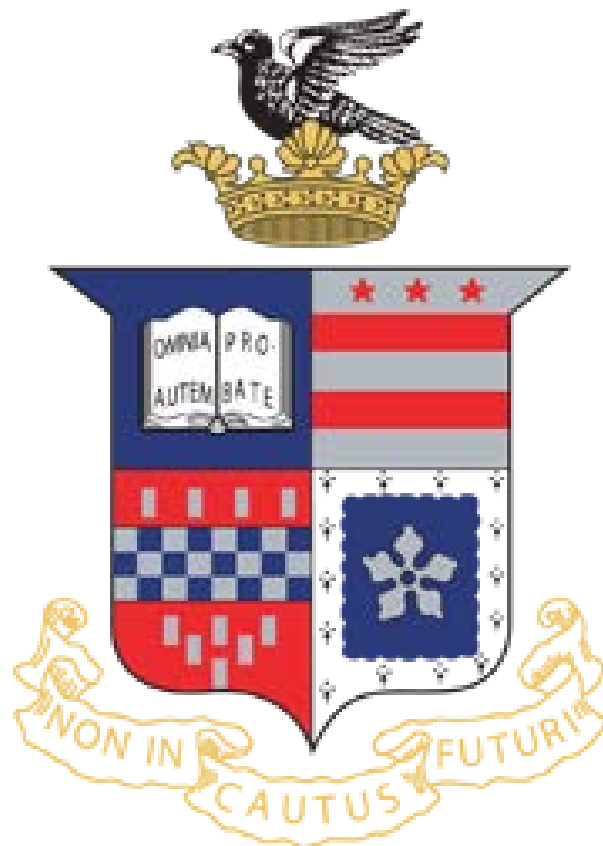


SUMMER SOLDIER, SUNSHINE PATRIOT:

LIBERALISM AND THE CRISIS OF MILITARY SERVICE
IN THE UNITED STATES



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Honors Thesis
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Submitted May 3, 2013

Summer Soldier, Sunshine Patriot

***AN UNDERGRADUATE THESIS SUBMITTED TO THE POLITICS DEPARTMENT
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On my honor, I have neither given nor received any unacknowledged aid on this senior honors thesis. I did receive some help from a number of professors and students. Acknowledgements are on the next page.

A handwritten signature in black ink, appearing to read "Lee S. Brett", with a stylized flourish at the end.

Preface with acknowledgements

This paper is the culminating work of my four years at Washington and Lee University. In many ways it is the product of my entire education, and it is not without tinges of melancholy that I submit my paper for consideration for honors to the Politics Department.

This topic has been very important to me for many years. In 2006, during my sophomore year of high school, I did a statistics project about the number of casualties the United States was sustaining in Iraq. For me, the war was deeply personal: I was then a volunteer at the Raleigh Vet Center, a VA mental health outpatient clinic that specialized in counseling for post-traumatic stress disorder. Sitting at the front desk, I greeted veterans of that war. They were young, some barely older than me. And yet they were so old. Sometimes you could hear them sobbing in the counselors' offices, even over the sound of the white noise machines. But when I presented my project to my high school class – complete with graphs and stories of the thousands killed and wounded – there was no response. I scanned the faces of the twenty-odd classmates, looking for some sort of reaction, some sort of horror. But there was only apathy. It was only a few weeks later that I made the decision to join the United States Marine Corps.

I was tremendously blessed to attend Washington and Lee University, but throughout my college education I could not help but think that I had chosen an easier path. As a student walking past the white columns and green lawns of the Colonnade, I was worlds away from the mud and death and blood of the wars in Iraq and Afghanistan.

I would like to thank many, many people for their help on this thesis. Without them, this thesis would not have been possible. Professor Lucas Morel was one of my readers, but he was also the reason that I decided to major in politics and study political philosophy. Professor Eduardo Velasquez taught me to think about the underlying beliefs in our culture and political system: institutions and laws are important, but they are preceded by dominant narratives and thoughts about who we are as human beings. Dr. Carl Scott was the first professor to teach me about classical liberty, and exposed me for the first time to many of the ideas contained in this thesis. Professor William Connelly was a constant source of patience and assistance: he taught me to have faith in the design of James Madison's America ("James Madison Rules America," after all).

Finally, I would like to thank Professor Angela Smith. I cannot thank Professor Smith enough for her help – she has been an incredible resource as both a professor and an advisor. As my primary reader, she spent countless hours helping to guide and refine my arguments. She was also full of encouragement and kindness, even when I floundered. I dedicate this work to her.

I would also like to dedicate this thesis to Lance Corporal Joshua Overton and Lance Corporal Eric Moreno – two Marines from my high school who served honorably in Afghanistan – and to my father, who above all others exemplified for me the virtue of selfless service to a higher purpose.

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THE CRISIS OF MILITARY SERVICE

"The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman."
 – Thomas Paine, *"The Crisis."*

INTRODUCTION

In January 2007, the *Kansas City Star* published a photograph taken in Iraq by John Moore, a Getty Images photojournalist. The photo depicted a whiteboard in the foreground, with a Marine in the background walking through an open door. On the board, someone had scrawled in blue marker: "America is not at war. The Marine Corps is at war. America is at the mall." The photograph has become iconic in the military community: there is something about that bitter quote that resonates strongly among servicemen and their families. It is not hard to understand why.

