for the Strange “Depression” of the Most Inventive Peoples in History?
 - a. The rapid aging of their population contributes a good deal to this passivity
 - 1) “Until now the transitoriness of the individual stood in contrast to the immortality of the people”
 - 2) Now the life of individual is extended while the life of the people shrinks
 6. Consequence: Ever More Paralyzing Disproportion between Weakness of Political

Communities and the Enormity of Their Instruments

- a. Europeans are governed by the instruments of their governance
 - 1) They become instruments of their instruments: "the discontented but docile matter of a layering of governances"
 - 2) Sole purpose of these governances: To prevent any action, individual or collective, that is not the simple application of a rule or regulation authorizing rights
 - 3) The time of enlightened despotism has returned while we embrace democratic "values" [cf. Jacques Ellul's *The Technological Society*]

F. INSTITUTIONALIZING THE POLITICAL PARALYSIS OF DEMOCRACY (41-42)

1. Democracy Is Emptied of Its Self-Government in the Name of "Procedural Democracy"
 - a. The understanding of human action [cf. Ludwig von Mises] has narrowed
 - 1) It has sought to become increasingly moral
 - 2) This destruction of the political is rooted in a misunderstanding of what Aristotle called "the practical life"
 2. Human Action Has Become Illegitimate and Unintelligible to Us Unless Regarded under a Universal Principle [cf. Immanuel Kant's and John Rawls]
 - a. The result is a pairing of radical moralism [cf. Kenneth Minogue] and religious fundamentalism
 - 1) Both regard right action what is conformed to a legal rule
 - 2) This makes political action (based on shared humanity) very difficult
 - 3) They also render impossible a common ground between *extreme* democracy and religious fundamentalism
 - b. No general rule allows us to arbitrate with some hope of success between the rights of man and the rights of God

G. THE TURKISH QUESTION (42-46)

1. Question of the Admission of Turkey to the European Union
 2. The Difficulty Is Created by the Way the EU Has Been Extended
 - a. "Little Europe" of 1957 corresponded to a definite political aim
 - 1) It defined a community around a common aim
 - b. Since then it has shown signs of enviable success, which attracted other candidates for admission with different intentions and degrees of sincerity
 - 1) This required keeping a clear focus and grasp on its goals
 3. Gen. De Gaulle Initially Defined the British Candidacy Due to Lack of Sincerity
 - a. But his successor, Georges Pompidou, opened the door in 1973
 - b. With that, the question changed from why to why not
 - c. The question would now be posed by candidates for admission: By what right do you leave us waiting at the door?
 - d. As a result, the doors were flung wide open, but no one is satisfied because no one is really sincere [thus the European financial crisis]
 - 1) Each knows the result was produced by a mechanism no one controlled
 4. The Mechanism Has Neither a Steering Wheel Nor a Brake
 - a. People had feebly assumed it would stop itself at some natural limit
 - 1) But the geographical limits of Europe are only a convention
 - b. What motive, after all, could get people to respect a geographic border who had made it a point of pride for half a century to abolish deeper historical and political borders?
 5. Thus the Endless Tango between the European Process and Turkish Aspirations
 - a. The European political classes have been unable to conceive of a public presentable argument to refuse admission
 - 1) Various ruses are implausible considering in light of previous admissions
 6. The Result Is an "Impossible Situation"
 - a. Only Europeans can extricate themselves and rediscover their *political liberty*
 - 1) They must learn that the external acts of political bodies do not obey the same principles as domestic action
- [NOTE: This key concept is worth unpacking. Contrary to Kant and Rawls,

