

## COMMENT ON EALY

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Steven Ealy's provocative essay addresses core issues of politics and philanthropy and, in doing so, shows that intelligent discussion of these issues requires close attention to our use of language. In fact, his substantive thesis revolves around the claim that modern thinking about politics and philanthropy is misguided precisely because of the language in which it is framed: specifically, the language of politics that modernity inherited from the ancient Greeks. In Ealy's view, this traditional language has a built-in "psychology" or "resonance" that compels us to think about politics very much along the lines of the Greek political philosophers—a way of thinking that is both inappropriate and dangerous in a world where the modern state has replaced the ancient *polis*. In developing his thesis, Ealy takes note of some of my own reflections about the analogical uses of political language, but he draws a conclusion from them that is quite different from the one intended. My remarks will speak to the linguistic and substantive issues that Ealy raises.

### I

Analogies presume a likeness or similarity, but not an identity, between things with a common name. They can mislead us in either of two ways: by leading us to presume a greater likeness than actually exists or else by causing us to overlook crucial differences that prevent the things so named from being identical. With a view to avoiding both of these errors in political discourse, my own essay emphasized that while the modern state or nation is like the ancient *polis* in some respects (both are ways of associating to achieve common purposes), in other respects, it is fundamentally different.

I had recommended an attentive study of the classics not to reinstate the *polis*, as Ealy implies, but for the following reasons: first, Greek political philosophy offers the best insight into the nature of the *polis* and thus into ways in which it is *both like* and *unlike* the kinds of associations that are prevalent today. This insight permits us to learn from the classics while avoiding possi-

ble errors of the kind that trouble Ealy. Second, whatever the historical epoch, the very experience of living in associations formed for common purposes gives rise necessarily to a certain kind of discourse—one that tries to articulate those purposes and deliberates about the best way to attain them. The classical political philosophers adopted this kind of discourse, and their writings instruct us about its contours and implications.

Consider, for example, that the Declaration of Independence speaks of the broad ends for which governments are organized (“safety and happiness”), and that the U. S. Constitution, in its Preamble, specifies various purposes for which the government is established (forming a more perfect union, establishing justice, insuring domestic tranquility, providing for the common defense, promoting the general welfare, and securing the blessings of liberty). Here the imperatives of human association itself, and not the residue of classical philosophy, were moving the authors of these documents to take up very basic questions about the purposes of a comprehensive association and to consider a range of alternative answers. Although moderns can think independently of the classics and, indeed, repudiate their principles, they cannot escape these practical imperatives.

## *II*

The substantive concern that drives Ealy’s thinking is the danger that expansive government poses to a sphere of life where individual freedom, privacy, and volunteerism can flourish. Ealy believes, as I do, that this sphere should be very wide. The question is whether its flourishing requires a radical displacement of politics of the kind that Ealy envisions, or whether flourishing is more likely to occur in a well-ordered political community.

## *III*

In part I of his essay, Ealy seems to promise a linguistic solution to the substantive problem of expansive government. He leads us to expect that he will discard the language of politics altogether, since even its analogical meaning “keeps pointing us back to ancient Athens and its expansive political institu-

tions.” Yet in part III, where he outlines his substantive argument, Ealy speaks freely of “politics” and “the *political* system,” suggesting one of two things: either the intended linguistic purge cannot be carried through, or the word political is now being used in some non-analogical sense that remains unspecified.

Ealy defines his task in part III as one of deciding where “the political system” fits into what he refers to variously as “the community,” “civilization,” “society at large,” and “the civil association.” It seems that Ealy, having rejected the political community as the comprehensive association, is attempting to find a substitute. But what exactly is “society” or “the community”? These are exceedingly nebulous terms, and Ealy doesn’t provide his readers much help in figuring out to what entities they refer. Is there only one encompassing “community” or “society” for humankind at large, or is there instead a plurality of such associations? Is it even possible to recognize, identify, and demarcate these associations apart from political criteria? When people today use such terms as “the community” or “society at large” to refer to broad and inclusive associations, they typically have in mind such entities as “the United States of America,” “Canada,” or “Mexico,” associations whose very constitution and boundaries are political. Indeed, we recognize and identify these inclusive societies primarily by their political structure—the presence of border guards, police and military, the authoritative reach of their laws, and their self-identification as nations organized politically for common purposes.

