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MAILED IN JULY 1988.

Joseph Agassi and
Ian Charles Jarvie, eds.
Rationality: The Critical View.
Norwall, MA: Martinus Nijhoff Publishers
1987. Pp. xi+477.
US $89.50 (cloth: ISBN 90-247-3275-1);
US $34.50 (paper: ISBN 90-247-3455-X).

What is it for a theory or decision (etc.) to be rational? Although this anthology's *raison d'être* presumes that the primary answer to this question is to be found by rejoining what is rent asunder by a colon in the title, i.e., 'critical rationalism' (henceforth, 'CR'), the reader should not expect to find anywhere in this volume a codification of the doctrine. Rather, what amalgamates the articles is the origin of the view. As the editors put it, 'in *The Open Society and Its Enemies* [(London 1945), Chap. 24] Popper sharpened and slightly modified the traditional approach to rationality. Employing his view of falsifiability as the hallmark of science he placed great emphasis on criticism in general ... Such a small beginning–part of a chapter ... turned out to be pregnant with consequences' (3). Thus, much of this copious anthology is devoted to the continuing task of developing, working out the consequences of (sometimes critically), and/or presenting (sometimes polemically) the notion of CR (or 'rational criticism') itself. A number of articles apply the methodology of CR to other areas and problems, e.g., to aesthetics, theology, society and politics, while a third phase is constituted by attempts to discuss philosophically the merits of (one cannot use the word 'justify' here as that might go against the canon of) CR. Although the volume's third, and last, division, led off by the Jarvie-Agassi article on the 'rationality of magic' and culminating in their 'The Rationality of Irrationalism,' might be fitted into one of the preceding, it is so extensive that it seems better to mention it on its own.

A sampling of the twenty-nine article collection [plus three, single-page introductions; a three-page general preface; two indices (nice); brief biographies; etc.] includes M. Bunge (desiderata for rationality); W. Berkson ('skeptical rationalism'–a middle view between skepticism and dogmatism which helps one to know when to make a decision, but does not force it); J. Hattiangadi (scientific traditions are rational because they are forged from competitive critical debates and common problems); J. Kekes (justifying rationality, question-begging, and problem-solving); L. Briskman (rejecting 'ahistorical justificationalism' and affirming 'epistemological bootstrap theory' as a reply to 'historicist relativism'); J. Watkins (epistemology and the need for [critical] disagreement in democracy); E. Gellner (empiricism as an ethic of epistemology); N. Koertge (beliefs); and D. Miller

(there are no good reasons). (Between them, the editors, Agassi and Jarvie, account for thirty percent of the selections—without counting articles shared with other persons.) Temporally, the articles are primarily from the latter half (curiously) of the fifties, sixties, seventies, and those produced especially for the volume, with the late fifties articles (and a few others) not being directly CR, leaving the impression that 'critical rationality' had a 15- to 20-year gestation period.

The 'application' articles are often of interest independently of the research tradition (CR) envisaged. The others within the tradition share, on the whole, several features. Generally, they are not highly technical in argumentation or language. Nor do they require a knowledge of new and difficult issues, conceptions, argumentation, or strategies. This, if it were the whole story—which it is not—would suit them for readership from other disciplines. The 'critical rationality' articles share too frequently a couple of unsettling habits, one of which is a tendency towards 'refutation-of-alternate-views-by-abusive-assertion.' Further, even though history of philosophy and of science have important roles in the argumentation, few of the tools of historical scholarship are in evidence even to the extent one finds in Popper himself. E.g., Plato and Whewell seem to be involved in some sort of 'dialogue of the dead' with Kuhn and Agassi as though they and their problems were all contemporary. L. Laudan (in *Progress and its Problems* [University of California Press 1977], 168) makes a similar point about this 'flagrant disregard for' the actual past, adding a fine irony, mentioning Agassi—among others—by name, and citing references. But perhaps we all misunderstand: perhaps these are bold conjectures which later scholars are to falsify.

The editors proffer the volume for a course in rationality. If so used, it would have to be supplemented in a couple of ways. Many of the articles assume, essentially to their argumentation, familiarity with key modern positions in philosophy of science—so knowledge of, e.g., Kuhn, Feyerabend, Quine, Duhem, Whewell, would have to be available. Also taped to the outside of the back cover is the notice, 'For copyright reasons the article by Dr. W.W. Bartley ... has not been included in this volume.' This is unfortunate, since Bartley's proposals, especially concerning revisions to Popper's 'critical rationalism,' are referred to in a number of articles as well as being identified as a bone of contention generating the second division of the volume.

If the volume had to be characterized by a single word, it would be 'provocative'—in several ways. For example, the reader will, after reading the discussions in the volume, be forced to try to decide for him/herself if the position has satisfactorily met the well-known challenges: (a) What meaning does 'truth' have as a standard (or goal)

when it can never be ascertained (or attained), e.g., Berkson's and Albert's discussions? (b) Why prefer a criticism surviving theory to a criticized one, even as a means to an end? Remember, induction is not allowed; it is a bankrupt form of inference. (c) How does one (empirically?) criticize 'critical rationality'? It also provoked these questions on my part: If, as some of the articles suggest, means-end is the answer to (c), are the difficulties discovered, e.g., in the extensive literature on Reichenbach's Pragmatic Justification avoided here? Or: Can the 'problem-solving metaphor' upon which CR appears to be based, namely, deductive logic (*modus tollendo tollens* is valid, but affirming the consequent is fallacious; hence falsifiability, but not justification), be criticized; or is it immune from criticism, so that abduction, inference to the best explanation, etc., just never have a chance?

Finally, one would be remiss not to mention the intriguing article by M. Ng arguing that face ('Bad') is different from *li* (subtle, 'moral,' and 'Good') in Hong Kong (Chinese-Confucian) culture. But it is the deeper analysis of *li* itself in terms of internalized 'pride-shame' and ('aristocratic'?) elitism that makes one wonder, 'Could this be also an allegorical criticism of present western academia of which this volume is but one minute example?'

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Ermanno Bencivenga, Karel Lambert and Bas C. Van Fraassen.
Logic, Bivalence and Denotation.
Atascadero, CA: Ridgeview Publishing Company 1986. Pp. viii+336.
US $35.00 (cloth: ISBN 0-917930-84-3);
US $20.00 (paper: ISBN 0-017930-44-4).

This is a somewhat unusual introductory textbook of logic, which seems to be the first logic primer to give a reasonably full treatment of the method of supervaluations, and its uses in free logic and its applications. Most of the book is devoted to developing standard predicate logic with identity; the unusual material is confined to starred sections in four of the chapters, and to the final chapter on applications of free logic. According to the preface, the book has been used successfully at the University of California, Irvine; the unstarred

material was used for a two-quarter course in standard predicate logic, while the starred material formed the basis of an advanced course in intermediate logic.

Chapter 1 is a standard introductory lecture on formalization and validity. Chapter 2 is a treatment of sentential logic using truth tables and a version of the semantic tableau method. The latter would seem to be rather cumbersome in practice, since the format adopted is a linear chain of disjunctive formulas. This involves a great deal of copying over of previous steps if the formula to be tested is at all complex. The starred section in Chapter 2 is an introduction to truth-value gaps and supervaluations.

Chapter 3 is a treatment of predicate logic with identity. The explanation of truth in a model is elegant and easy to understand because the substitutional interpretation is adopted. However, the rather poor choice of format for the tableau rules manifests itself again, since the authors are forced to give an artificial definition of a 'branch' (137) which would likely be a stumbling block for beginners. The starred section of this chapter is a long and careful treatment of the supervaluational approach to non-denoting singular terms. The logic advocated in this section is 'inclusive,' (that is, it permits empty domains), and 'free,' in that it permits non-denoting singular terms (167). The way in which supervaluations allow these features while retaining desirable features of classical logic is explained with motivating examples. In this case, the tableau method can be used only for determining logical supertruth because of Peter Woodruff's remarkable proof that the set of supervalid arguments is not recursively enumerable.

Chapter 4 gives classical and supervaluational treatments of definite descriptions. In the classical case, the theory used is Frege's, in which non-denoting descriptive phrases are assigned a fixed conventional denotation. The tableau rules are extended to include descriptions. The starred section gives the rather complicated machinery for dealing with non-denoting descriptions. A cautious approach is adopted in which 'The round square is square' has no truth-value.

Chapter 5 presents completeness proofs for the standard and free logic of singular terms and predicates. Introductory sections introduce the concept of metalogic, and explain mathematical induction. In this chapter alone, there is some advantage in the tableau format, since it makes the completeness proof simpler and neater. The completeness proofs for standard logic adapt easily to completeness proofs with respect to logical supertruth and superfalsity. Completeness proofs for the case of identity and descriptions are omitted, a few brief remarks being provided on the strategy of the proof in this case.

Finally, Chapter 6 is devoted to applications of free logic. The first applications considered are to mathematics. Russell's paradox is ex-

plained, and it is pointed out that the universal instantiation which opens Russell's argument is invalid in free logic. It is then claimed that 'free logic is in a better position than standard logic to give a "natural" treatment of the key mathematical notion of a set' (312), but no details are provided. A reference to a published paper by the first author [Bencivenga] is given. The authors then claim that free logic deals with functions better than standard logic because it does not assign a value to the arithmetical expression '5/0.' The authors boldly assert that 'the way mathematicians usually handle this problem is by adopting the Frege-Carnap policy discussed in Chapter 4. An arbitrary entity is selected, usually the number 0, and *by convention* is made the denotation of "5/0" and the like' (313). However, of the four standard introductory mathematical texts which I checked, not a single one adopted this policy. For example, 'expressions like 1/0, 3/0, 0/0, etc. will be for us meaningless symbols' (Courant and Robbins, *What is Mathematics*?, 4th ed., 56). Perhaps only mathematicians corrupted by logicians adopt the policy. The next application is to logical necessity; free logic is the natural choice for the basis of modal logic. Free logic is also advocated as the basis for the analysis of statements such as 'John thinks of Pegasus.' Van Fraassen's treatment of the Strawsonian notion of presupposition follows, and the chapter ends with a brief mention of a proposal of Storrs McCall for applying free logic to the metaphysics of abstract individuals.

The book is reproduced from a clean and legible, if not very attractive, typescript. A good number of exercises are provided, and, on the whole, the book would seem to be a reasonable choice for a first course in logic which could be extended to the less familiar area of free logic. However, the paperback version is not to be recommended. My copy broke clean in half at the spine after two hours of normal use; the gluing of the spine was totally inadequate. I have not seen the cloth version, so I do not know if it is durable enough to serve as a text. There is no index.