The United States has been at war since September 11, 2001. On that unforgettable day, hijackers from the Islamist Al-Qaeda terrorist group seized civilian passenger jets and made them into weapons in their latest salvo against the United States of America. The civilian population of the United States was taken completely by surprise: few people had heard of al-Qaeda or Osama bin Laden. In one horrific day, terrorists murdered 2,973 civilians.¹ The immediate aftermath of the attacks produced an environment of grief, shock, and resolute anger. Americans stood together in a way that they had not for years. Flags adorned every house on every block. Firefighters and police officers couldn't enter a bar or restaurant without someone trying to pay for their food or drinks. There was a common purpose directed against a common enemy. On September 14, George W. Bush stood next to a fireman and delivered an impromptu speech to the rescue workers at the World Trade Center. He spoke into a bullhorn: "I want you all to know that America today is on bended

¹ The 9/11 Commission, "The 9/11 Commission Report," <http://www.9-11comission.gov/report/911report.pdf> (accessed February 11, 2013), 311.

knee in prayer for the people whose lives were lost here...The nation stands with the good people of New York City and New Jersey and Connecticut as we mourn the loss of thousands of our citizens..." As he spoke, several rescue workers in the crowd shouted: "I can't hear you!" Bush turned the bullhorn toward them and roared: "I can hear you!" As the firefighters around him cheered, Bush continued: "I can hear you, the rest of the world hears you, and the people – and the people who knocked these buildings down will hear all of us soon!"²

President Bush made good on that promise to the American people. By October 7, 2001, the American military was on the ground and in the air above Afghanistan. American forces pummeled the Taliban, the Islamist Afghan regime that had harbored Osama bin Laden and al-Qaeda. Less than two years later, American military forces invaded Iraq on the stated grounds that its dictator, Saddam Hussein, possessed weapons of mass destruction and intended to provide them to terrorist groups. Both reasons turned out to be untrue. American forces struggled to provide security in the vacuum of the Baathist regime. Eight years and 4,500 American deaths later, Iraq was stable enough for the military to withdraw. But the war in Afghanistan continued. Bolstered by Pakistani interests and aided by the distraction of Iraq, the Taliban flourished in hiding. They returned to Afghanistan with a vengeance, and made a bloody mess of what had seemed to be a relatively clean and clear-cut victory. At the time of this writing, the United States is nowhere near victory. Nevertheless, President Barack Obama has promised to withdraw almost all military forces – come what may – in 2014.

² George W. Bush, "Bullhorn Address at Ground Zero," American Rhetoric, <http://www.americanrhetoric.com/speeches/gwbush911groundzerobullhorn.htm> (accessed February 11, 2013).

For almost twelve years, American troops have been on the ground engaged in combat operations in shooting wars. And yet, as Marine Lt. Gen. John Kelly noted: “It is a fact that our country today is in a life and death struggle against an evil enemy, but America as a whole is certainly not at war. Not as a country. Not as a people. Today, only a tiny fraction – less than a percent – shoulder the burden of fear and sacrifice, and they shoulder it for the rest of us.”³

This paper is not about politics or military strategy. It is not about international relations or just war theory. This is a paper about America on the sidelines. This is a paper about a nation at the mall, even as a tiny percentage of America stands post in the far-flung outposts of hellish foreign lands. I will begin by describing historical changes in the idea of military service as a moral obligation of American citizenship. Through the lens of history and civil-military relations, I will describe the erosion of this concept and ultimately attribute it to deterioration in the philosophical foundations of citizenship. Specifically, I will argue that the intellectual tradition of liberalism has produced modern tendencies towards extreme individualism, even as another intellectual tradition – classical republicanism – has withered and further diminished the concept of citizenship in wartime. I will do so by criticizing two modern liberal theorists, John Rawls and Michael Walzer, and by tracing the history of classical republican ideas in the United States. Finally, I will argue for a restoration and rejuvenation of republican virtues as a means of addressing the current crisis in our civil-military relations.

I freely admit that my interest in this subject is not purely academic. My opinions are undoubtedly colored by my association with the military and with military families. My

³ Lt. Gen. John Kelly, “Honor and Sacrifice” (Speech to Semper Fi Society, St. Louis, Missouri, November 13, 2010).

sister is married to a military officer; my father served as a military officer, and when I graduate from college I too will serve as a military officer. I explain these things not to gain credibility or to suggest that I speak for the military – I do not. But no idea is born in a vacuum, and it is important to describe the reasons for and the context of my argument here. Nevertheless, I intend to advance the strongest possible philosophical defense of the claims that I will be making in this paper, in order to persuade even those who did not previously regard military service as an obligation of citizenship.

MILITARY SERVICE AS AN OBLIGATION OF CITIZENSHIP

For most of American history, military service in a time of war was simply something that a citizen did in order to fulfill his obligation as a citizen of the United States or of his state. The obligation is rooted ideologically in ancient history: the Roman historian Livy recorded that “public service, in peace as well as in war [was] regularly organized on the basis of property; each man’s contribution could be in proportion to his means.”⁴ Just as Greek and Roman men defended their cities, American men were expected to defend their homes and their country when called upon. For the United States in the eighteenth century, this was a particularly important obligation. Because colonial and early Americans were extraordinarily hostile to professional standing armies – viewing them as sources of coups or the instruments of tyranny – the duty of civil defense in America fell almost exclusively to civilian militias.⁵ As Mackubin Owens explains: “Only [an armed freeholder]

⁴ Livy, *Early History of Rome*, trans. Aubrey de Sélincourt (London: Penguin Books, 1960), 82.