“The community” or “society at large,” as we know it from our experience, is fundamentally a political entity and the locus of what Locke calls “political power,” namely “*a Right of making Laws with Penalties of Death, and consequently all less Penalties, for the Regulating and Preserving of Property, and of employing the force of the Community, in the Execution of such Laws, and in the defence of the Common-wealth from Foreign Injury, and all this only for the Public Good*” (Locke, Second Treatise, § 3).

#### IV

Ealy would curb expansive government by either effacing “the political” or reducing it to just another competitor for authority in some more comprehensive association, but neither option is viable. Political communities—comprehensive associations with final authority—are givens of our experience, and

they are unlikely to disappear. They can be constituted, however, in different ways. Our real choice is between better or worse constitutions, and here the tradition of political philosophy, which Ealy would discard, offers valuable guidance. Constitutions quite favorable to Ealy's objectives—limited government, protection for a private sphere, encouragement for voluntary initiatives—have been inspired by the writings of political philosophers. One need only consider the salutary influence of thinkers such as Locke, Montesquieu, Hume, and Adam Smith on America's founding generation. Recognizing legal and coercive institutions with final authority does not jeopardize the vigorous pursuit of private ends, but rather establishes the conditions under which this pursuit can safely take place. As Locke explains, the rule of law makes possible "a Liberty to follow my own Will in all things, where the Rule prescribes not; and not to be subject to the inconstant, uncertain, unknown, Arbitrary Will of another Man" (Locke, *Second Treatise*, § 22).

How does Ealy assess Locke and the other philosophers who articulated the principles of modern liberty? It is significant that George Will, in the book that Ealy criticizes, is himself attacking the early modern political philosophers as well as American statesmen such as Madison who adopted their principles. One might presume that Ealy would find common ground with those whom Will attacks, but his blanket rejection of "political philosophy" makes no exception for the early moderns whom the American founders admired.

## V

Ealy's broad aim is to nurture the private sphere, but his path—elevating "the community" or "society at large" above "the political"—is fraught with danger. No book does more than Helmut Schoeck's *Envy* to disabuse us of the romantic notion that communities as such are favorable to individual freedom, spontaneity, and voluntary initiatives to benefit others. Quite the opposite is true, if we may credit the extensive anthropological evidence that Schoeck reviews. In most communities that have existed in the world, intense envy is directed at those individuals whose efforts or talents or good fortune allow them to stand out above others; and the ubiquitous fear of a destructive envy, operating through such supposed mechanisms as the "evil eye," acts as an internal check on individuals who might otherwise try to get ahead, or amass

wealth, or become innovators or benefactors. Fear of envy gives rise to extreme secretiveness, the concealment of one's private affairs, and the avoidance of intimacy. It sabotages cooperative planning for the future and collective undertakings that might benefit the whole community. Schoeck explains that since envy can vent itself simply by remaining passive, "very often the envious man, while not indeed acting so as to harm another, will not voluntarily do anything out of what is called humanity, a feeling of decency (concepts still incomprehensible to the vast majority in the world), to avert another's harm." He illustrates this by citing Oscar Lewis's study of life in a Mexican village: "In general there is an absence of altruism, generosity, charity, and the spirit of sharing." "Doing favors for others is rare and creates suspicion." "Children are scolded for giving things to their friends or for being trusting and generous in lending articles to persons outside the family" (Schoeck, 57-76, 63-64).