Alasdair Urquhart
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Deryck Beyleveld and Roger Brownsword.
Law as a Moral Judgment.
Agincourt, ON: Carswell Methuen 1986.
Pp. xxix+483.
Cdn $92.50. ISBN 0-421-32920-3.

Legal Positivism (LP) has been the dominant jurisprudential theory in the English-speaking world. But in the past quarter-century there have appeared a number of challenges to this theory: Fuller, Dworkin, Finnis, Detmold, Soper. *Law as a Moral Judgment* is a new and ambitious contribution to anti-positivist literature. The authors teach law and sociology, respectively, at the University of Sheffield, and their goal is to defend a Natural Law (NL) conception of law – 'the concept of law is the concept of morally legitimate power' – using Kantian epistemology and Alan Gewirth's moral theory.

In the first two chapters of the book, the authors set the stage for their defence of NL. They characterize LP in terms of the Separation Thesis – 'the concept of law is morally neutral' – and NL theory as any theory which rejects this thesis, i.e., which considers the criteria of legality to include some 'Essential Moral Requirement.' They then examine the standard arguments purporting to show the superiority of LP over NL theory, both practical (e.g., NL leads to reactionary attitudes) and theoretical (e.g., NL confuses descriptive and prescriptive laws), and conclude that the arguments all fail, many of them because they beg the question, i.e., they assume LP.

Chapter 3 sets out the authors' epistemology, and specifically their answer to the question as to how one chooses between rival concepts. They reject the theory-neutrality of facts: concepts are not an arbitrary filing-system of categories, any one of which could be used to classify facts which exist independently of the concepts used to express them. It is necessary to employ particular categories if we are to have empirical knowledge of the area to which the categories belong; this Kantian position they call 'transcendental essentialism.' The object then is to discover the 'essence' of law, that concept of law which makes possible knowledge of the 'legal enterprise.' Alternative strategies for defining the concept of law are examined and rejected (Golding, Finnis).

Chapter 4 applies the method of transcendental essentialism to the task of defining the concept of law. First the 'field of law' is identified as 'the enterprise of subjecting human conduct to the governance of rules.' This enterprise and knowledge of it involves action. Then, Gewirth's ethical rationalism is invoked to show that the concept of action logically commits any agent to the acceptance of a supreme moral principle, the 'Principle of Generic Consistency.' It then fol-

lows that 'phenomena of the Legal Enterprise can only be properly characterised by judging their moral statuses in relation to the PGC' (33). The concept of law is thus the concept of morally legitimate power.

Most of the rest of the book applies the authors' concept of law to the main issues of legal philosophy: the concept of 'a law,' the concept of a legal order, the individuation of legal orders, the function of a constitution, the accountability of officials, Fuller's 'inner morality' of law, the necessity of a Bill of Rights, the concept of legal obligation, the duty to obey the law (including cases of moral controversiality), the concept of a right, the concepts of a judge, a court and a legal judgment, Dworkin's legal theory (interpreted as a relativistic NL theory).

There is also a chapter on Kelsen's attempt to combine LP with a NL conception of legal statements ('to characterize something as law is to say it ought to be obeyed'), as well as a short final chapter listing certain topics requiring further elaboration if the authors' thesis is to be presented as a complete conceptual theory of law.

This is a 'weighty' book, both in size and in subject-matter. It is philosophically sophisticated, and shows considerable familiarity with almost all of the recent jurisprudential literature. The number of authors canvassed or criticized is impressive. Besides Hart, Raz, Kelsen, Finnis, Fuller, Dworkin and Gewirth, the following also are the object of comment: Ackerman, Detmold, Golding, Habermas, Hare, J.W. Harris, Hohfeld, Holmes, Hume, the Legal Realists, Neil MacCormick, Rawls, Alf Ross, Sartorius, Selznick, Weber, Glanville Williams. A recent writer in the NL tradition who surprisingly does not put in an appearance is Soper.

The techniques used are typically those of contemporary analytic philosophy. Various meanings of terms are carefully distinguished; closely-related theses are also carefully distinguished, and this results in a wealth of labels ('modified essentialism,' 'transcendental essentialism,' 'linguistic essentialism,' 'simple conventionalism,' 'epistemological conventionalism'). Some of the labels may be used a bit too freely, as when 'empiricism' seems to be equated with sense-datum theory (446).

The authors know they are defending views which are not popular in the prevailing tradition of Anglo-American jurisprudence – transcendental arguments, synthetic a priori truths, and 'essences' (the essence of law, etc.). They claim to have taught this material to law students at Sheffield for a number of years, but I doubt if most non-philosophers would feel at ease with it. But the wealth of topics examined and the high level of argument make this book an important contribution to the debate between NL and LP.

Personally, I do not believe their argument succeeds. We can say that standard NL theory involves two theses:

1. Law has a moral purpose, and particular laws can be assessed according to whether they fulfil this moral purpose.

2. The legal validity of a law depends in some way on its conformity with this moral purpose.

But there are two forms of LP, which we may call rather simplistically the 'German' and the 'British.' Both versions deny the second thesis; the German does so because it also rejects the first thesis, while the British does so for other reasons since it accepts the first thesis. What the authors of *Law as a Moral Judgment* have to prove is not only the first thesis (for which they argue very well) but also the second.

To use a homely example, it has to be shown that a toaster which does not manage to toast is not a toaster at all (rather than a defective toaster). Or if this is thought to miss the point because there is nothing moral about the example, it has to be shown that X's being part of a moral enterprise entails that if X is unsuccessful it is not an X at all. For instance, fatherhood entails certain moral obligations. But does someone who fails to fulfil these obligations cease to be someone's father for that reason? Some people do say that such a person is not a 'real' father, but that seems to be a metaphorical way of saying that he does not live up to his obligations as a father. Being someone's father is biological fact, and no moral argument is necessary to determine whether someone is a father or not, even though fatherhood is a 'moral enterprise.'

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Arthur W. Collins.
The Nature of Mental Things.
Notre Dame, IN: University of Notre Dame Press 1987. Pp. xviii+180.
US $22.95. ISBN 0-268-01463-9.

Collins argues against the notion of mental states as inner items, a notion which, he believes, pervades contemporary philosophy of mind. This notion arises, he claims, from an underlying dualism in current views of mind, including those versions of materialism which seem

paradigmatically monistic. Collins asserts that any identity theory is fundamentally dualistic since it seeks a way to link two different kinds of thing, to solve the 'mind-body problem.' For him, there is apparently no such problem. He sees it as a creation of the dualistic conceptual scheme, rather than a preexisting issue to which that scheme is a response. Mental things are not mysterious inner entities and do not have to be accounted for by any kind of identity theory. Collins argues, like Wittgenstein, for an acceptance of common sense and a realization that the big philosophical problem is a result of conceptual mistakes. In the service of this conclusion, Collins deals with several putative inner and/or mysterious states, including beliefs, states of consciousness and reasons as causes.

With regard to beliefs, Collins presents an account emphasizing the fact that beliefs connect us to the world. To have a belief is to be right or wrong about something. So, like knowledge, belief cannot be simply an inner state, since such a state would be independent of the external world. Belief is a relation between us and the world which cannot be reduced to any internal feature of the believer. His view is supported by an analysis of the relation between first-person expressions of belief and third-person attributions of belief. He argues that any treatment of beliefs as independently identifiable inner items cannot make sense of first-person belief expressions, since it would make possible self-attribution of a belief without any commitment to the truth of the content of the belief.

As to consciousness, Collins argues that the primary mistake lies in thinking that there are inner states of which we are aware and which have to be explained. He argues that there are no good reasons for thinking such phenomena exist. States of consciousness are postulated, not given, and once postulated they serve no purpose. The things we are aware of, Collins claims, are ordinary external objects, not mysterious inner items.

The idea of reasons as inner causes can arise as follows. (1) Actions can be correctly explained in terms of reasons. (2) The only secure basis for such an explanation is a causal link between the action and the reason. Therefore, (3) reasons must be items causally responsible for behavior, i.e., inner mental or brain states. Collins accepts (1) but not (2). He proposes a teleological analysis of reason-explanations which undermines the move to (3). For this to succeed, Collins has to show that teleological explanations don't in turn depend on mentalistic concepts. If they did involve the mental, a teleological account of reason-explanation would leave open the issue of reasons being inner causes. Thus, he develops a naturalistic account of teleology and then argues that reason-explanations fit this mold.

A teleological explanation has the form 'E occurred in order that O.' An event is explained by reference to an outcome that it produces

or maintains. Collins argues that such explanations are independent of causal explanations, and can be recognized as accurate on the basis of compensatory behavior; that is, E compensates for some environmental change that threatens O. Collins' primary example of such behavior is homeostasis, in particular, the maintenance of stable body temperature in the face of environmental changes. The relevant teleological explanation would be something like this: 'Perspiration occurs in order to keep body temperature below 99 degrees.'

To preserve the naturalism of his account, Collins wants to separate the concept of teleology from that of a goal, which evokes mentality. He also wants to separate the issue of how such compensatory mechanisms came about from that of how the mechanisms themselves work. Thus he asserts: 'We could readily identify compensatory behavior whether or not we possess any understanding at all of the outcome preserved and whether or not the preservation of that outcome does contribute anything whatever to the welfare of individuals or species,' (125); and '...compensation and teleological organization are manifest in behavior ... ' (134).

My main worry is that, in so far as compensatory mechanisms are manifest independently of their own etiology, they will be necessarily repetitive and stasis-oriented. If they do *not* maintain a constant condition, the outcomes involved must be seen as beneficial and hence as compensations, not merely reactions to environmental change, if an 'in order to' explanation is appropriate. It seems that, where there is neither homeostasis nor obvious benefit to the organism, teleological explanations implicitly advert to the causal history of the organisms, in particular to evolution. We suppose that evolved organisms do what works, and it is this that makes teleological explanations seem apt, even when we can't see a specific benefit. Teleology may not involve the mental, but teleological explanations which are not based on homeostatic mechanisms depend on the concept of 'survival of the fittest.' So the idea that teleology is manifest in behavior is questionable.

Applying his theory to reason-explanations, Collins claims: 'Action is a kind of limiting case of compensation. The action compensates for the general failure of the world to produce the objective without intervention from the agent' (141). In line with this, he asserts that '[r]easons explain actions by referring them to their effects and the compensatory character of behavior vis-à-vis those effects' (144). Thus reasons are explanatory without being causal.

