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Roger Scruton: A Political Philosophy Study Guide, 2006-2012

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**ROGER SCRUTON: A POLITICAL PHILOSOPHY
STUDY GUIDE, 2006-2012
Steven Alan Samson**

CHAPTER ONE: CONSERVING NATIONS

Outline

- A. NATIONAL LOYALTY (1-5)
 - 1. Democracy Fails Without It
 - 2. European Turning Point
 - a. Territorial sovereignty
 - 1) Opportunity to recuperate it
 - 2) Threat to sovereignty
 - b. The Choice
 - 3. Attitude of Political Elites
 - 4. Case for the Nation State
 - a. Experiments with other forms
 - 1) Disasters
 - b. Wise Policy
 - c. Burke made the case
 - 5. Institutions of the European Experiment
 - a. Critique
 - 1) Negative Argument
 - 2) Focus on pathological realism of nation state
 - 3) Chesterton rebuttal
 - 6. Nationalism vs. Patriotism
 - a. Republican patriotism
 - 1) Attachment to what is ours by right
 - 2) Fatherland
 - 7. Territorial Loyalty
 - a. Denunciation of the nation makes no real argument
 - b. Mill's principle of cohesion
 - 8. Historical Loyalty
 - a. Case against the nation state has not properly been made
 - b. Brink of disastrous decisions
 - 9. Bottom Line: Earn Your Birthright
- B. CITIZENSHIP (5-8)
 - 1. Migrants
 - a. From areas of weak nationality
 - b. Search for citizenship
 - 2. Mutual Accountability
 - a. Role of the state
 - 1) Rights and Duties
 - b. Republican government
 - 3. Subjection
 - a. Subjects aspire to be citizens
 - 4. Benefits
 - 5. Marxist View is Backward
 - a. Rule of law secures property rights and contractual freedoms
 - b. Markets flourish as a precondition of prosperity
 - 6. Society of Citizens

- a. Trust can grow between strangers
 - 1) Australia vs. Kazakhstan
 - 7. Trust Broadcast
 - a. Every citizen becomes linked to every other
 - 8. Rarity of the Achievement
 - a. Social contract idea
 - 1) Why is resonates
 - b. Thought experiment
 - 1) Presupposition
- C. MEMBERSHIP AND NATIONALITY (8-11)
 - 1. Citizenship Presupposes Membership
 - a. First-person plural is the precondition at democratic politics
 - 2. Tribal Societies
 - a. Fiction of kinship
 - b. No impartial rule of law
 - c. Outsiders
 - 3. Racism as a Tribal Survival
 - a. Nazi example
 - 4. Creed Community
 - 5. Conflict Between Criteria of Membership
 - 6. Nation as a Contrast
 - a. Definition
 - b. How the three differ
 - c. Idea of a common territory
 - 7. Nation State
 - a. Successor to territorial monarchy
- D. NATIONS AND NATIONALISM (11-16)
 - 1. Origins of the Nation
 - a. Lord Acton
 - 2. Social Artifacts
 - a. Intentional vs. unintentional
 - b. Invisible hand
 - 3. Illustration of Acton's Thesis
 - 4. Legal and Institutional Framework is Presupposed
 - a. Russia's legal vacuum
 - b. Importance of territorial law
 - 5. Interlocking Loyalties
 - a. Contract favored over status
 - b. Imprints of distinct political form
 - 1) Church of England
 - 6. Not Merely a Conventional Arrangement
 - 7. Validation
 - a. Experience of belonging
 - b. Common language
 - c. English nation pre-dated modernity
 - 8. Nations Defined by Homeland
 - 9. Tolerance of Difference
 - a. Discipline of neighborliness
 - b. Clash of two forms of membership; national vs. religious
 - 10. National Loyalty vs. Nationalism
 - a. Abbé Sieyès
 - b. Idolatrous deification of the nation
 - 1) Intimidation and ethnic cleansing
- E. OUR CONSTITUENT NATIONS (16-17)
 - 1. Multiple National Loyalties
 - a. They may rest within each other

- b. English union with Scotland
 - 1) Each kept own law
 - 2. Heirs to a Common Law
 - a. National identity has withstood shocks and acts of aggression
- F. VIRTUES OF NATIONALITY (17-21)
 - 1. Reciprocal Obligations
 - a. Law-Abidingness becomes part of the scheme of things
 - b. Symbols of national loyalty: Neither militant nor ideological
 - 2. National Loyalty; Issues in and Is Assumed by Democratic Government
 - a. People bound by a national “we” accept the legitimacy of opposition
 - b. None of these good things is found in states founded on the “we” of tribal identity or the “we” of faith
 - 3. Virtues of the Nation State Are Revealed in Two Characteristics: Accountability and Civil Rights
 - 4. Question of Accountability
 - a. How accountability is brought into being
 - 1) Ability of mobilize citizens
 - 2) Citizen cooperation is required
 - b. National loyalty is the rock
 - 1) Recent experience in the Middle East, Russian Empire, and Africa
 - 2) Accountability to strangers is a rare gift
 - c. Expansion of jurisdiction, decline of accountability
 - 1) European Commission
 - 2) Corruption in UN, UNESCO, WHO, ILO: Nobody is empowered to guard these guardians
 - d. It is a natural byproduct of national sovereignty which is jeopardized by transnational governance
 - 5. Civil Rights
 - a. Universalism should be regarded skeptically
 - 1) Rights come into existence because they can be enforced, which requires rule of law, which requires a common obedience, including the enforcing entity
 - b. Societies of citizens enjoy political freedoms
 - 1) Rights require reciprocal duties
 - 2) They must be secured by procedures that must be rescued from the State
 - 3) *e.g., habeas corpus*
 - c. Rights become realities when embedded in the law of nation states
 - 1) Declarations of transnational committees: what Jeremy Bentham called “nonsense on stilts”
- G. PANGLOSSIAN UNIVERSALISM (21-23)
 - 1. Obligation of Critics: Show How the Virtues of the Nation State Can Be Achieved without It
 - 2. Immanuel Kant’s *Perpetual Peace*
 - a. Signatories of the treaty were required to be republics
 - b. Federal union
 - c. Principal objection to transnational government: soulless despotism
 - 3. International Jurisdiction’s Sole Purpose: Secure Peace between Neighboring Jurisdictions
 - a. Background presupposition of the League of Nations was not fulfilled
 - b. Bombardment by laws from outside
 - c. Consequence: Despotism and anarchy
 - 4. Human Rights Utopianism
 - a. Problem of enforcement
 - b. Burden of transnational legislation