- Manent takes the nation-state seriously as a system that helps forge a moral, political, and juridical identity within which the competing demands of universality and particularity may be reconciled in a practical way]
- 2) "By this, I do not mean that foreign policy can disregard the ethical rules that apply to domestic action;" instead, we need to think differently
 - 3) The requisite morality is simply that of recognizing the political reality and objective character of political bodies and other human communities [the principle of subsidiarity grows out of this recognition]
7. All Citizens within a Democratic State Have the Same Rights Indiscriminately
 - a. The respect that European democracies are bound to grant to the rights of Muslim citizens, however, does not bind to grant a Muslim nation membership within their community of nations [Charles Hill in *Trial of a Thousand Years* notes the same difficulty and cites slavery and polygamy as the two historical obstacles to admission into the Westphalian system of states; a third obstacle is religious discrimination or a specific sectarian character].
 - b. Equal rights and equal justice have no meaning except "among the citizens of an already existing community organized in a democratic regime
 8. The Real Issue: What Political Form Would We Have to Give Europe If We Want Her to Overcome Her Passivity and Find Her Place among the Great Powers?
 - a. This question would lead to excluding Turkey
 - b. The fact that Turkey is a Muslim country would have enormous consequences for the *liberty of action* of the Union, both internally and externally
 9. "How Does One Conduct a Political Deliberation Concerning a Huge Religious Fact?"
 - a. "We must relearn how to speak *politically* about religion

RELIGION

- A. HOW IS ONE TO TALK POLITICALLY ABOUT RELIGION? (47-49)
 1. Two Ideals
 - a. Sincerity vs. objectivity
 - b. We measure sentiment as a sign of sincerity
 - c. The evidence is contested
 - d. Fatal subjectivism of an aspiration to an objective knowledge of religion
 2. Kant's Denial That We Can Sincerely Believe What We Cannot Comprehend
 3. Religion Is Objective for Us Only as a Political Fact
 4. Present World Is Broadly Organized According to Political Divisions That Overlap with Religious Ones
 - a. War between the Christian West and Islam
 - 1) and in connection with Israel
 - b. A non-religious definition could be given to each of these "spiritual masses"
 - 1) while attributing only ruse and posturing to President Bush, Zionism, or political Islam
 - c. Non-religious observers take great pains to verify the religious sincerity of those they observe and study
 - 1) The Inquisition was less rigorous on this point than they are
 5. Sincerity Is Indecipherable
 - a. Politics and religion necessarily overlap
 - 1) Both are modes of communion
 - b. The present configuration of things contradicts belief in "the progress of the human spirit"
 6. Fear of Aggravating Religious Divisions
 - a. Author doubts that we are at war with Islam, but also seeks to be in a position to know whether that is the case
- B. IMPORTANT TO AVOID TALK OF A "WAR OF CIVILIZATIONS" (50-53)