Actions may compensate for failures of the world, but is this compensation 'manifest in behavior'? As suggested above, the only kind of behavior that is clearly compensatory is either preservation-oriented or homeostatic, neither of which generally applies to the actions of human beings. In explaining how actions are compensatory,

Collins says 'any action that is done to bring about something or to reach some objective compensates for the fact that the ordinary course of events does not bring about that something without help' (141). But now the 'in order to' and the compensation seem to have reversed their order of dependence. Collins is arguing for a naturalized teleology based on compensatory behavior, but in the case of action it seems that the teleological explanation justifies the description of the behavior as compensatory, not vice versa. And while other non-homeostatic compensatory behavior can be referred to evolutionary imperatives, actions can't be. So reason-explanations cannot be explicated in terms of systematic compensatory behavior.

Collins presents another argument against the reasons-as-causes view, based on the issue of freedom. He sees the locating of mental activities in the causal chain as a threat to freedom: '... the causal interpretation ... eliminates the phenomenon of control, making our mental activities just some elements among the totality of causes, none of which can we manipulate' (161). But if it is true that we can't manipulate causes, the non-causal status of the mental provides only a thin kind of freedom and raises the question of how we can act in the world at all.

On reading Collins' book, it is very hard not to demand more of a positive account of the mental. Though he seems correct in accusing identity theories of dualism, we still need some kind of account (as is acknowledged in Collins' naturalizing of teleology). If our conceptual scheme makes it difficult to imagine how material things have minds, we should at least try to correct the conceptual scheme. It is not clear to me that Collins does enough along those lines. The problems raised here for his account of teleology and thence of reason-explanations suggest that there is still an issue to be confronted. The inadequacy of identity theories to solve such problems does not show that no account of them is necessary.

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Roberta Imboden.
From the Cross to the Kingdom.
San Francisco: Harper & Row 1987.
Pp. ix+134.
US$17.95. ISBN 0-06-064093-6.

Imboden's project is ambitious. By re-interpreting the New Testament in terms of 'the conceptual framework of our own historical moment' (6), namely the concepts of Sartrean Marxism, Imboden hopes that we can 'begin to restructure the earth so that it is closer to the vision of the world as depicted in the Sermon on the Mount' (7). She claims that when reason is freed from ideological distortion it 'takes on many of the qualities of revelation' (2), and makes plausible the utopian picture of the kingdom of heaven on earth (3, 14, 33). This utopian goal can be achieved, she claims, once we recognize the ways in which we are needlessly perpetuating unjust structures of scarcity which exclude vast numbers of people from political and economic power. To facilitate this recognition she makes use of eight Sartrean concepts: totalization, scarcity, the practico-inert, counter-finality, and the four types of human relationship: the series, the fused group, the organization and the institution.

The key concept, in her analysis, is the concept of scarcity. In the time of Jesus the natural scarcity of the harsh environment of Judea was exacerbated by social and economic structures which privileged the members of the educated power elite (the Pharisees, the scribes, chief priests and doctors of the law), thereby creating artificial scarcity. Jesus' aim, according to Imboden, was to challenge this unjust scarcity structure 'for it is this structure that prohibits the full power of the ultimate future from activating the kingdom in the present' (70).

In order to overthrow the scarcity structure people must organize themselves into a 'fused group.' The fused group is a group of people who share a 'unified consciousness' so that the project of each individual is identical with the project of the group. As a result of this identification of projects members of a fused group share a mutual recognition which excludes all forms of domination. So united in purpose are the members of a fused group that they cease to need leadership. This kind of relationship was at the core of Jesus' teaching. He took the Old Testament ideal of loving one's neighbour as oneself and put it at the center of his vision ... [T]he fused group of Jesus and the Apostles is in itself ... the paradigm of the future of human history' (50-1). The life Jesus led with the Apostles exemplified both anarchism and pure communism (55, 79). In order to achieve this unification of purpose the Apostles had to give up all their worldly possessions and to free themselves from all familial relationships (47).

In a scathing critique of American society Imboden argues that the ideology of free enterprise and the profit motive working in tandem with the scarcity structures make it impossible for people to imagine themselves as having any sort of responsibility for society. Indeed this ideology is so all pervasive that we have all come to think of ourselves as usable or even expendable. In America the scarcity structure is so stark that every domain is permeated by it. Law, education, medicine, art, politics, religion and interpersonal relations are organized to serve and empower the dominant class. The concept of expendability has permeated family life to such an extent that spouses are tempted to apply 'this terrible label' to each other, and the children of such marriages grow up in fear of their own expendability.

For many readers, like myself, the utopian and eschatological dimension of Imboden's analysis will be hard to swallow and will make it difficult to appreciate the valuable insights contained in this book. Imboden's use of Sartre's idea of the fused group is frankly unappealing in its implausibility. First of all it seems simply inappropriate to imagine that the ideal of giving up all worldly possessions except the clothes on one's back, and the ideal (if it can be called an ideal) of giving up the special attachments of family relationships can have much relevance for people today, except for those with a monastic vocation or the Mother Theresas among us. Furthermore, the idea that a fused group could have any permanence seems implausible because in a fused group there is no division of labor. Everyone pursues the same project in the same way. This can and does occur occasionally for a short period of time, as it did for those who stormed the Bastille and precipitated the French Revolution. Occasionally in certain contexts we do transcend our differences and share a common project. At such times, as Sartre pointed out, the collective action of a fused group can have very powerful effects upon subsequent history. But the logistics of a permanent fused group of all human beings sharing the same project stagger the imagination. And, while Imboden is right to argue that Christians are obliged to protest against injustice for, as Adorno put it, 'every time we do not speak out against injustice, we are accomplices to murder' (101), nevertheless there are many non-Christians who manage to fight social injustice without the belief in eschatology, i.e., in the future kingdom of heaven on earth, a future of 'undiluted freedom and community' (35).

Putting the utopian element aside and reading the book as a description of the forms of alienation under which we all live we might be heartened in our struggles and more intelligent in our actions. I have read the book as a reiteration of an ideal of justice and have derived from this reading a heightened awareness of the powerfully eroding force of the idea that anyone, myself included, might be seen

as expendable. With a renewed awareness of the demoralizing forces at work readers with a less than utopian mentality can benefit from Imboden's valuable insights concerning the struggle to find ways of empowering, rather than using, the people with whom they interact, whether these people are students, patients, legal clients, spouses, children, colleagues or members of Third World countries.

This book, which is a valuable contribution to Liberation Theology, is somewhat marred both by the utopian rhetoric as well as by frequent passages of turgid Sartrean prose such as the following description of the fused group: 'The Other goes through the radical metamorphosis of becoming myself, as I am metamorphosized into the Other. Because everyone is myself, no one ever dominates me' (29). This use of this kind of language introduces an unnecessary element of mystification in an otherwise thought-provoking analysis of the contemporary forms of alienation and artificial scarcity.

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David Johnston.
The Rhetoric of Leviathan: Thomas Hobbes and the Politics of Cultural Transformation.
Princeton: Princeton University Press 1987. Pp. xx+234. US $25.00. ISBN 0-691-06617-7.

A familiar paradox confronts the modern reader of Hobbes' *Leviathan* – the book is an enduring masterpiece of political philosophy, if anything is; yet fully half of it now seems irrelevant and is little read by students of politics. Why did Hobbes devote some 200 of its pages to theology and scriptural exegesis, approximately ten times as much space as he had given to these matters in his first systematic political treatise, the *Elements of Law*? In a sense, the answer is obvious: in the intervening years civil order collapsed, in large measure because of religious strife. But David Johnston, in this pleasingly written and well-produced book, seeks to show that there is much more to it than that.

The argument, however, takes some time to come into focus. The starting-point is Hobbes' translation of Thucydides, and his views on the relation between history and philosophy (or science); but what turns out to be more germane is that Hobbes, steeped in the tradition of Renaissance humanism, inherited its preoccupation with rhet-

oric. The relation between rhetoric and science/philosophy in Hobbes' political works is Johnston's real subject. Science, for Hobbes, is the demonstration of general propositions, and the right method for arriving at true knowledge; on the other hand, Johnston shows, he was keenly aware that rhetoric, with its vivid imagery and appeal to the emotions, is far more effective than cold logic for conveying ideas, convincing multitudes of men, and influencing their actions. This created a dilemma for a man who claimed to be the founder of 'civil philosophy,' yet also wrote with urgently practical aims.

Johnston's claim is that the differences between the *Elements of Law* and the *Leviathan* reflect Hobbes' changing response to this dilemma. The *Elements*, he suggests, is a purely scientific treatise, which takes account of rhetoric only as the enemy of reason ('*oratio*' as opposed to '*ratio*') – a serious but not insurmountable obstacle to understanding. Man is presented as an essentially rational creature, capable of appreciating the compelling reasons why he must obey a sovereign. Hobbes relies on a rational argument that both depicts, and appeals to, rational men.

A similar argument was presented again in the *Leviathan* a decade later. Nevertheless, much had changed, or, rather, been added. One reason for this, Jackson speculates, was a difference in the intended audience ('public opinion' rather than an intellectual elite); but more importantly, Hobbes' view of human nature (owing, doubtless, to the tumultuous events of the 1640s) had undergone a dramatic change. The arts and tricks of rhetoric could no longer be dismissed with contempt; rather, it now seemed to Hobbes, their power pointed to an inherent weakness of the human mind. The argument depicting man as essentially rational – still retained in the *Leviathan* – has therefore become man, not as he now is, but as he ought to be. Alongside the old picture Hobbes presents a different one, largely absent from the *Elements*, stressing human irrationality and the pernicious power of false ideas. Thus, in the *Leviathan*, Hobbes dwells at far greater length than before on the subjects of madness, dreams, fantastic visions, 'superstitious fear of spirits' and of 'things invisible' and – the socially most significant consequence of this fear – on man's religiosity.

In a sense, then, the *Leviathan* is a much more pessimistic work than the *Elements*. However, according to Johnston, Hobbes was not daunted by his new realisation of the magnitude of the task he had taken on, which was nothing less than a transformation of human nature, a veritable 'cultural revolution.' This, Johnston says, should be seen as the real aim of the *Leviathan*. Hobbes was, after all, living through the heady early days of the new science, when undreamt-of advances were beginning to seem possible.

But just how did Hobbes hope to accomplish this mammoth task? Johnston's answer harks back to rhetoric, but somewhat confusingly. First, he claims that Hobbes realised he must, now, not scorn but *use* the power of rhetoric – hence the *Leviathan* is incomparably more vivid than the earlier works, making frequent and effective use of rhetorical figures and imagery – the very title of the book being a striking example. But Johnston also argues that Hobbes set out to *destroy* rhetoric's power – hence the onslaughts on madness, fantasy, superstition and – especially – false religion. Johnston could argue that there is no contradiction here, that Hobbes was indeed using rhetoric in order to destroy rhetoric. However, the method used in the *Leviathan* to discredit 'prophecy, miracles and magic,' and other unacceptable interpretations of Christianity, is hardly rhetorical – it is complex, logical argument, textual and philosophical. Rhetoric seems much less central to Hobbes' project than Johnston suggests.