- H. OIKOPHOBIA: CULTURE OF REPUDIATION (23-25)
 - 1. Loyalty Ridiculed and Demonized by Media and Schools
 - a. Culture excised from the curriculum
 - b. Repudiation of the national idea
 - 2. Oikophobia Is Opposite to Xenophobia
 - a. Arrest development of intellectuals
 - 1) Cambridge spies [cf. Toledano's *Cry Havoc!*, pp. 73-74]
 - 3. Examples
 - a. Jean-Paul Sartre and Michel Foucault
 - b. Political correctness (PC)
 - 4. Assaults on the Constitution
 - a. Crisis of legitimacy
- I. THREATS TO THE NATION (25-29)
 - 1. Need for Honesty
 - a. Censorship prevails in the media and government circles
 - b. Transnational bureaucracies [cf. John Fonte's *Sovereignty or Submission*, Pierre Manent's *Democracy without Nations?*, and Jeremy Rabkin's *The Case for Sovereignty*]
 - c. An exception: The United States [Mark Steyn contends, however, that the American exceptionalism he depicted in *America Alone* is on the ropes in *After America*]
 - d. World Trade Organization (WTO) threatens everyone's sovereignty
 - 2. Migrants to the West
 - a. Risk-takers are becoming atypical
 - b. More typical are the subsidized asylum-seekers
 - c. Catastrophic effects on national loyalty
 - 3. Identity Theft
 - a. Non-negotiable demand for sanctuary threatens an identity forged from a shared sense of home [which raises the issue of assimilation]
 - b. Asylum crisis has opened up a gap between government and the people
 - 1) "The 'we' feeling seems no longer to have a voice among our rulers" when the Government acts on their behalf instead of ours
 - 4. UN Convention on Refugees and Asylum
 - a. The Convention's escape clause for dictators: opponents may now be exiled rather than killed
 - b. Delicate domestic arrangements are as a result thrown in disarray
 - 5. An Uneasy Silence Is Imposed by Self-Censorship and Intimidation
 - a. Effect of unwanted immigration, not only on national loyalty, but also on the idea of citizenship
 - b. Hypocrisy of those who claim the benefits of citizenship with no duty to the State
 - 1) cf. Max Frisch's *The Firebugs*
 - c. The root assumption of democratic politics is the idea that the citizen owes loyalty to a territory, a jurisdiction, and all who live within it
 - 1) This "idea has no place in the hearts and minds of many who now call themselves citizens of European states."
 - 6. World Trade Organization
 - a. its benefits
 - b. Its assault of national sovereignty
 - 7. Consequences
 - a. Multinational corporations (MNCs) use transnational institutions to "break down national jurisdictions and to cancel the loyalties upon which they depend."
 - 8. Accountability
 - a. A national parliament must strive to reconcile competing claims that come before it

- b. A transnational assembly has no such duty: its single purpose outweighs all else
 - c. The UN Convention proposed an answer to one problem only: “a problem whose scale and gravity have since immeasurably increased.”
 - d. The UN Assembly has no duty to reconcile its ruling to reality
- J. OVERCOMING THE THREATS (29-31)
1. Need to Return to Bilateral Agreements
 - a. These institutions’ lack of an effective military arm means the costs of defying them will be rapidly outweighed by the benefit
[NOTE: The exception here is the United States, for which treaties are enforceable parts of the Constitution; failure of the Bricker Amendment made the United States especially vulnerable to the mischief of transnational legislation. cf. John Fonte, *Sovereignty or Submission* and the [Global Governance vs. National Sovereignty Conference](#), at which I spoke].
 2. Issue of Free Trade
 - a. Reality: massive subsidies
 - b. Unnecessary restraint of trade
 - c. Free trade is neither possible nor desirable
 3. Internal Threats to Nationality
 - a. Immigration controls have collapsed; sovereignty must be restored
 - b. “Return control of the education system to parents and the oikophobes will no longer be in charge of it.”
 - c. Withdraw from the European Convention of Human Rights and historical allegiance can reaffirm the duties that are the enduring price of our rights
 4. The European Union Actually Depends on National Sovereignty
 - a. Yet it is bent on destroying the conditions of its existence
 - b. “By removing sovereignty from [national parliaments], we shall invite first the despotism and then the anarchy that Kant feared.”