⁵ Russell F. Weigley, “The American Civil-Military Cultural Gap: A Historical Perspective, Colonial Times to the Present,” in *Soldiers and Civilians*, ed. Peter D. Feaver and Richard H. Kohn (Cambridge, MA: MIT Press, 2001), 225.

could be counted on because as a property holder, he had a stake in preserving liberty. It was also his duty to keep and bear arms in defense not only of his property but also of the public liberty.”⁶ The requirement of military service was primarily functional, but it was also rooted in moral considerations of fairness and reciprocity. George Washington wrote: “Every Citizen who enjoys the protection of a free Government, owes not only a proportion of his property, but even of his personal services to the defence [sic] of it, and consequently that the Citizens of America (with a few legal and official exemptions) from 18 to 50 years of age should be borne on the Militia Rolls.”⁷ Even as the republic formed a standing army of its own, historian James Wright notes, “the militia continued to be the institution that represented the obligation that citizens owed to their government and nation.”⁸

Over time, it became clear that militias were inadequate for the purpose of national defense. Militias had their benefits: they were cheaper, presumed to be safer for civil authority, and could be effective in combat when defending their homes.⁹ But they were also an inconsistent source of troops: after the initial surge of volunteers in the early days of war had passed – what historian James Wright terms the *rage militaire* – states were hard-pressed to furnish troops to the national government. Militias also proved unreliable in campaigns not directly involving their homesteads: in the War of 1812, a campaign to crush British forces in Canada ground to a halt when large numbers of American militiamen refused to cross the border.¹⁰

⁶ Mackubin Thomas Owens, *U.S. Civil-Military Relations After 9/11* (London: Bloomsbury Academic, 2011), 130.

⁷ James Wright, *Those Who Have Borne the Battle* (New York: PublicAffairs, 2012), 66-67.

⁸ Wright, 33.

⁹ *Ibid.*, 29-30.

¹⁰ Garry Wills, *James Madison* (New York: Times Books, 2002), 104-105.

By the dawn of the Civil War, the professional army – previously so loathed by the Founders – was well established in American society. Americans came to believe, as even Thomas Jefferson and James Madison did eventually, that “a professional military constituted a *tool* of democracy rather than a *threat* to democracy.”¹¹ Correspondingly, the militia increasingly became a vestige of the past, of marginal importance in the defense of the United States. Still, military service continued to be an understood duty of American citizens during wartime. As James McPherson observes of Civil War soldiers: “Victorians understood duty to be a binding moral obligation involving reciprocity: one had a duty to defend the flag under whose protection one had lived.”¹² While the professional army in peacetime was the subject of “fear and contempt,” in wartime it was flush with young Americans intent on the service of their country.¹³

Of course, joining the military was rarely a decision made purely in the interest of public spirit. As George Washington noted: “Motives of public virtue may for a time...actuate men to the observance of a conduct purely disinterested, but they [are] not of themselves sufficient to produce a preserving conformity to the redefined dictates and obligations of social duty.”¹⁴ Washington believed that public and private interests had to coincide to some extent in order to make men go to war. Patriotism and the *rage militiare* might serve to fire up citizens in the early months or years of the war, but if public action appeared at odds with self-interest then recruitment would be impossible. American political leaders responded to this reality in several ways: they offered the proverbial

¹¹ Wright, 33.

¹² *Ibid.*, 44.

¹³ *Ibid.*, 39.

¹⁴ *Ibid.*, 47.

carrot in the form of enlistment bonuses and steady pay, and they offered the proverbial stick in the form of the draft.¹⁵

The Civil War saw the first conscription authorized in the American republic. Both the Confederacy and the Union implemented conscription: the South started drafting men in 1862, ultimately conscripting about 20 percent of their overall force. The Union, by contrast, had many more volunteers thanks to its larger population and treasury. It drafted only 8 percent of its total army.¹⁶ For the North, conscription was highly controversial. The Union conscription law allowed wealthy citizens to avoid being drafted by hiring a surrogate to fight in their place. Popular working-class anger over this provision boiled over into riots in New York City and Boston in 1863. The Confederacy, on the other hand, made hardly any exceptions to their conscription laws. Like the Union, it also allowed citizens to buy their way to exemption, but the cost was so prohibitive that only the wealthiest Southerners could afford to hire a substitute.¹⁷ Conscription in the Civil War, however, was of secondary importance as a source of fighting men. State governments provided the vast majority of troops in the form of volunteer regiments.¹⁸

The United States' "first comprehensive national draft" was created for World War I, when Congress authorized the Selective Service Act of 1917.¹⁹ The Selective Service Act made very few formal draft exemptions. Clergymen and divinity students were exempt, and local draft boards could make exemptions based on the candidates' health, family situation,

¹⁵ Wright, 31.

¹⁶ *Ibid.*, 45-46.

¹⁷ *Ibid.*

¹⁸ Owens, 131.

¹⁹ Wright, 53.

or employment in a critical war industry.²⁰ About 77 percent of the armed forces deployed in World War I were draftees: of the remaining 23 percent, 10 percent were federalized National Guardsmen, and 13 percent were professional regulars.²¹ The draft institutionalized the ethic of civil obligation in wartime: just as American men were expected to join the militia in time of war, American men were expected to join the professional Army when their draft ticket was picked. Across America, “Draft Registration Day” became an “occasion of national celebration and patriotism.” Draft dodgers were met with scorn, and handcuffs.²²

Throughout the early twentieth century, military service in wartime continued to be an unquestioned duty of citizenship. Three successive presidents attempted to block benefits for veterans of World War I, believing that the mere fulfillment of duty merited no reward. Calvin Coolidge vetoed the Bonus Bill, one such legislative program. He argued: “Patriotism that is bought and paid for is not patriotism.”²³ President Herbert Hoover also blocked legislation designed to reward veterans with benefits, as did Franklin Roosevelt. Roosevelt described military service as a “basic obligation of citizenship” that ought to convey no special benefits.²⁴ This opposition may seem hard-hearted to a modern observer, but the trenchant opposition of Democratic and Republican presidents alike to veterans’ benefits shows that military service in a time of war was considered an honorable – but not superlative – act.