Johnston's thesis raises further issues. One is the Hobbesian conception of science, or civil philosophy. What are we to make of the combination, in one work, of two contradictory views of man? According to Johnston, the rational picture of man can, for Hobbes, be perfectly scientific, even though it does not depict man as he is – surely a debatable view. There is another problem, connected with the Hobbesian convenant. There has been much discussion whether this covenant should be considered to be 'hypothetical' or 'historical.' However, a major aim of *Leviathan* is unquestionably to show men their *obligation* to obey the sovereign; and according to Hobbes a man can be obliged only by 'some act of his own.' It seems to follow that men can have the imputed obligation only if they have actually covenanted to obey; and this covenant is, of course, part of the picture of rational man. To this extent, rational man needs to be an actuality, not just an ideal.

But perhaps the most important doubt is whether Hobbes was, after all, intellectually bold enough to compass the aims imputed to him by Johnston. As Johnston rightly stresses, Hobbes looked on the orthodox Christian doctrine of the immortal soul and its possible eternal damnation as perhaps the gravest intellectual threat to civil peace, since it can be a much more potent source of fear than mere bodily death or the sovereign's power. Hence, logically enough, he was at pains to argue that the soul is but the life of the body, which cannot very long survive the torments of Hell. But Hobbes, as a professed believer, could not deny the torments of Hell completely, nor does he cast doubt on the promises of eternal heavenly bliss. In other words, his deference to Scripture leaves intact reli-

gious motivations quite strong enough to outweigh the motives for political obedience, and to abort the project Johnston attributes to him.

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David Lamb, ed.
Hegel and Modern Philosophy.
New York: Methuen (for Croom Helm) 1987,
Pp. ix+262. US $59.95. ISBN 0-7099-4168-4.

In his introduction to this collection of essays David Lamb writes that the purpose of bringing together this wealth of current research has been 'to demonstrate the life and vitality of an Hegelian tradition and its influence upon those who are grappling with some of the issues that dominate contemporary philosophy' (vii). To a very large degree the essays collected here succeed in fulfilling this purpose. There are papers on the relevance of Hegel for modern social theory, feminism, metaphysics, philosophy of language, Marxism, theology and philosophy of science, and, though their approaches to Hegel vary greatly, all of the authors present a forceful case for taking Hegelian themes and positions seriously in modern philosophy. For this reason this collection is to be warmly welcomed. My only reservation about the book is that too many of the papers deal with Marx's debt to Hegel. The collection would, in my view, have been better balanced if it had included one or two papers on, for example, Hegel and pragmatism or Hegel and deconstruction.

In the first paper Bernard Cullen attempts to offer a coherent synopsis of almost the whole of the *Phenomenology of Spirit* and to state the most important implications of Hegel's 'historical phenomenology' for social analysis. Given the space available to him, Cullen's account of Hegel's most difficult text is inevitably somewhat condensed and impressionistic. However, he does show clearly that modern social analysis has much to learn from Hegel: Hegel's most important lessons being that all aspects of a culture are to be understood as interrelated and that individuals cannot be the basic units of social investigation but can be understood only in the context of their social situation (20-6).

Susan Easton's paper, 'Hegel and Feminism,' seeks to defend Hegel against the charge made by some contemporary feminists that he has a biological, reductionist view of women. Easton claims that Hegel's view of women is certainly conservative, but that he understands the role of women in society to be historically and culturally determined, not biologically determined. Furthermore, Easton believes that Hegel's analysis of the master/slave relationship in the *Phenomenology* can actually help the cause of feminism by providing a model for women's emancipation.

Anthony Manser's paper, 'On Becoming,' is a fine example of the close, logical analysis of an Hegelian text. Manser shows clearly that Hegel is critical of the static, Parmenidean concept of being and of the metaphysical attempt to grasp the unchanging ground of change. What is crucial for Hegel, Manser demonstrates, is the Heraclitan insight that the essence of the world is not static, but *becoming*. Whether Manser succeeds in explaining the development of the concept of becoming at the beginning of the *Science of Logic* satisfactorily I am not sure, but his paper points to a sophisticated non-metaphysical interpretation of Hegel's philosophy which is without doubt the right one.

Another non-metaphysical interpretation of Hegel is offered by David Lamb. Drawing from, and expanding, material from his two books, *Language and Perception in Hegel and Wittgenstein* (London: Macmillan 1979), and *Hegel – From Foundation to System* (The Hague: Martinus Nijhoff 1980), Lamb points to a striking similarity between Hegel's analysis of sense-certainty and perception in the *Phenomenology* and the later Wittgenstein's critique of Russellian 'sensory realism.' Both Hegel and Wittgenstein, in Lamb's view, show that sensation cannot provide an immediate foundation for knowledge, but that it is always already embedded in a context of language and meaning, though Hegel goes beyond Wittgenstein by pointing to the historical character of meaning. Lamb's paper simplifies Hegel's position in some ways, but it nevertheless offers an excellent introduction to Hegel's philosophy, especially for philosophers trained in the analytic tradition.

Following Lamb's paper there are four papers which deal with the relation between Hegel and Marx. Michael George suggests that Hegel's intention is to replace the one-sided abstractions of the understanding with the concrete concepts of reason, concepts in which apparently opposed moments, such as finitude and infinity, are grasped as inseparable. However, in George's view, Hegel still conceives of these 'concrete' concepts in too abstract a way by failing to relate them to the social and material context from which they sprang. By highlighting precisely this material ground of concepts, Marx appears to George to be more consistently Hegelian than Hegel himself.

Sean Sayers argues that Hegel's notorious identification of the 'actual' and the 'rational' is not, as has traditionally been thought, an intrinsically conservative principle, but that it simply expresses the belief that reality must be considered to be rational and thus be investigated scientifically. Sayers maintains, however, that Hegel fused this commitment to scientific realism with a 'mystical' belief that the world is as it ought to be, and that it was Marx who first saw through that 'mystical' veil and recognised the genuinely scientific and critical implications of Hegel's position.

The other two papers on Hegel and Marx, by Christopher Arthur and Joseph McCarney, are two of the best in the collection. Arthur gives a fine account of Hegel's view of political economy and then offers an illuminating discussion of Hegel's theory of value. Arthur rightly points out that, for all his admiration for the political economists, Hegel rejects Ricardo's labour theory of value which was later taken up by Marx. But Arthur is mistaken, I believe, to suggest that Hegel understands exchange-value to be simply a social form 'imposed' on objects without reference to their use-value. Exchange-value, for Hegel, does reflect the degree of demand for the use-value of objects, as is clear from the addition to par. 63 of the *Philosophy of Right.* There are the seeds of an Hegelian critique of Marx here, but Arthur, who clearly prefers Marx to Hegel, does not develop them.

McCarney, in his paper, is concerned with the question of whether a dialectical social science is possible. In his view, Marx's social theory offers the model for such a dialectical social science because it combines an analysis of the 'objective' dialectic between the forces and relations of production in history with an analysis of the 'intersubjective' dialectic of historical class conflict. Furthermore, Marx's theory also recognises that social theory itself enters into a dialectical relationship with the 'subject' of history by clarifying the proletariat's consciousness of its historical role and by thus preparing it for revolution. McCarney's paper is, in my judgment, the best of the Marxist papers in this collection and presents a marvellously lucid and undogmatic introduction to Marxism.

The remaining papers take up areas of Hegel's philosophy that are often neglected in Hegel research and frequently deemed to be irrelevant to contemporary concerns – namely, his philosophy of religion and his philosophy of science. John Walker, in his strikingly original paper, 'Hegel and Religion,' argues that Hegel's 'self-grounding' philosophy is not as self-sufficient and autonomous as some commentators have maintained, but that it is in fact grounded in, and legitimated by, religious experience. Following this, Wolfgang Neuser discusses Hegel's view of the relationship between mathematical reasoning and philosophy. Neuser argues that, unlike Schelling, Hegel rejects mathematics as a model for philosophy,

but that he nevertheless accords it an important role in scientific understanding.

The collection is rounded off by a translation of Hegel's *Habilitationsthesen* by Norbert Waszek. These theses are, as Waszek points out, somewhat cryptic, but Waszek's introduction and notes are extremely helpful in trying to understand them.

Overall, there is much in this book to interest the Hegel scholar and indeed anyone curious to learn why Hegel might still be an important philosopher to read in the late twentieth century. It is my hope, however, that this collection will stimulate others to pursue the connection between Hegel and modern philosophy in somewhat greater breadth and depth.

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Mohan Matthen, ed.
Aristotle Today: Essays on Aristotle's Ideal of Science.
Edmonton, AB: Academic Printing & Publishing 1987. Pp. viii+196.
Cdn $34.95 (cloth: ISBN 0-920980-17-1);
Cdn $18.95 (paper: ISBN 0-920980-19-8).

Aristotle Today is a collection of papers first given at a conference at Edmonton in 1986. The contributors (Francis Sparshott, Jonathan Barnes, Montgomery Furth, S. Marc Cohen, Alan Code and Mohan Matthen) were asked to consider the relevance of Aristotle's views to contemporary philosophical issues. In the *Preface*, Matthen suggests that Aristotle is of special relevance today because his ideas about the structure and methodology of science are still valid, and point towards a proper integration of science and philosophy (which avoids a slavish reverence for contemporary science, while at the same time being aware of the philosophical problems it raises). These are ambitious goals. It is interesting to see how far the distinguished contributors achieve them.

Several participants (Sparshott, Matthen, Furth) emphasize differences between Aristotle's physics and our own. Matthen and Furth focus on the role of *form* in Aristotle's physics as a basic and irreducible causal factor. Matthen suggests that its role is so pervasive that Aristotle must reject the modern scientific attempt to account for the

properties of the whole organism in terms of its independently specified parts. Sparshott, in an interesting discussion of the differences between Aristotle's world and our own, argues that Aristotle's form-based, qualitative physics is more general in its application than contemporary physics because the latter, unlike Aristotle's, is incapable (in his view) of understanding psychological or biological phenomena. These two papers represent Aristotle as very different from us, but possibly better.