1. Civilizations Do Not Make War
 - a. This privilege is reserved to political bodies
 2. Europe's Earlier Confidence in Its Ability to Maintain Its Identity in the Midst of Change
 3. Islamic Interpretation of Itself
 4. Islam Belongs to the Genus of Empire
 5. Abolition of the Caliphate, 1924; Islam Is an Empire without an Emperor
 6. Christian Nations vs. the Idea of the "Arab Nation" That Designated What Was Lacking
 7. Objectivity of Islam vs. the Subjectivity of the West
- C. CONSEQUENCE OF THE ABANDONMENT OF THE NATION AS A SACRED COMMUNITY: DISINTEGRATION OF THE SECULAR STATE (53-54)
1. Neutral or Lay State Guarantees Equal Rights
 2. French Overestimate the Powers of the Secular State
 - a. The secular state became possible only after "very Catholic France" became merely France
 3. But the Secular State Cannot Survive the Nation
 - a. Its neutrality depends on its transcendence, as the "Secular arm" of the nation
 - b. Losing that, the lay state itself is laicized and becomes merely of the innumerable instruments of governance
- D. MOST REVEALING SIGN OF THIS TRANSFORMATION: TROUBLES OF THE JEWISH COMMUNITY (54-62)
1. It Experiences Anxiety over an Unprecedented Separation
 2. Marc Bloch's Testament
 3. Communities of Reference: Does a Common Framework Exist?
 4. The Two Affiliations of French Jews
 5. Zionism and the Attempt to Become a Nation Alike Any Other [cf. 1 Sam. 8]
 - a. Formation of Israel changed the condition of all Jews
 6. Zionism Was a Synthesis of 19th Century Isms
 - a. Before Hitler's murderous hatred, it first confronted the good intentions of liberalism
 7. Leo Strauss: Liberalism Cannot Provide a Solution to the Jewish Problem
 - a. It would require the abolition of the private sphere and the destruction of the liberal state
 8. Strauss's Description of the Structural Impossibility of a Liberal Solution through Assimilation Is Shocking in Its Brutality
 - a. Retort: Neither the state nor society would allow anti-Semitic discrimination today
 9. This Retort Underestimates Two Important Connected Points
 - a. The struggle against all forms of discrimination has caused us to depart from the original liberal regime
 - 1) We now live under a "disciplinary regime" of political correctness that does not allow what distinguishes or differentiates us to be evaluated or even publicly named. [cf. C. S. Lewis, *Abolition*, 70-71: A minority of a minority will be masters].
 - b. Public awareness of what had been inflicted on the Jews during the Holocaust is receding
 10. Why Strauss Believed Zionism Was the Morally Necessary Response to the Failure of the Liberal Solution to the Jewish Problem
 - a. Its failure means that Jews cannot recover their honor as Jews by becoming individual citizens "like the others"
 - b. Can they form a nation "like the others?"
 - 1) This was the conviction and hope of the political Zionism of Pinsker and Herzl, who were confident in the capacity of peoples for self-determination and even separated the state from any particular land
 11. An Irresistible Gravitational Force Led Jews to the Promised Land
 - a. Construction of a Jewish state occurred during a series of "returns" [*aliyas*]
 - b. Ze'ev Jabotinsky: Plea to return a people without a land to a land without a people

- 1) His case was that the Arabs of Palestine could not claim self-determination because the Arab world lacked the national form
 - 2) What his argument lacked was an appreciation of the irresistible appeal that this national “edification” had for the Arab people [cf. René Girard’s mimetic desire]
 - 3) The Palestinian Arabs became the most capable of a national life because they became the most desirous of such a life for themselves
 - 4) Are such desires superficial movements of Palestinian subjectivity destined to be absorbed in the insurmountable objectivity of Islam?
 - a) Perhaps, but one cannot halt the “contagion” [cf. Girard’s mimetic contagion] of the principle of self-determination that belongs to anybody who adopts it.
12. Political Zionism Thought Itself Free in Its Choices But Finally Had to Yield to the Attraction of the Promised Land
- a. “The self-determination of Jews could do nothing against the objectivity of the past and the fecundity of the Jewish religion.”
 - b. Consequence: “Every Jew today lives in a situation determined by the existence of a Jewish state.”
 - c. Complication: This state, which is sometimes hostile to the demands and “privileges” of the orthodox, “cannot break—indeed, it does not *want* to break—entirely with the Jewish Law or Torah.” [The contrast with European states and the peril of casting Judaism as mere “folklore” should be evident. Such is the peril that the West faces from disowning its Christian foundations].
13. Long List of Paradoxes Presented by the State of Israel
- a. Effort at Jewish self-determination only gave new form of Israel’s “election”
 - b. Ezekiel 20:32: “What is in your mind shall never happen—the thought, ‘let us be like the nations.’ . . .” [The verse concludes with service to idols: what Herbert Schlossberg referred to as *Idols for Destruction*]
- E. WE UNDERESTIMATE THE EFFECTS OF THE ESTABLISHMENT OF ISRAEL ON “THE EUROPEAN CONDITION” (62-65)
1. The State of Israel Was the Product of an “Exodus from Europe”
 - a. “But Europe was slow to take measure of the depths of the repercussions she herself felt.”
 - 1) European nations were sympathetic to Israel while they were democratically rebuilding, but this has been forgotten today.
 - b. Gen. Charles de Gaulle’s November 1967 press conference, following the Six-Day War, expressed the transition and shocked Raymond Aron.
 - 1) De Gaulle retrospectively labeled Israel bellicose, despite its coordination with Great Britain and France during the Suez Crisis of 1956.
 - 2) De Gaulle regarded the 1967 war as Israel’s escape from Europe.
 - c. After 1967, Europe “had increasing difficulty in understanding the meaning of the political and spiritual ‘whole’ that the Jews and Israel henceforth constituted.”
 - 1) “distance was created, and a certain doubt took root.”
 2. Israel Thus Succeeded in Gaining Total Emancipation from France’s Maternal Embrace
 - a. Reversal: Israelis seemed to prefer their own particular existence at a time when Europeans took stock of their weaknesses and confessed their crimes.
 3. Israel’s Establishment Posed a Difficult and Intimate Question to European Nations
 - a. Europe today can see virtue only in what is general and universal
 - b. Jews, however, “testified to the limits first of Christianity [cf. Franz Rosenzweig’s *Star of Redemption*] and then of the liberal nation-state [cf. Stephen Toulmin’s *Cosmopolis*, and many other treatments of the subject].
 - c. The Paradox: “For Europeans, the Jewish state thus displays the limits of a universalism they believed to have deduced, in part, from the longtime misfortunes of the Jews.” [cf. an early document in this literature: Gotthold Lessing’s *Nathan the Wise*].
 - d. Israel invites Europe not to hide behind Humanity.