²⁰ Wright, 54.

²¹ *Ibid.*, 53

²² *Ibid.*, 54.

²³ *Ibid.*, 91.

²⁴ *Ibid.*, 94

In 1940, Congress passed the nation's first peacetime draft. After signing the bill into law, Franklin Roosevelt hailed peacetime service as a reflection of the virtues of the citizen soldier.²⁵ The 1940 Selective Service Act was met with overwhelming popular approval. Public opinion was no doubt buoyed by the specter of war in Europe, where Nazi Germany was already at war with France and England. Nevertheless, George Gallup reported that 89 percent of the American people were in favor of the draft in 1940, in comparison with 35 percent the year before.²⁶ Even in the worst moments of the Second World War, support for the draft never dipped below 75 percent.²⁷

Part of the reason the 1940 Selective Service Act enjoyed such popular support was due to its egalitarian nature. Like its predecessor from World War I, the conscription law made few exceptions to the draft. The Roosevelt administration opposed calls from academia to create educational exemptions. The deputy director of the Selective Service administration, Lt. Col. Lewis Hershey, asked: "Is the college student...of more importance than the automobile mechanic or farm laborer who is now working and producing?"²⁸

As George Flynn concludes in a study of Selective Service: "The best and the brightest did not evade service."²⁹ Surely this was in part because there was little opportunity for them to evade service: without educational deferments, wealthy élites could not shelter themselves on college campuses for the duration of the war. But the moral obligations of citizenship also played a role in the service of the American upper classes. The valedictorian of Dartmouth's class of 1942 made sacrifice and duty the focal

²⁵ Wright, 100.

²⁶ *Ibid.*

²⁷ *Ibid.*, 102.

²⁸ *Ibid.*, 101.

²⁹ George Flynn, *The Draft, 1940-1973* (Lawrence, KS: University Press of Kansas, 1993), 86.

point of his graduation speech: “We are not sorry for ourselves. Today we are happy. We have a duty to perform and we are proud to perform it.” The valedictorian was speaking to a receptive audience: an overwhelming 91 percent of his class served in the war. 34 of them – including the valedictorian – died in the course of their service.³⁰ Even the celebrities of the Greatest Generation, as it would later be called, were subject to the draft or voluntarily responded to the call for troops. Celebrities like Ted Williams, Douglas Fairbanks, Jr., Clark Gable, and Jimmy Stewart enlisted in the armed services. Many others – including the president of the New York Stock Exchange – were drafted.³¹ As James Wright notes: “The American public was not supportive of any special treatment for celebrities.”³²

After World War II, Congress passed a second peacetime draft. The Selective Service Act of 1948 mostly maintained the criteria of the 1940 draft. Even in the midst of the “forgotten war” in Korea, American men continued to be drafted. The belief in national shared sacrifice in wartime was reiterated by bipartisan congressional action in July 1950, when Congress approved massive increases in excise, income, and corporate taxes to pay for the costs of the war.³³ Speaker of the House Sam Rayburn concluded: “I think the boys in Korea would appreciate it more if we in this country were to pay our own way instead of leaving it for them to pay when they get back.”³⁴ But even as the draft continued and America shared the financial burdens of war, the conscription system grew increasingly inegalitarian. Most notably, local draft boards began awarding draft-deferred status to college students. In 1951, 891,000 of 1,259,000 college students eligible for the draft had

³⁰ Wright, 108.

³¹ *Ibid.*

³² *Ibid.*

³³ *Ibid.*, 148.

³⁴ *Ibid.*, 149.

received educational deferments.³⁵ Still, the military had no problem filling its ranks with volunteers. George Flynn estimates that the ethos of military service was so ingrained in American civic life that military service was “close to universal through 1958.”³⁶ James Wright, reminiscing on his own childhood, remarks:

When I reflect on this now, I think of how natural it seemed to be in a community of veterans. There was little sense of militarism or of taking pleasure in war. It was simply part of our history, our culture perhaps, and our life...For my culture and my time, joining the military was a natural step.³⁷

Vietnam was the war that destroyed the draft, and was arguably one of the principal causes of the deterioration of the concept of military service as a political obligation. The Selective Service system used in Vietnam drafted fewer men in a year than it had drafted in a month during World War II.³⁸ But conscription in Vietnam – unlike conscription in World War I and World War II – was shockingly inegalitarian. 15 million Americans obtained exemptions or deferments from the draft during the Vietnam War: thanks to widespread student deferrals, middle and upper-class Americans (who could afford college) were able to avoid the jungles of Vietnam in favor of the gentler greenery of the Ivy Leagues.³⁹ Michael Shafer, a historian, concludes: “White, middle-class, better-educated young men managed to avoid military service or to avoid combat in Vietnam if they did serve, while non-white, working-class, less-well-educated men were far more likely to serve and to see

³⁵ Wright, 148.

³⁶ Flynn, 230.

³⁷ Wright, 5.

³⁸ *Ibid.*, 186.