Furth, in a wide-ranging and illuminating discussion, argues that Aristotle's form-based causal theory led him to give a thoroughly confused account of aspects of animal generation. Unlike Sparshott and Matthen, he takes the form-based theory to be a minefield of problems rather than a source of philosophical illumination. In a similar spirit, Barnes concludes his insightful discussion of Aristotle's teleologically-based account of psychological states by saying that 'no one will now defend a teleology of the type required to support the anti-sceptical argument' he considers to be Aristotle's. Better to begin one's contemporary philosophising about biology and psychology elsewhere. In these two papers Aristotle is seen as very different from us, but probably worse.

In sharp contrast to both these groups, Marc Cohen argues convincingly (against Myles Burnyeat) that Aristotle's view of matter is not so 'alien to us' that our only recourse is to 'junk' his account of the relation of mind and matter. Indeed, Cohen suggests that Aristotle's account is similar, in basic respects, to that offered by the contemporary functionalist. Thus, for Cohen, Aristotle is a forerunner of a prominent modern theory rather than a proponent of a rival paradigm of scientific inquiry.

Alan Code does not explicitly address these more general controversies in his paper, but focuses rather on several aspects of Aristotle's defense of the Principle of Non-Contradiction in *Metaphysics* Γ.4. He finds Aristotle's arguments inconclusive, and concludes that 'even if Aristotle's position is correct, much more needs to be said than he provides in Γ.4.' For Code, Aristotle's contribution is to discuss a problem which is still alive, rather than to show how it is to be resolved.

Aristotle, today, is the focus of precisely these competing types of interpretation. But which is correct? Is Aristotle more modern in some areas than in others? Or is it a basic mistake to read Aristotle against the background of our contemporary concerns? While *Aristotle Today* poses these issues in a clear way, it does not succeed in showing which is the way to resolve them (despite the suggestion in the *Preface*).

One focus of debate between these participants is on Aristotle's insistence that teleology (goal-directedness) is required for the full explanation, and correct characterisation, of psychological and biological phenomena. For the functionalist interpreter, goal-directed-

ness must be captured in efficient causal terms (to allow for his favoured characterisation of mental states in these terms). For his contemporary opponent, Aristotle's biology requires a physics, and metaphysics, quite different from our own in which *form* and *goal* are the only, or the basic, *explanantia*. However, in order to adjudicate in this dispute one needs a clearer view of Aristotle's teleology, and of its relation to matter and to efficient causation, than is given in this collection. Only when we have this can we begin seriously to decide between the varying parties.

Nor should we too easily rest content with the assumption, common in this debate, that *either* Aristotle holds one specific modern view *or* else his ideas are 'very alien' to us. Perhaps Aristotle was neither a functionalist nor a panpsychist, for whom all matter is 'pregnant with consciousness.' This would be so if he rejected functionalism on the grounds that teleological factors were irreducible while, at the same time, thinking that psychological states were dependent on material ones which could be characterized independently of life and sentience. In this way, a study of Aristotle would show us that there are versions of non-reductionist physicalism different from those now in fashion, but with their own attractions. Perhaps the study of ancient philosophy can liberate us as philosophers from modern philosophical orthodoxy without resurrecting views of science that were rightly 'junked' in the 17th century.

But does the 'Different-But-Worse' school show that even this ambition is misplaced? I doubt it. Furth's problems with Aristotle's form-based account of animal generation rest on his assumption that if the male is the cause and provides the form, the female must be inert and can make no difference to the outcome. But elsewhere Aristotle's examples of causal action (teaching/learning in *Physics* III.3) do not require that the learner must be inert, or that his aptitudes make no difference to what is learned – even if the teacher is the predominant or triggering contributor. More attention to Aristotle's views of efficient causation is needed to resolve this issue. Similarly, Barnes' discussion of Aristotle's teleology pays too little attention to the question of whether the goals of an organism (survival, reproduction, movement), which fix the nature of its psychological states, can be specified in a world-independent way. But if they cannot, his characterisation of the psychological would be one which threatens to undermine the form of sceptical doubt which Barnes, in post-Cartesian fashion, raises.

In both these cases, it is the systematic nature of Aristotle's thought that makes his views on particular topics elusive and challenging. And this raises important questions of method, brought into even sharper focus by Code's vigorous discussion of Aristotle's defense of the Principle of Non-Contradiction. It is difficult to evaluate Aristo-

tle's contribution here without giving careful attention to his closely connected view of what it is to *believe* a general proposition and to his account (quite different from that of the standard post-Fregean) of the interconnection between 'logical' principles and the metaphysics of substance, essence and accident. But it is on just these points (which Code does not discuss) that we may hope to learn most from a unified characterisation of Aristotle's metaphysics. There may well be limits to what can be achieved in this area by focusing on one or two arguments in isolation, and leaving relevant aspects of Aristotle's general theory (even when they are present in the chapter under discussion) largely off-stage.

Aristotle Today is a lively and well-produced collection in which the contributions are of a generally high standard. But it raises more questions of method and of modernism than it resolves.

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Sterling McMurrin, ed.
Liberty, Equality, and Law.
Salt Lake City, UT: University of Utah Press 1987. Pp. 205.
US $8.95. ISBN 0-87480-271-7.

This volume contains essays by four eminent theorists. Each essay addresses issues of central concern to ethicists.

John Rawls in his 'The Basic Liberties and Their Priority' responds to some of Hart's criticisms (*Columbia Law Review* 79 [1983] 828-46) by (a) explaining more fully 'the grounds upon which the parties in the original position adopt the basic liberties and agree to their priority,' and by (b) offering a criterion by which 'the basic liberties are to be further specified and adjusted to one another as social circumstances are made known' (4). Rawls argues that the original position subjects parties to constraints that express the Reasonable, i.e., that 'all who cooperate must benefit, or share in common burdens, in some appropriate fashion,' and the Rational, i.e., 'each participant's rational advantage' (14). He explains that the criterion by which liberties can be 'specified and adjusted to one another at later stages' is that 'these liberties and their priority are to guarantee equally for all citizens the social conditions essential for the adequate development and the full and informed exercise' of Reasonableness and Rationality (47).

Rawls does not seem to appreciate Hart's point that individuals in the original position whose basic material needs have been met might not give as high a priority to liberty as Rawls believes. He also does not seem to appreciate that in the further specification and adjustment of the basic liberties, individuals might not treat the basic liberties, e.g., of conscience, as he believes.

Charles Fried in his 'Is Liberty Possible?' offers a Kantian argument in which he claims, 'liberty is just the recognition of [the] moral status of [rational] flesh and blood men and women' (95). Fried argues that an individual is owed 'so much of the community's resources that he has a chance to live decently and to make a life for himself – by his own efforts if possible, by the community's aid if those efforts are insufficient' (100).

Once Fried establishes the minimum that individuals are owed by society, he wants to explain more about individuals' rights and duties and turns to the law to do so. He argues that any liberal theory of law 'must allow persons to make agreements and it must enforce those agreements when made.' Further, it must 'establish the boundaries around a person and his property so that incursions across those boundaries constitute compensable wrongs' (111). He then discusses both contract and tort law, offering cogent analyses of why certain views that others have proposed are mistaken.

When Fried talks about liberty, he is talking about a particular kind of negative liberty. He argues, 'coercion and its correlative concept, liberty, define a relation between persons, a relation specified by the principles persons may be taken to adopt to justify the way they treat each other' (96). He admits that this kind of liberty does not entail that one will be able to pursue one's own licit projects. He argues that 'a man's liberty is not threatened – though his welfare may be – by drought, sickness or the prevalence of tigers' (96). Thus, as long as one's freedom is limited by, e.g., non-rational forces, one's liberty will not have been affected.

Amartya Sen in his 'Equality of What?' argues that utilitarian equality, total utility equality and Rawlsian equality all have serious limitations. He argues that there are at least two possible bases for the claim that a certain moral principle has shortcomings. 'One is to check the implications of the principle by taking up particular cases in which the result of employing that principle can be seen in a rather stark way ... The other is to move not from the general to the particular, but from the general to the more general' (139). Sen criticizes utilitarian equality because it will countenance distribution inequities, total utilty equality because it ignores the intensity of needs, and Rawlsian equality because it does not correctly handle certain problems involving needs. He then proposes a new notion, viz.,

Basic Capability Equality, which he believes should be a partial, although not the sole, guide to the moral good.

Sen does not seem to appreciate the utilitarian's claim that, for instance, if one does not approve of the implications of the principle of utility, then one's intuitions, rather than the principle, need revision. For, any combination of notions of equality, including *Basic Capability Equality*, will presumably have both general and specific implications of which some individuals would not approve.

In his 'Ethics, Law and Self Command,' Thomas Schelling discusses cases in which if 'the person could make the final decision about that action at the earlier time, precluding a later change in mind, he would make a different choice from what he knows will be his choice on that later occasion' (167). Schelling points out that it is not as easy to dismiss certain desires, e.g., the desire to smoke cigarettes, as one might believe, especially if there is no true self but rather a collection of two or more selves. He suggests that if 'we accept the idea of two selves of which usually only one is in charge at a time, or two value systems that are alternate rather than subject to simultaneous and integrated scrutiny, "rational decision" has to be replaced with something like collective choice' (178). Schelling's points are well-taken, although he does not explore some of the theoretical difficulties which would (again) surface in the collective-choice model.

In general, each of these essays is interesting and thought-provoking. Each suggests problems which demand analysis and discussion. However, each essay fails to address some of the important issues which it, itself, raises. Of course, it would be unfair to demand that all relevant concerns be discussed. Nonetheless, one might have hoped for more from such deservedly distinguished theorists.

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Toril Moi. ed.
French Feminist Thought: A Reader.
New York: Basil Blackwell 1987. Pp. x+260.
US $14.95. ISBN 0-631-14973-2.

Eight years have now passed since Elaine Marks and Isabelle de Courtivron introduced French feminism to American and British philosophers with their collection, *New French Feminisms*. In those eight years substantial works by Julia Kristeva, Luce Irigaray, Hélène

Cixous, and others, have been translated and published. Issues of journals, colloquia, even whole conferences have been devoted to French feminism. Nevertheless, for many feminists French feminism has remained something of a mystery. There is something there we cannot grasp: an alien way of approaching issues, a style either incomprehensibly poetic or forbiddingly theoretical, a failure to adopt any philosophical methodology we recognize, a lack of attention to familiar feminist issues such as childcare, wages, or affirmative action.

Although Toril Moi's new collection of readings will not finally dispel this lack of understanding it does provide new material with which to explore it. She has chosen a well-balanced selection of pieces, unpublished to date in English, and she has grouped them in sections that isolate main areas of theoretical concern and bring opposing or differing views together for comparison. This in itself will be a great help to a reader who may be reading French feminists for the first time.