- F. THE JEWISH PEOPLE INVITE EUROPE TO UTTER ITS OWN NAME (65-68)
1. How Do Europeans Respond?
 - a. They oscillate between two response: a refusal to answer and a distinctive (not American) European point of view: “openness to the Other,” a universalism ‘without any borders or limits.’” [Practically speaking, it is a new form of Imperialism that cancels Europe]
 2. Europe as a Pure Absence
 - a. Neither nor Muslims identify Europe with Humanity itself.
 - b. Thus they regard Europeans as something in particular.
 3. Europe’s Collective Slip of the Tongue: “Europe Is Not a Christian Club”
 - a. Something inhibits Europeans from going further and saying that Europe is not Christian [cf. Marcello Pera, *Why We Should Call Ourselves Christians*].
 4. Europe Is in Fact Christian
 - a. This does not mean “that Europeans are Christians” nor is a claim concerning “culture.”
 - b. What the author is stating is not something subjective or an appeal to a future re-Christianization of Europe; instead, it is something objective and political.
 5. Despite the Turn to Various Idols—the Sacred Nation, Class, Race, and Other Ways of Escaping the European Condition—Europe Itself Is Stronger Than Its Strongest Passions
 - a. The European condition is in the process of recapturing Europeans
 6. After the Self-Effacement to Which Europeans Have Devoted Themselves, the Jewish People, Having Departed from Europe, Ask Europe to Utter Its Own Name
 7. Europe Attempts to Evade Its Obligation
 - a. It chooses to hide in a crowd.
 - b. It seeks to postpone indefinitely an answer to the question about its identity.
 - c. “Who can live in a human world devoid of any form?”
- G. RECOMMENDATION: TO “REENTER” THE REAL EUROPE WE VAINLY TRY TO LEAVE (68-69)
1. The Promise of Communion That Was Contained in the Gospel Was Adopted and Refracted into the Language and Mores of Each Nation in Order That It Might Be Appropriated More Deeply
 - a. The Christian nations absorbed the church and transformed the nation into a church.
 - b. The democratic idea, “a repetition and a simplification of the promise of communion, . . . sparked the actualization of the powers and potentials of the nation.” [cf. Charles Colson on the parable of Thorn Ey in *The Faith*, pp. 209-15; see also Vishal Mangalwadi’s *The Book That Made Your World* and Joseph Ratzinger, *Christianity and the Crisis of Cultures*]
 2. The Weakening of the European Nation Today Does Not Mean the End of the Nation-State
 - a. We have no other form
 - b. But we should not confuse the nation with the church
 - 1) “I do not advocate putting the Christian name on battle standards!”
 - c. Instead, preserving the nation is a question of continuing the European adventure that, in its current phase, “has sought to connect liberty and communion as closely as possible, to the point where the two become as one.”