³⁹ *Ibid.*, 187.

combat.”⁴⁰ Among middle class and wealthy Americans seeking to avoid service, malingering and medical fraud were widespread. Americans who could afford personal physicians more easily obtained letters affirming draft-exempting disabilities. Working-class Americans were screened by military doctors, who “generally issued fewer medical deferments.”⁴¹

In “What Did You Do in the Class War, Daddy?” James Fallows wrote about his experience as a Harvard student attempting to get a fraudulent medical exemption from the draft. Published in the October 1975 issue of *The Atlantic*, the essay described busloads full of Harvard and MIT students, chanting “Ho, Ho, Ho Chi Minh/NLF is gonna win” as they rolled towards the military examination facility. Fallows wrote about how “the boys from Cambridge” feigned every sort of behavioral disorder, mental illness, and physical disability in order to avoid conscription. Meanwhile, “the boys from Chelsea,” the “proles of Boston” “walked through the examination lines like so many cattle off to slaughter.”⁴² Fallows’ recollection was not hyperbolic. Historian Michael Shafer concludes: “Coming from South Boston meant being 20 times more likely to die in Vietnam than going to Harvard or M.I.T.”⁴³

The disastrous method of conscription of troops for Vietnam was compounded by the disastrousness of the war itself. The surreal arithmetic of body counts and air strikes, racial and drug problems, and incidents like the massacre at My Lai helped to turn the

⁴⁰ D. Michael Shafer, “The Vietnam-Era Draft: Who Went, Who Didn’t, and Why It Matters,” in *The Legacy: The Vietnam War in the American Imagination*, ed. D. Michael Shafer (Boston: Beacon Press, 1990), 68.

⁴¹ Wright, 188.

⁴² James Fallows, “What Did You Do in the Class War, Daddy?” *Washington Monthly*, October 1975.

⁴³ Shafer, 69.

American public against the war. The men who fought in Vietnam came back to a country that – by some accounts – cursed them as baby killers, drug addicts, and war criminals.⁴⁴ James Wright argues that the prevalence of this reaction has been overinflated in the American popular narrative. In any event, soldiers returning to “The World” from Vietnam had little in the way of a warm welcome. Unlike their fathers, they did not have parades or cheering crowds.

Karl Marlantes, a recipient of the Navy Cross for valor in Vietnam, wrote of the need for a proper homecoming:

Returning veterans don’t need ticker-tape parades or yellow ribbons stretching clear across Texas. Cheering is inappropriate and immature. Combat veterans, more than anyone else, know how much pain and evil have been wrought...Veterans just need to be received back into their community, reintegrated with those they love, and thanked by the people who sent them...The returning warrior needs to heal more than his mind and body. He needs to heal his soul.⁴⁵

In the absence of a proper homecoming, the experience of military service was bitter for many. The end of the Vietnam War gave rise to a new, all-volunteer force. Slowly and painstakingly, the armed forces regained their prestige in the public eye. Military leadership dealt effectively with racial and drug problems in the ranks after Vietnam. They also carried out successful campaigns in Panama, Grenada, and in the Persian Gulf.⁴⁶ The all-volunteer military carried out new missions in the 1990s, including peacekeeping, humanitarian operations, and counter-narcotic operations. For the most part, however, the military – and American political leadership – remained leery of prolonged ground

⁴⁴ Wright, 203.

⁴⁵ Karl Marlantes, *What It Is Like to Go To War* (New York: Grove Press, 2012), 195-196.

⁴⁶ Paul Gronke and Peter Feaver, “Uncertain Confidence: Civilian and Military Attitudes About Civil-Military Relations,” in *Soldiers and Civilians*, ed. Peter Feaver and Richard Kohn (Cambridge, MA: MIT Press, 2001), 133.

conflicts. The phenomenon became known as “Vietnam syndrome.”⁴⁷ But by 2003, the United States was fully involved in two major ground conflicts in Iraq and Afghanistan. The American political establishment quickly made it clear that there would be no conscription in the global war on terrorism. This decision was made without controversy from either political party.⁴⁸ As a result, the burden of the war on terrorism fell exclusively on professional armed forces, an army of volunteers. The civic repercussions of this decision have been enormous.

In the thirty years between Vietnam and 9/11, the United States military grew increasingly unrepresentative of the people that it defended. Military officers became worryingly polarized in their political views. In 1976, 33 percent of the country’s military leaders identified themselves as Republicans. By 1996, that figure was 67 percent.⁴⁹ At the same time, the military reflected impatience and frustration with civilian leadership. In 1996, 65.8 percent of military officers believed that the civilian leadership was either “somewhat ignorant” or “very ignorant” about the military. Ole Holsti, a civil-military relations scholar, notes: “Huge majorities of military respondents – both active-duty officers and reservists – expressed considerable distaste for many features of contemporary American culture and institutions.”⁵⁰ This distaste of American politics and culture threatens eventually to breed contempt for civilian authority. It is exactly what the Founding generation feared: a standing army, gradually becoming more hostile to civilian control, with its own identity, interests and agendas. However, the risk of a military coup in

⁴⁷ Weigley, 238.

⁴⁸ Wright, 243.

⁴⁹ Ole Holsti, “Of Chasms and Convergences: Attitudes and Beliefs of Civilians and Military Elites at the Start of a New Millennium,” in *Soldiers and Civilians*, ed. Peter Feaver and Richard Kohn (Cambridge, MA: MIT Press, 2001), 27.

⁵⁰ Holsti, 94.

the United States remains improbable at best in the present day. The armed forces remain overwhelmingly supportive of constitutional dominance of military affairs by civilians.⁵¹

The greater problem posed by the current state of civil-military affairs is the problem of citizenship. The rise of the all-volunteer force in response to Vietnam has produced an ethos of “patriotism lite,” as Charles Moskos calls it.⁵² After Vietnam, Americans no longer believed that service in wartime was a moral imperative, or (to use Roosevelt’s words) “a basic obligation of citizenship.” Instead, they regarded it as a mere personal choice. The American people grew increasingly detached from the affairs of the men and women who guarded them as they slept.