Many different kinds of explanations have been given for the disconnection between Continental and British-American feminism. Moi alludes to some of them in her brief – too brief – introduction: French women emphasize theory over practise which leads them into 'acrimonious' debates; the star system of French intellectual life leads to competition and rivalry; instead of identifying a feminist tradition in the mainstream of culture, the French delegate feminine writing to a marginal, inaccessible, avant-garde. As important, however, as these Parisian fashions, is the more general and persistent dislocation between continental thought and the analytic empiricism which continues to dominate much of mainstream Anglo-American philosophy. All of the women in Moi's collection write in the shadow of phenomenology, hermeneutics, structualism, Lacanian psychoanalysis, poststructuralism, deconstruction, post-modernism – currents of thought which have barely stirred the philosophical air on this side of the Atlantic. The result is that neither the problems they address nor the theories which underlie the complex variety of their styles is easily accessible. Part of this is due to the legacy of a reductive positivism that continues to enforce a messianic injunction against any 'metaphysics' not translatable into quantification theory, and to be suspicious of theorizing that does not acknowledge the priority of empirical science in matters of knowledge. The philosopher's role, we have been convinced, must be humble, as a policier and defender of the logic and authority of science or as a careful student of language returning unscientific expressions to their ordinary non-metaphysical uses. How different is the world of French feminists where megatheories of the origin of culture and of mind, of the necessary structures of thought and society, of the demise of the Cartesian sub-

ject, of the deconstruction of Western philosophy, wash broadly and regularly across the intellectual horizon.

Unfortunately, however, much of what is printed in Moi's collection can only be completely understood against this background. The painful dissension that went on between feminist factions described in Anne Tristan and Annie de Pisan's 'Tales from the Woman's Movement' was not only due to a personal power struggle between rival leaders of the women's movement. Whatever the personal failings of Antoinette Fouque, the villain of the piece the way Tristan and de Pisan tell it, her rejection of the liberal feminism of the FMA was grounded in Lacanian theory and revisionary Marxism.

Much of Luce Irigaray's work is a response and a reworking of her Lacanian past. In the provocative selection, 'Sexual Difference' (from her *Ethique de la différence sexuelle*, as yet unpublished in English), where she attempts to move beyond critique of masculinist thought to a re-generation of the very metaphysical-ethical space in which we live, her thinking remains psychoanalytic. The alienation of logic is related to desire; the ontological distance between mind and body is referred to a sterile desire for the union of man's mind with God.

Julia Kristeva's critique of 'Women's Writing' in 'Talking about Polylogue' might seem a slur without an understanding of the role 'écriture féminin' has played in post-structuralist theory of language and an appreciation of Kristeva's distinctive semiotic lingustics. Her argument, developed in blockbluster theoretical works such as *The Revolution in Poetic Language*, is that the semantic structure of the 'signifying chain' isolated as a subject of a linguistic science by Saussure, cannot be escaped without slipping into meaninglessness if not psychosis. Therefore feminist writers who hope to eliminate Lacan's post-Saussurian Law of the Father inscribed in semantic structure with a women's language freed from logical restraints are deluding themselves.

Similarly Le Doeuff's insightful 'Women and Philosophy' analyzes the important dilemma of separatism or reformism with the aid of psychoanalytic concepts of transference and Lacanian 'lack.' Kofman's and Montrelay's articles come from deep within ongoing controversies in psychoanalysis on the nature of femininity.

It is true that there is much of value to be gained from these and other selections in Moi's collection without a background in psychoanalysis, post-structuralism, or critical theory. Elizabeth Badinter's well-researched historical study of 'Maternal Indifference,' raises important questions about male bias; Le Doeuff's sensitive probing of the relations between male professor and female students in 'Women and Philosophy' will hit home for any woman who has been a graduate student in the male academy. Tristan's and Pisan's gripping account of the struggles for leadership in the French feminist

movement is fascinating reading. Annie Leclerc's paean to feminine values and Christine Delphy's worries about the conservativism inherent in any feminine essentialism tap a dilemma all feminists have faced.

Perhaps, however, these writings may also serve another purpose. They may whet our appetite for thought about our situation which goes deeper than logical analysis to question the very sources of logic and linguistic order. They may shake us in our certainty that the philosopher can have no function but to defend the epistemology and ontology of science. They may make us question the pretensions of any theoretical discipline that claims to be independent of human institutions and human desires.

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Spiro Panagiotou. ed.
Justice, Law and Method in Plato and Aristotle.
Edmonton, AB: Academic Printing and Publishing 1987. Pp viii+210.
Cdn $36.95 (cloth: ISBN 0-920980-18-X);
Cdn $18.95 (paper: ISBN 0-920980-20-1).

This volume contains eight papers, the original versions of which were presented at a conference held at McMaster University in November 1985. In addition, four of the papers are followed by brief critiques, which were also first presented at the conference. Seven of the full-length papers are concerned with some political aspect of the Platonic dialogues or of Aristotle's works, though there is no further unifying theme. I found something of value in many of the contributions, and can recommend this collection to all students of Greek political philosophy.

Brian Calvert presents an important challenge to my views in his essay, 'Plato's *Crito* and Richard Kraut.' I take Socrates to accept the views advanced in the speech of the Laws, but Calvert rightly points out that the final lines of the dialogue make room for a different reading. He then goes on to identify certain aspects of the speech that are apparently in conflict with Socratic philosophy: for example, the Laws say that one must never use violence against one's parents, but Calvert thinks that Socrates is committed to doing such violence, if

justice requires it. He suggests that, according to Socrates, it is only moral experts who can be justified in violating the orders of the polis. In response, I can only express my reluctance to believe that Plato intends to present shabby arguments against escape, when he has better arguments in reserve. But the resolution of this problem would require a full treatment of Plato's method.

The next essay, 'Justified Disobedience in the *Crito*?', does end in a way that mildly but genuinely subverts its earlier argument. The author, Spiro Panagiotou, at first holds that 'there is no room for disobedience to law' (49) in this dialogue, but then adds in a final footnote that he has changed his mind. (But see *APEIRON* 20 [1987] 39. [eds.]) Like Calvert, he now wants to distinguish the philosophy of the Laws from that of Socrates. However, there is no reversal in what Panagiotou takes the Laws to be saying: in communities that have legal systems comparable to that of Athens, citizens may freely propose alternative laws, but they must still do whatever the city commands. Panagiotou is right to say, in his final footnote, that, on his reading of the speech of the Laws, Socrates cannot endorse these arguments.

In 'The Speech of Glaucon: On Contract and the Common Good,' R.E. Allen gives a general overview of the defense of justice in Books II-IX of the *Republic*. He takes the argument to depend on the assumption that justice is a kind of proportion (*Gorgias* 508a), and on a distinction between wants and needs. 'Socrates' analysis implies that what we need, in some primary sense, is each other' (60). 'If we are to rely on our fellows, we must aim at their good as well as ... our own' (62). I am not sure what this amounts to, and Allen does not explain how he intends to solve any of the interpretive problems with which other scholars have grappled.

Michael Stokes, in 'Adeimantus in the *Republic*,' gives a novel and admirably detailed analysis of some central passages in Books II and IV. Following the methodology he advocates and practices in his book, *Plato's Socratic Conversations* (Baltimore: John Hopkins University Press 1987), Stokes pays careful attention to character and other dramatic elements. His main contention is that 'the *Republic* is not designed, after Book I, to convince Thrasymachus or indeed anyone who adopts the whole Thrasymachean position' (87). For Plato is building on the assumption that justice is a virtue – an assumption that Adeimantus is willing to concede, but Thrasymachus is not. Whereas other scholars have been concerned about this apparent begging of the question, Stokes urges us to read the *Republic* as a defense of justice that is addressed only to those who are 'already more than half convinced' (87). I am not myself attracted to this highly unorthodox reading, for Book II tells us that *Thrasymachus* gave up too

soon (357b). But the issue is difficult for any interpretation, and Stokes' reading deserves serious consideration.

Kenneth Dorter's 'Justice and Method in the *Statesman*' is primarily concerned with the method of division as it is employed in that dialogue, but his essay also discusses Plato's conception of value. He holds that Plato knowingly uses the method in a dubious way, and then, halfway through the dialogue, abandons it. For the method, as Dorter understands it, is 'value-free' (112), and it therefore cannot give us an understanding of the concept of due measure, which is central to the definition of the statesman. On this reading, Plato takes division to be a merely preparatory skill, like the pre-dialectical sciences recommended in the *Republic*. The difficulties of Dorter's interpretation are effectively presented by David Hitchcock. He points out the method of division is not in itself committed to bisection, and that its applicability to subjects of differing value allows it to recognize that evaluative notions must sometimes be included within definitions. Dorter's reading requires more support than he provides, but his paper will be of interest to anyone working on Plato's methodology.

In 'Aristotle's Forms of Justice,' Ernest Weinrib defends Book V of the *Nicomachean Ethics* against criticisms made by Hans Kelsen. That legal theorist takes Aristotle's account to be empty, since it does not tell us what sort of treatment is due each person. Weinrib is opposed to Kelsen's positivism, and finds in Aristotle a helpful conceptual analysis that provides the foundation for a non-utilitarian conception of justice. My sympathies are with Weinrib, though I think there are elements in Aristotle's conception of justice that are difficult to defend. For example, Aristotle thinks that we should be glad when the evil suffer misfortunes, simply because this is what they deserve. More important, it can be asked whether Aristotle's conception of justice stays too close to ordinary Greek ways of thinking to serve a useful critical role.

In 'Equitable and Equity in Aristotle,' Constantine Georgiadis argues that Aristotle uses the concept of *epieikeia* in two different ways. The equitable person is someone who is not a stickler in the demands he makes on others; but equity is quite a different matter, when it is construed as a judicial device for filling gaps left open by the legislator. Georgiadis gives us a close reading of several of the central texts on this subject, and his paper will be helpful to others working on this topic.

In 'Aristotle's Theory of Equity,' Roger Shiner reviews the dispute between Ronald Dworkin and H.L.A. Hart concerning the existence of gaps in the law, and argues forcefully that we should not take Aristotelian equity to be a remedy for such gaps. Instead, when Aristotle says that the law *elleipei* (1137b26-7), he means that the law *falls short* of justice by putting forward exceptionless rules. The judge must

correct the laws' over-simplifications, rather than speak of matters about which the law has been silent. This is an ingenious and ably-defended proposal.

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Joseph Raz.
The Morality of Freedom.
Don Mills, ON and New York: Oxford University Press 1986. Pp. ix+435.
Cdn $82.50; US $55.00. ISBN 0-19-824772-9.