Envy is by no means confined to primitive communities. Tocqueville, in his searching account of modern democracy, identifies "a depraved taste for equality in the human heart that brings the weak to want to draw the strong to their level and that reduces men to preferring equality in servitude to inequality in freedom." Ealy fears that governments will be tempted to engage in "soulcraft," but Tocqueville points out that democratic society itself exercises a kind of tyranny over the individual that "goes straight for the soul." Good laws, while less influential than a nation's mores, can help to curb this envious equality and deflect its intrusion into the human soul. They can also promote a "manly and legitimate passion for equality that incites men to want all to be strong and esteemed"—a way of loving equality that inspires voluntary initiatives to lift up the weak (Tocqueville, 52, 244).

In a similar vein, Madison identifies the "injustice of the laws of the states" as the most alarming "vice" that a new federal constitution should correct. Significantly for our purposes, Madison finds the primary source of this vice in "the people themselves" rather than in the state legislatures. The new government that he proposes is designed specifically to check abuses originating in the states as relatively small communities (Madison, 76-80). Communities as such tend toward injustice. A large and comprehensive community, organized politically, with a government that exercises legal and coercive authority with finality, is the best safeguard of those very liberties that Ealy wants to encourage.

## VI

Ealy gives detailed consideration to what *political* means, but little if any to the meaning of his other key term, philanthropy. Both terms are polysemous and of Greek origin. Philanthropy means literally the love of man. In perhaps its earliest surviving usage, the poet Aeschylus applied the term to the protagonist of his tragedy *Prometheus Bound*. Prometheus' *philanthropia*—his love of mankind—has led him to defy Zeus and bestow on the weak race of human beings the gift of fire, along with all the arts. Zeus's agents, Might and Hephaestus, both attribute Prometheus' defiance of Zeus to his man-loving (*philanthropou*) ways (lines 11, 28). For this misdeed the Titan is severely punished by Zeus, who had his own plan for improving the human race. As we see, the first recorded "philanthropist" is someone with a grandiose scheme to benefit humanity through the radical transformation of its material condition. To carry out his plan, he is willing to challenge the existing order of things and even to disregard natural or sacred limits. He prides himself in having a god-like wisdom as regards the good for man, and nothing will deter him from applying it. Prometheus' intent was to improve humankind's condition by giving it the arts and fire, along with what he calls "blind hope"—a precursor perhaps of the belief in the indefinite progress or perfectibility of the human race.

Ealy clearly dislikes progressivism's notion of philanthropy, as it emerged in late-nineteenth century America, but perhaps that notion is closer to the original than is Ealy's own understanding of the philanthropic enterprise. How would Ealy define philanthropy? Does he give it the same meaning as its original Greek application, or an analogous meaning, or a meaning that is different altogether, despite the common name? Is philanthropy a generalized love of man or a regard for particular individuals or groups? Is it rooted in aristocratic liberality? In a thirst for justice? In Christian charity? In natural sentiments such as benevolence or compassion? In the utilitarian calculation that benefiting others is the best way to look out for ourselves? And is philanthropy so obviously a good thing as Ealy presumes? Here one recalls literary depictions, by Dostoevsky and others, of persons with truly nasty dispositions who cannot tolerate the people around them but who profess great love for humanity and put forward grand but quite destructive schemes of reform.

As the idea of philanthropy gained momentum in nineteenth-century America, some important writers, including Thoreau, Melville, and Brownson,<sup>1</sup>

called attention to its undesirable features. Later a term (“do-gooders”) came into use to disparage philanthropists of the unattractive variety. Nothing intrinsic to the meaning of philanthropy certifies its goodness or makes it a private rather than a civic endeavor. Ealy’s essay warns of the dangers to liberty and privacy in the modern world. Are these dangers inherent to politics, as Ealy assumes, or do they result largely from the displacement of prudent statesmanship by reformist impulses and ideas, including the philanthropic impulse? Ealy wishes to protect philanthropy against the spirit of politics, but protecting politics against the spirit of philanthropy may be a task of equal or greater urgency.