In World War II, almost 9 percent of the American population served in the military. Over 2 percent served in the Korean War. About the same proportion served in Vietnam. By contrast, less than half a percent of the American population served in the decade-long war on terror.⁵³ To put those numbers in perspective, there were four times as many Americans serving in Korea and Vietnam relative to population as in the war on terrorism. There were eighteen times as many Americans serving in World War II. Not surprisingly, civilian leadership grew to reflect this growing unfamiliarity with the military. In 1969, more than 90 percent of the members of Congress who had been eligible for service in World War II and Korea served in the armed forces. But as William Bianco and Jamie Markham conclude: “Veterans in Congress who came of age during Vietnam or afterward

⁵¹ Weigley, 220-224.

⁵² Owens, 129.

⁵³ Pew Research Center, “War and Sacrifice in the Post 9/11 Era,” Pew Social and Demographic Trends, <http://www.pewsocialtrends.org/2011/10/05/war-and-sacrifice-in-the-post-911-era/> (accessed September 20, 2012), 8.

substantially under-represent their population cohorts.”⁵⁴ They attribute the lack of veterans in Congress to the end of the draft:

Absent universal conscription...individuals with high educational levels and high socio-economic status, who are disproportionately more likely to serve as congressional candidates, are less likely to serve in the military compared to individuals who are less educated and of a lower socio-economic status.⁵⁵

Congress’ lack of military experience is indicative of a more general modern trend among the upper classes of the United States. As Frank Schaeffer and Kathy Roth-Douquet point out, the American elite increasingly regards military service as someone else’s job. They recount Marine Staff Sergeant Jason Rivera’s tale from his days recruiting in Pittsburgh. The staff sergeant went to an interested student’s house to talk to him about serving in the Marine Corps:

Two American flags flew in the yard. The mother greeted the recruiter wearing an American flag T-shirt. “I want you to know we support you,” she gushed. But, explained, as she sent him away, “Military service isn’t for our kind of people.”⁵⁶

As the public and the political establishment have come to believe that military service is a matter of personal choice, they have developed a facile concept of “heroic” service. The American people are so detached from the realities of military service that all service seems alike to them. A military electrician who spent his entire tour safely behind miles of bombproof barriers at Bagram Air Force base can come home and be called “hero,” just the same as a Silver Star recipient who has braved enemy fire in order to recover the body of a fallen comrade.

⁵⁴ William Bianco and Jamie Markham, “Vanishing Veterans: The Decline of Military Experience in the U.S. Congress,” in *Soldiers and Civilians*, ed. Peter Feaver and Richard Kohn (Cambridge, MA: MIT Press, 2001), 281.

⁵⁵ Bianco and Markham, 283.

⁵⁶ Kathy Roth-Douquet and Frank Schaeffer, *AWOL: The Unexcused Absence of America’s Upper Classes from the Military* (New York: HarperCollins, 2006), 39.

While hero-worship is certainly a better welcome than the one received by Vietnam veterans, it disguises a certain insecurity on the part of American citizens. By suggesting that military service is something above-and-beyond the call of ordinary duty, Americans convince themselves that it is acceptable and normal not to serve. “I could never do what they do,” they say. But of course any able-bodied citizen *could* do what soldiers do; they simply chose not to.

American support for the troops is vocal, but it is not deep or meaningful. As Secretary of Defense Robert Gates said in 2010: “Whatever their fond sentiments for men and women in uniform, for most Americans the wars remain an abstraction. A distant and unpleasant series of news items that does not affect them personally...for a growing number of Americans, service in the military, no matter how laudable, has become something for other people to do.”⁵⁷ Places like Marjah, Fallujah, and Sangin – some of the sites of the fiercest fighting in recent American history – have no hold on the American consciousness. While 83 percent of the American public believed that the military and military families had made great sacrifices after 9/11, 74 percent believed that there was nothing unfair about those sacrifices. The common reaction from civilians was: “It’s just part of being in the military.”⁵⁸ One of the most telling questions in the Pew Center’s survey of post-9/11 civil military relations asked Americans if they would encourage a young person to join the military. Only 48 percent said that they would.⁵⁹ By contrast, 91 percent claimed to be proud of soldiers.⁶⁰

⁵⁷ Robert Gates, “The All-Volunteer Force” (Speech at Duke University, Durham, NC, September 29, 2010).

⁵⁸ Pew Research Center, 9.

⁵⁹ Pew Research Center, 60.

⁶⁰ *Ibid.*, 13.

There is something deeply troubling, and highly unjust about the state of civil-military affairs in the United States. For over ten years, soldiers, Marines, airmen, and sailors have made tremendous sacrifices in the service of the country. 84 percent of the men and women who joined after 9/11 have been deployed – 38 percent have been deployed three or more times.⁶¹ 6200 Americans have died in Iraq and Afghanistan, and 46,000 have been physically wounded.⁶² As of March 2010, 178,876 Americans had been diagnosed with traumatic brain injuries – mostly from the concussion waves of bomb blasts. The same year, another report indicated that there were 88,719 diagnosed cases of post-traumatic stress disorder.⁶³ These statistics barely hint at the magnitude of suffering and sacrifice borne by less than half a percent of the population. War has social as well as physical costs. Broken marriages and economic hardship are commonplace among military families. 48 percent of veterans reported strain in their family relations. 44 percent reported problems re-entering civilian life, and 37 percent reported experiencing post-traumatic stress.⁶⁴

In this section, I have traced the concept of wartime service as an obligation of citizenship throughout American history. In colonial times, the militia represented the ethos of the citizen soldier, who took up arms when the enemy was at the gates. As the militia outlived its practical usefulness, the ethos of the citizen-soldier remained present in the professional armed forces. American forces in peacetime were small, but patriotism and conscription swelled their ranks in wartime. But after the horror of Vietnam, the United States began to reflect a new concept of citizenship that lacked an element of service

⁶¹ Pew Research Center, 15.