The recent philosophical debate between liberals and their communitarian critics has produced some illuminating results, but also considerable confusion. Communitarians typically assume that liberals are committed to all of the following theses: (1) atomism: the basic units of normative political theory are individuals with merely external relations; (2) neutrality: governments must not act in any way which will tend to favour some particular conception of the good life; and (3) negative rights: individuals have rights to security against harm or invasion but no positive rights to goods or services.

As contemporary liberals have begun to rethink and reformulate their views these lines of division have been blurred. The appearance of Joseph Raz's book will further accelerate this process. Raz is a self-avowed liberal, and he characterizes *The Morality of Freedom* as 'an essay on the political morality of liberalism' (2). That this advertisement is accurate is clear from the central role he assigns to traditional civil liberties. However, in the course of constructing his political morality Raz explicitly rejects all three of the foregoing theses. For those with a sense of history this will not be surprising; after all, John Stuart Mill has always counted as a paradigmatic liberal despite the fact that he too rejected all three theses. But it does make it harder to decide just what is at stake between liberals and their communitarian opponents.

Working backward from the end, the main elements in Raz's story fit together in the following way. One of the central tenets of liberalism is the harm principle: that the only justifiable reason for coercing someone is to prevent harm to others. The harm principle will uncontroversially ground a menu of negative rights, but it will also support positive rights whenever the services required by such rights

are necessary in order to ensure people the opportunity for a decent life. There goes the negative rights thesis. The case for the harm principle, and for the political freedoms which it entails, is that it will safeguard autonomy, which is a constituent ingredient of the good life. Since governments are obliged to create and maintain the conditions for an autonomous life, they must adopt a substantive view of the good life. Goodbye neutrality. Autonomy in its turn presupposes the existence of social forms of life which enable individuals to structure comprehensive goals. Since autonomy has value only when it is used to pursue valuable options, the existence of these social forms must be treated as a collective good. Farewell atomism.

Those who are familiar with Raz's previous work in legal and political theory will realize that this brief summary could not possibly do justice to the richness and complexity of his argument. It is inadequate both in its oversimplification of Raz's main theme and in its omission of his many collateral subthemes. The main theme is anchored in the account which Raz develops of individual well-being. In this account my well-being is largely (though not entirely) a matter of my success in achieving those of my goals which are independently valuable. Autonomy, in turn, consists of being the (part) author of one's life goals, and thus of one's life. Autonomy is not entailed by the concept of well-being; instead, it is part of a particular ideal of the successful life. What is distinctive about a liberal social order is its acceptance of this perfectionist ideal, and the consequent structure of rights which it erects in order to protect and promote it.

Not every link in this argumentative chain is fully persuasive. To my mind, Raz's conception of individual well-being is a little too achievement-oriented, emphasizing the importance of what we do as opposed to what happens to us. If this is a defect, however, it does not seriously threaten Raz's achievement of his own political goals. While success may not be the whole story concerning well-being it is surely a crucial part of it, and the part most relevant to an adequate treatment of personal autonomy and political freedom. It is in its defence of the value of autonomy that Raz's argument is most disappointing. Basically, it rests on the fact that autonomy is necessary for individual flourishing in any society whose social forms presuppose free choice. The same relativistic vindication could in principle be offered for the value of servility or aggressiveness: in general, we do best to display the traits which are adaptive in our particular social environment. Given the centrality of success and achievement to Raz's conception of well-being, it is surprising that he did not attempt a deeper and more ambitious defence of autonomy as a substantive ideal, one which would stress the intrinsic importance of our authorship of our own projects.

Be this as it may, it is time to remedy the other defect in my summary by mentioning some of Raz's further preoccupations in this dense but rewarding work. Someone with no more than scant interest in liberalism or its prospects could still profitably read *The Morality of Freedom* for its treatment of the nature and justification of political authority, its analysis of rights, its refutation of right-based moralities, its rejection of equality as a fundamental ideal for political morality, its characterization and critique of consequentialism, and its case for the incommensurablity of values. Indeed, there is something here for virtually everyone who has been tracking the main issues in recent Anglo-American moral and political philosophy.

Most of the book's fifteen chapters have been previously published, in one form or another. Where this is the case the original essays have generally been substantially revised. Publication of *The Morality of Freedom* thus has the additional merit of collecting together into one accessible source a considerable portion of Raz's output over the past several years. Since the essays have in many cases been very influential, this last is not the least service the volume does to the scholarly world. Philosophers who have been untouched by the earlier pieces will now have a chance to catch up with them, while those already familiar with them will profit both from their revision and from their integration into a larger whole.

Sometimes, however, it must be confessed that the principles of this integration are a trifle elusive. It is true that every topic which Raz addresses is connected to his main liberal theme, but then that can be said of virtually any topic in contemporary moral/political theory. Occasionally, wearied of working her way through the thicket of argument concerning authority or consequentialism, the reader may well wonder whether she will ever find her way back to the high road. In the end the real common ingredient unifying all of the book's many concerns may just be the fact that they have all been Raz's concerns. If this is so, the book is none the worse for it. On the contrary: its appeal will be enhanced for the casual browser.

There is, indeed, much to be said in this instance in favour of browsing. Those familiar with Raz's style from his earlier essays or books will know that it does not always flow effortlessly onward. Working one's way in a relentlessly linear fashion through over four hundred pages of dense analysis and argumentation is a daunting task. If your interest lies in Raz's cumulative case in favour of liberalism then you may have no alternative to this *modus operandi*. But if your curiosity is limited to one of the book's more local regions then you will still do well to drop in without worrying over much about the larger picture.

In either case, whether you tackle the whole or merely some of its parts, you will be in the company of one of the most acute, inventive,

energetic, and unpredictable minds currently at work in analytic moral and political theory. And if you do choose to bypass the main theme you will miss the most ambitious and effective philosophical defence of political liberalism since Rawls, if not Mill.

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Amartya Sen.
On Ethics and Economics.
New York: Basil Blackwell 1987.
Pp. xiii+131.
US $19.95. ISBN 0-631-15494-9.

This small book, the edited version of three lectures, is mainly addressed to economists, arguing that they neglect the 'ethical considerations that shape human behaviour and judgment' (9) to the detriment of their theories. '[T]he distancing of economics from ethics has impoverished welfare economics, and also weakened the basis of a good deal of descriptive economics' (78).

> There are two central issues that are particularly foundational for economics. First there is the problem of human motivation related to the broadly ethical question, "How should one live?" To emphasize this connection is not the same as asserting that people will always act in ways they will themselves morally defend, but only to recognize that ethical deliberations cannot be totally inconsequential to actual human behaviour. I shall call this "the ethics-related view of motivation."
>
> The second issue concerns the judgment of social achievement. ... Th[e] "ethics-related view of social achievement" cannot stop the evaluation short at some arbitrary point like satisfying "efficiency." the assessment has to be more fully ethical and take a broader view of "the good." (4f.)

The first lecture, 'Economic Behaviour and Moral Sentiments,' criticizes the self-interested conception of rationality used in predictive economics. Since this conception rejects as irrational any departure from self-interest maximization, it is incompatible with the ethics-related view of motivation. Sen notes the implausible move from treating self-interest as rational to declaring it to be uniquely rational and remarks that defenders of the self-interested conception of rationality appeal to no empirical basis for the claim. On the contrary, Sen argues that neglecting non-self-interested motivation has im-

poverished predicative economics. He points to the problem of explaining Japan's market success which is evidently based on 'systematic departure from self-interested behaviour in the direction of duty, loyalty and goodwill' (18). Finally, Sen deflates the myth (based on selective reading) that makes Adam Smith the patron saint of selfishness.

While predictive economics rejects ethics, welfare economics practices it, albeit in an extremely narrow way. Most of Sen's second lecture, 'Economic Judgments and Moral Philosophy,' criticizes the utilitarian criterion of social achievement used in welfare economics, as an extremely limited standard which can be enriched in numerous ways. Some of Sen's best writing describes the methodological asymmetry of predictive and welfare economics. While welfare economics uses the results of positive economics, the ban on non-self-interested motivation blocks any converse influence. 'Welfare economics has been something like an economic equivalent of the 'black hole' – things can get into it, but nothing can escape from it' (29). Further methodological pressures have narrowed the criterion of social evaluation, by rejecting interpersonal comparisons of utility as 'normative.' Sen criticizes this claim:

> If that position [that interpersonal comparisons are meaningless] were accepted, then the statement that person A is happier than B would be nonsensical – *ethical* nonsense just as much as it would be *descriptive* nonsense. I guess it is a reflection of the way ethics tends to be viewed by economists that statements suspected of being "meaningless" or "nonsensical" are promptly taken to be "ethical." The peculiarly narrow view of "meaning" championed by logical positivists – enough to cause disorder in philosophy itself – caused total chaos in welfare economics when it was supplemented by some additional home-grown confusions liberally supplied by economists themselves. Positivist philosophers may have been off beam in taking all ethical propositions to be meaningless, but even they had not suggested that all meaningless propositions were ethical! (30f.)

The criticism brings out the strengths and the weaknesses of this book, both rooted in its brevity. Sen's criticism is pithy and his logical joke is a good one. However, the meaninglessness thesis is explained in a footnote that consists of little more than a list of twenty-six further references.

While the main focus of the book is the loss to economics due to its distance from ethics, the third essay, 'Freedom and Consequences,' turns to the converse claim: ethics suffers from its distance from economics. Sen criticizes the theory of rights as absolute side constraints:

> If person A is violating in a serious way some right of B ... does person C have a duty to help prevent this? Further, would C be justified in doing some minor violation of some other right of person D to help prevent the

more important violation of B's rights by strong-armed A? ... If rights only take the form of constraints ("Do not violate the rights of others"), and the constraints are as they are specified in, say, Nozick's system, then C clearly must not try to help B in this way ... I have tried to argue elsewhere that this type of "general interdependence" calls for internalization of external accounting in a way that is better dealt with by incorporating the value of right fulfilment and the disvalue of right violation in the assessment of resulting states of affairs. The framework of consequential reasoning developed in economics in many different contexts ... provide[s] many insights into pursuing the inescapable problems of interdependence involved in valuing rights in a society. (72f.)