## VII

Is it possible to give proper weight to politics without jeopardizing the private and voluntary philanthropy that Ealy recommends? In approaching this question, it is worthwhile to ponder this sentence in Adam Smith’s *Lectures on Jurisprudence*: “The law hinders the doing injuries to others, but there can be no fixed laws for acts of benevolence” (Smith, 1982, 449). Here Smith is acknowledging the indispensable role of law and government in a political community, but is also taking account of natural limits on their power to require virtue and to suppress vice. To understand his thinking, we must note that although Smith regards both justice and beneficence as virtues, he nonetheless identifies important differences between them. As Smith explains in the *Theory of Moral Sentiments*, justice is a virtue “of which the observance is not left to the freedom of our own wills.” Justice may properly “be extorted by force.” Smith’s reasoning here is that “the violation of justice is injury: it does real and positive hurt to some particular persons, from motives which are naturally disapproved of.” Since unjust injury or hurt naturally evokes resentment and retaliation, civil punishments are warranted in dealing with injustice. Beneficence, by contrast, “is always free, it cannot be extorted by force.” (Smith, 1976, 156ff.)

As Smith explains, the failure to act beneficently may disappoint someone’s expectation of receiving a good, but such inaction “does no positive hurt to anybody.” This failure, if excessive, will evoke moral disapprobation and therefore is blameworthy, but it is not a proper object of punishment, at least not by those whose expectations are disappointed. Smith gives the example of

a man who “shuts his breast against compassion, and refuses to relieve the misery of his fellow-creatures, when he can with the greatest ease.” Everybody would blame such conduct, Smith surmises, but nobody would imagine that those who had reason to expect more kindness “have any right to extort it by force.” Smith goes on, however, to add an important qualification to his principle that beneficent action must be free and unforced. Although it would be highly insolent and presumptuous “for equals to use force against one another” to compel beneficent acts, a nation may sometimes, through its laws, impose duties of beneficence upon its citizens. Smith explains:

The laws of all civilized nations oblige parents to maintain their children, and children to maintain their parents, and impose upon men many other duties of benevolence. The civil magistrate is entrusted with the power not only of preserving the public peace by restraining injustice, but of promoting the prosperity of the commonwealth, by establishing good discipline, and by discouraging every sort of vice and impropriety; he may prescribe rules, therefore, which not only prohibit mutual injuries among fellow-citizens, but command mutual good offices to a certain degree.

Having acknowledged that lawgivers may require certain beneficent actions of the citizenry, and also promote good habits, Smith immediately adds a strong note of caution:

Of all the duties of the lawgiver, however, this, perhaps, is that which it requires the greatest delicacy and reserve to execute with propriety and judgment. To neglect it altogether exposes the commonwealth to many gross disorders and shocking enormities, and to push it too far is destructive of all liberty, security, and justice.

The emphasis here is on moderation—finding the right mean between excessive legislation and none at all. Lawgivers must keep in mind that beneficence “is less essential to the existence of society than justice.” Since “it is the ornament which embellishes, not the foundation which supports the building,” imposing it is by no means necessary, although this is sometimes desirable. Clearly Smith wants to preserve a broad sphere of civic life where beneficence, in accordance with its very nature, remains free and unforced, but locating its boundaries is a matter of prudent judgment rather than hard and fast rules. Does Ealy, in speaking of philanthropy, have in mind something akin to Smith’s idea of beneficence? How, if at all, would his own thinking about justice and benevolence, and about compulsion and freedom, differ from that of Smith?

Would he be willing, as Smith is, to ground his prescriptions in an account of nature? Addressing these questions might be a fruitful way for Ealy to bring greater clarity to his provocative discussion of politics and philanthropy.

## NOTES

- <sup>1</sup> See Henry David Thoreau, *Walden*, Ch. I; Herman Melville, *The Confidence-Man*, Ch. 24; Orestes Brownson, *The Spirit-Rapper: An Autobiography*, Chs. 7, 8, 26.

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