⁶² *Ibid.*, 9.

⁶³ Wright, 250.

⁶⁴ Pew Research Center, 7-8.

or shared sacrifice in times of war. Even as the United States began major ground wars in Iraq and Afghanistan, less than half of one percent of citizens served in the armed forces. That tiny fraction of the population has borne the sacrifices of an entire nation, and has suffered mightily in silence and isolation.

The quick answer to the question of why our national concept of citizenship has been so drastically altered is to blame Vietnam. It is true, certainly, that Vietnam and the associated disasters of Watergate and the Pentagon Papers did much to harm public trust and the concept of civic duty. But in the next section I will argue that there is a much greater force at work in the current of ideas that underlies our political community: I will argue that the intellectual tradition of liberalism has produced an extreme individualism that is hostile to civic participation or any other sort of unselfish action. It is an ideological tendency that, left unchecked, threatens the very existence of democratic civil society.

LIBERALISM AND THE PROBLEM OF CITIZENSHIP

“You know what we’ve lost, William? We’ve lost a sense of responsibility, at least on the individual level. We have too many people...who believe that the government owes them total, undisciplined freedom. If everyone thought that way, there would be no society. We’re so big, so strong now, that people seem to have forgotten that a part of our strength comes from each person surrendering a portion of his individual urges to the common good. And the common good is defined by who wins at the polls, and the policies they make. Like it or lump it.” – James Webb, Fields of Fire

“Liberalism” is a difficult word to define – not because it lacks meaning, but because it has many meanings in the American democratic lexicon. Like “freedom,” “liberty,” or “equality,” the concept of liberalism is often muddled by its association with myriad political objects and goals. Many modern readers, for example, associate *liberal* with the political principles of the Democratic Party. Since I have stated my intent to argue that liberalism poses a threat to civil-military relations and political society at large, it is important to clarify liberalism’s definition. Liberalism is not any one idea, but rather an entire range of ideas born from a rationalist and universal perspective characterized by tolerance, justice, and individual rights. It is the intellectual offspring of the Enlightenment, which embraced reason and critical thinking. The central focus of liberal political philosophies is the individual, and the central role of liberal government is the protection of individual rights. As a result, liberal concepts of civil society emphasize limits on the power and right of society to coerce or influence its constituents.

For most of modern history – from the Enlightenment to the Cold War – John Locke’s concept of civil society was one of the most influential accounts of the formation of civil society and the purpose of government. Locke imagined human beings in the “state of nature,” a pre-political environment willingly abandoned by its members in favor of a state

better equipped to protect everyone's "natural rights" to life, liberty, and property.⁶⁵ Once people left the state of nature, they were bound to the dictates of law and society.

The protection of life and property are readily understandable concepts. The government has police officers, prosecutors, and judges whose job it is to prevent or punish the destruction of life or private possessions. But it is more difficult to understand what Locke meant when he wrote that government existed to protect the natural right to "liberty." For modern liberal philosophers, liberty is understood as a negative freedom, or protection from outside interference. As Michael Sandel summarizes: "[Liberalism's] core thesis is this: a just society seeks not to promote any particular ends, but enables its citizens to pursue their own ends, consistent with a similar liberty for all; it therefore must govern by principles that do not presuppose any particular conception of the good."⁶⁶ A liberal state rejects the idea of a teleological purpose or end: true to its individualist perspective, it embraces the "priority of the right over the good," assuming that "refusal to choose in advance among competing purposes and ends" is the right.⁶⁷ In other words, people should be free to choose for themselves what is good, and the State should protect their ability to do so, as well as their lives and possessions.

Having just clarified the definition of liberalism for the purposes of this paper, I will now move on to a criticism of liberalism. But I do not mean to overstate or overextend my criticism: in many ways, the intellectual tradition of liberalism has been of tremendous value to the world. Liberalism was born from the womb of reason and free inquiry. It

⁶⁵ John Locke, *Second Treatise of Government*, ed. C.B. Macpherson (Indianapolis: Hackett Publishing Company, 1980), 46.

⁶⁶ Michael Sandel, "The Procedural Republic and the Unencumbered Self," *Political Theory* 12, no. 1 (Feb. 1984), <http://www.jstor.org/stable/191382> (accessed November 15, 2012), 82.

⁶⁷ Sandel, 82.

rejected the barbarism of European regimes that treated their subjects like cannon fodder, or mere pawns to be manipulated in the hands of princes and popes. Liberal political societies insisted, admirably, that “individual rights cannot be sacrificed for the sake of the general good.”⁶⁸ Indeed, the American republic might not exist without the liberal tradition: the Founding Fathers justified the Revolution by arguing that Great Britain was failing to protect the natural rights of the American colonists. Nevertheless, in this section, I intend to argue that liberalism can pose major problems for civil society and especially for democratic regimes that depend on the participation of their citizens. This is because liberalism – especially in the context of war – fails to generate compelling political obligations. First I will examine the paradox of liberalism and military service. I will then describe and critique two of the most influential liberal theories of political obligation, and outline how they fail to generate compelling bonds in wartime. By scrutinizing the work of John Rawls and Michael Walzer, two philosophers who are representative of modern liberal thinking on political obligation, I intend to show that the influence of liberalism is a major underlying cause of the changed notion of citizenship that I described in the first section.

THE PARADOX OF LIBERALISM AND MILITARY SERVICE

As April Carter observes: “Liberal political theory has tended to ignore the question of citizen’s obligation to engage in military service to defend the state.”⁶⁹ This is not surprising: because individuals are the fundamental actors in a liberal state, much of liberal

⁶⁸ Sandel, 82.