The counter-example is clear and deep. It points directly to the high cost of cutting rights off from all considerations of consequences and reveals Nozick's theory of rights as structurally quite lopsided. Unfortunately, the weaknesses of Sen's book come out in this discussion as well. While the criticism of Nozick can be understood from the text, Sen's sketch of his proposed alternative is incomprehensible (to me, and I have read the papers referred to). In the place of a developed alternative, we are given a pointer to Sen's other writings on the subject. The remarkable fact is that he has written important papers on the subjects of all three lectures. However, this book is neither a summary, nor an introduction, nor even a guide to these papers. There is simply too much there (forty-eight items by Sen in the bibliography of approximately six hundred items) for this slim book (eighty-nine pages of text) to do more than mention many issues and arguments.

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N.E. Simmonds.
Central Issues in Jurisprudence: Justice, Law and Rights.
Agincourt, ON and New York: Methuen 1986. Pp. xi+155.
Cdn $47.00. ISBN 0-421-35110-1.

This book provides a helpful introduction for students to a limited but important set of issues in philosophy of law. The title is perhaps misleading, for the focus is entirely on 'the structure of liberal thought' (vii) as revealed in the work of Rawls, Nozick, Hart and Dworkin. Contemporary natural law (Finnis and Fuller) and utilitarianism are treated only as casting light on this project. Simmonds aims to provide a 'sketch-map' for students, noting that this 'requires that the author should have strong opinions about what goes onto the map' (vi). Instructors will wish to assign this book only if they share those opinions, for it must be read in conjunction with the primary texts it summarises and discusses; there would thus be no room in a course for additional topics.

Simmonds begins by motivating the study of jurisprudence for law students, showing that a naive 'black-letter rule' view fails to capture the way even clear rules are sometimes applied and sometimes not (8). To decide whether to apply a rule to a particular case, it seems that either purposes or underlying principles must come into play; otherwise the result is rule-scepticism. Thus philosophical reflection is needed to determine what the law is, as well as to criticise law. Simmonds seems here to presuppose Dworkin's conception of jurisprudence.

The remainder of the book is organized into three parts. 'Part One: Justice' has separate chapters on utilitarianism, Rawls, Nozick, and Finnis. 'Part Two: Law' has separate chapters on Hart, Dworkin, and Fuller. The third part, 'Rights,' seems an afterthought; it has very short chapters on 'The Analysis of Rights' (Hohfeld and Correlativity) and 'The Foundation of Rights' (returning to the Dworkinian theme of rights as trumps against utilitarian considerations).

The only unhelpful parts of the book are the treatments of rule-utilitarianism. The account of act-utilitarianism is clear enough; it is then subjected to the standard criticism found in Rawls, Nozick, and Dworkin – that it does not take the distinctness of persons seriously and that it can thus make no real sense of individual rights. The response to this criticism, especially within the context of jurisprudential concerns, must come from a rule-utilitarian perspective. But Simmonds' account of rule-utilitarianism (34-6) is inadequate. For instance, no clear distinction is made between conformance and acceptance utility. He does not discuss the work of any particu-

lar rule-utilitarian, providing only a generic version with little to recommend it. An account of Richard Brandt would have helped, but he is not even listed in the 'Selected Reading' for the chapter. Simmonds returns to rule-utilitarianism in the final chapter on 'The Foundation of Rights,' but merely repeats his vague generic version, then easily dismisses it (143-5). An unsophisticated version of rule-utilitarianism is thus pitted against several detailed and nuanced rights theories. This is an uneven contest.

Utilitarianism is seen by Simmonds as sharing the general liberal goal of treating persons as equals, though only insofar as each counts equally in the calculation of utility. Preference utilitarianism also shares liberalism's neutrality regarding competing conceptions of the good (hedonistic utilitarianism, interpreted strictly, is not neutral). But since preference utilitarians do not attach moral significance to the distinctness of persons, Dworkin's distinction between personal preferences and external preferences seems necessary in order to support intuitive judgments against giving any moral weight to preferences based on prejudices such as racism (27-30).

Finnis serves as an example of a theorist with a particular conception of the objectively good life for human beings. Simmonds criticises Finnis as either failing to explain the 'moral importance that attaches to freedom of choice' (70) or implicitly abandoning moral objectivism concerning the good life. Simmonds argues against Finnis' reliance on incommensurability of objective goods, asserting that 'When we are trading life for life (or one life for one hundred) no questions of incommensurability arise' (72). But within the natural law tradition, life is not to be treated as an abstract commodity: to say that life is valuable is only to say that individual lives are each incommensurably valuable, and the distinctness of persons is thus recognized by theorists such as Finnis.

Simmonds does a superb job of articulating the structure of liberalism. He frequently recurs to the fundamental issue of whether liberal thinkers are truly neutral concerning competing conceptions of the good. His account of Rawls and Nozick uncovers the nerve of their dispute (whether treating personal abilities as social resources is consistent with the distinctness of persons). Simmonds explains the dispute between Hart and Dworkin, and offers a fine and subtle reading of Dworkin's jurisprudence of principles and rights, connecting this to the theme of liberalism. Given the intended audience, the occasional connections throughout the book with issues in the interpretation and criticism of specific areas of law are perhaps too brief. However, the clarity of Simmonds' exposition makes this a valuable resource for those seeking to understand the underlying philosophical issues. And Simmonds often makes quick but telling comparisons

of great insight; occasionally, acute critical points undercut Simmonds' prefatory assertion that this work 'will and should be utterly without interest for experts' (vi).

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Tom Sorell.
Hobbes.
Agincourt, ON and New York: Methuen 1986. Pp. xii+163.
Cdn $39.95; US $34.50. ISBN 0-7100-9845-6.

Hobbes' stature among the ranks of the great dead modern philosophers is curious. His influence in succeeding centuries was enormous. Philosophers have been compelled to address his views directly as a challenge or develop them in the direction of a more plausible, because more sophisticated, naturalism. His standing recalls nothing so much as that of the great Presocratics in the story of Greek philosophy. He is pre-eminent in modern times as both quarry and target for more exalted figures. At the same time, recent philosophical interests, in physicalism, in the role of prudence or self-interest in ethics, and in the value for political philosophy of contract theory, could be expected to prompt an altogether more direct attention to the content of Hobbes' work.

Sorell makes no general claim for the quality of Hobbes' contribution to philosophy, seeming uninterested in the odd human pursuit of ranking – so well described by Hobbes himself. Whether Hobbes should be confirmed in or elevated to the Pantheon is not Sorell's concern. First, he insists, let Hobbes speak for himself. His books have plenty to interest the philosophically inclined regardless of the weight of Hobbes' contribution to the history of ideas. Further, Sorell is not over-anxious to place Hobbes as a participant in modern debates at the cost of muddying the clear waters of successful interpretation. These projects can be pursued at leisure by one who has the solid grip on Hobbes' entire philosophical corpus that Sorell seeks to achieve.

Sorell meets this brief in fine style, providing the best available companion to Hobbes' work. He begins by discussing Hobbes' ambition to present a unified study of body, man and civil government. Sorell's claim to originality lies in his emphasis on the relative au-

tonomy within this study of Hobbes' work on ethics. This, though clearly connected with the special sciences of body and man, is claimed to be independent of them – and for good reason. Hobbes wishes his prescriptions for sound government to be convincing – indeed, coercively so (140-4) – to the point of compelling the rational enquirer to assent to the requirement of obedience to strong government. This project could not be successful if it required a degree of knowledge of physics or metaphysics which the populace could not be expected to share.

Sorell's interpretative thesis is sound. The difficulty, however, lies in fixing the boundaries of the autonomous study of government. The study of man embraces a reductivist psychology and an introspective analysis-cum-causal-genealogy of the passions. This latter furnishes the premisses of Hobbes' 'demonstration' that no good can come in the absence of civil government. Men need to learn or think through the destructive effects of the unbridled pursuit of goods and, derivatively, power. Hobbes' philosophy of science, his employment of explanatory models of dissolution and creation, resolution and composition, his emphasis on demonstration proceeding from clear definition and his belief that clear definition proceeds by citing causes, enormously confuses the issues. Sorell is a splendid guide through this methodological nightmare. He points out that these complexities can be exploited to render Hobbes' account of the methods of natural science less absurd than many have believed and, further, to underpin the autonomy thesis. My only quibble with this discussion is that Sorell does not highlight sufficiently Hobbes' clear fixing of the boundaries of ethics in *Leviathan* where he stresses the importance of introspection at that point in psychology where the lack of hard data causes his physicalist programme to peter out in the flag-waving ambiguities of 'endeavours.'

Sorell's discussion of Hobbes' conception of geometry as the science of motion, his exegesis of Hobbes' theory of sensation and the difficulties of his mechanistic concept of mind, his discussion of whether Hobbes distinguished primary and secondary qualities, his pursuit of the weaknesses of Hobbes' rejection of the standard notion of free-will, and his consideration of Hobbes' alleged egoism – all these are models of critical interpretation, to be commended as authoritative.

This is a short book and its brevity is an index of rare qualities. Sorell can be so concise because he thinks and writes with exemplary clarity and penetration. He reads as though he writes with a scalpel, excising verbosity yet preserving a distinctive force and elegance.

It would be a pity to end a review on such a complimentary note! Let me finish with two critical points (or better, pleas for further elaboration). The first concerns Sorell's Hobbes' God. At several places in the argument, and in the Introduction, Sorell's arguments are sup-

ported by adducing Hobbes' use of theological doctrines (e.g., the Fall of man, the consistency of sin and guiltlessness, an equation of salvation and security) which suggests that Hobbes was a sincere, if unorthodox, Christian. This has been doubted by many, not least those of his contemporaries who castigated his atheism. In this context it is important to judge whether Hobbes' use of the Scriptures represents open or *ad hominem* argumentation, justification or mere illustration and elaboration for an audience who were mainly believers.

Finally, and this is a disappointment, Sorell does not explore with sufficient determination the logic of Hobbes' employment of the hypothetical contract/consent mode of argument. One senses that Sorell feels the reading of Hobbes will be confused rather than clarified by comparing his work with modern contractarians, and given the complexities and mysteries of Rawls' work one sympathises. Nonetheless, these issues need to be addressed. Can Hobbes' covenant portray more than perceived congruence between individuals who seek to co-operate? If the covenant is as hypothetical as the condition of nature from which it issues, and if the deliberation of men within it is to be accessible to those who live under government (136-7), what is the force of insisting that parties to the covenant 'create for themselves real unity, where real unity is a cut above consent or concord' (118-9)? Why isn't consent in the sense of mere congruence (the sense that Hobbes employs when he speaks of consent to propositions of geometry or mechanics [47-8]) quite enough to underpin obedience? Of course, thus employed, talk of contract or covenant becomes entirely metaphorical, but the metaphor has a distinctive point if it recalls to potentially rebellious individuals what they already know about the value of peace.

Dudley Knowles
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