⁶⁹ April Carter, “Liberalism and the Obligation to Military Service,” *Political Studies* 46, no. 1 (March 1998): 68.

political philosophy concentrates on individual claims against the state, instead of the state's claims on individuals. It has long been known that liberalism may have trouble accounting for an obligation to military service: even in the Enlightenment, liberal political philosophers appeared to recognize the problem. Thomas Hobbes, one of the Enlightenment's most famous early liberal political philosophers, argues that the state's most important function – and its essential purpose – is the protection of individual life. Despite this, Hobbes oddly insists that citizens take up arms when the state is imperiled.⁷⁰ Michael Walzer points out the bizarre inconsistency of Hobbes' position: "The very existence of the state seems to require some limit upon the right of self-preservation, and yet the state is nothing more than an instrument designed to fulfill that right."⁷¹ Hobbes' contradictory argument is present in one form or another in many liberal theories of political obligation, particularly those that insist that the social contract exists for the protection of "natural rights" to life, liberty, and property. This, obviously, is problematic in situations where the state calls for its citizens to risk death or injury on its behalf. As Hegel observes: "[For citizens] to expose themselves to the danger of death would be to do something ridiculous, since the means, death, would forthwith annul the end, property and enjoyment."⁷²

Over time, "social contract" theories like those advanced by Locke and Hobbes came under increasing attack in the academy. This was largely unrelated to the problem of military service in its particularity. Instead, social contract theories fell out of favor due to the problem of consent. According to social contract theories, people had to willingly

⁷⁰ Michael Walzer, *Obligations* (Cambridge, MA: Harvard University Press, 1970), 82-85.

⁷¹ Walzer, 87.

⁷² *Ibid.*, 89.

surrender some of their rights to the state in order to receive its protections, and become bound to its law. To borrow Michael Walzer's formulation, social contract theories posited a correspondent relationship between consent – "I have consented" – and obligation – "I am committed."⁷³ But philosophers gradually started to point out that there was no clear consent on the part of *anyone* in political society – especially as society grew larger and individual citizens grew more alienated from participation in politics. In the absence of consent, according to the traditional liberal formulation of the "social contract," there could be no corresponding obligations to the state.

Two contemporary philosophers have attempted to meaningfully answer the problem of political obligation. I will describe John Rawls' theory of justice, which has been hugely influential in academia. I will also describe Michael Walzer's modified consent theory, which seems to be more representative of general popular sentiments regarding political obligation. However, I will argue that both contemporary liberal theories still have serious problems when it comes to military service and the problem of political obligation, and ultimately fail to generate compelling obligations for their citizens.

THE RAWLESIAN ARGUMENT FOR POLITICAL OBLIGATION

In 1971, John Rawls furnished an alternative answer to the problem of political obligation in the liberal tradition. Rawls abandons the traditional concept of the state as a voluntary compact existing for the protection of individual rights. Instead, Rawls attempts to protect both the sanctity of individuals and the moral foundation of political society by

⁷³ Walzer, x.

envisioning a political system based on the moral principle of justice.⁷⁴ Rawls assumes that political society is “a system of cooperation for mutual advantage,” where justice is the governing principle that determines *how* people should cooperate in order to benefit everyone. This, obviously, raises the question of what justice is. According to Rawls, that question can best be answered by envisioning a hypothetical scenario (the “original position”) in which all parties are placed behind a “veil of ignorance.” The “veil of ignorance” makes all parties equal by temporarily depriving everyone of knowledge regarding their own situation. As Rawls argues: “The parties must not know the contingencies that set them in opposition. They must choose principles the consequences of which they are prepared to live with whatever generation they turn out to belong to.”⁷⁵ The parties in the original position do not know if they are rich or poor, healthy or sick. No one knows what their arbitrary advantages and disadvantages are in life: social class, fortune, strength, intelligence, attractiveness, and other personal attributes that might unduly prejudice their moral calculus are all obscured by the “veil of ignorance.”⁷⁶ Rawls argues that the set of principles that people would hypothetically agree to in the original position emerge as the best principles of justice. He believes that the parties in the original position would agree on two fundamental principles of justice: first, everyone is entitled to as many basic rights as are compatible with a similar range of rights for others, and second, “social and economic inequalities are to be arranged so that they are both a) reasonably expected to be to everyone’s advantage and b) attached to positions and offices open to

⁷⁴ John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 3.

⁷⁵ Rawls, 119.

⁷⁶ *Ibid.*, 121.

all.”⁷⁷ These principles have far-reaching consequences for political philosophy. In the context of political obligation, Rawlesian theory redefines the role of the state as the protection of justice, partially accomplished through the establishment of just institutions.

Rawls’ philosophy generates two main types of political obligations on the part of individual citizens. First, individual citizens have certain “natural duties.” Rawls claims that there are many natural duties, but declines to enumerate them all. He does, however, assert that these would be natural duties agreed to by parties in the original position. Among these natural duties, the most important is the duty to support and further just (or “nearly just”) institutions. As a result, citizens must obey the laws of and participate in a society with a “reasonably just” system. Citizens must also assist to establish just institutions if they do not exist.⁷⁸

Rawls also describes a second set of duties that can arise for citizens, which he calls “natural obligations” generated by the “principle of fair play.” Echoing an argument by H.L.A. Hart, Rawls claims: “When a number of persons engage in a mutually advantageous cooperative venture according to certain rules and thus voluntarily restrict their liberty, those who have submitted to these restrictions have a right to similar acquiescence on the part of those who have benefitted from their submission.”⁷⁹ In other words, if a citizen voluntarily accepts the benefits of a cooperative scheme, he has incurred a moral obligation – rooted in fairness – to contribute to that scheme.

Rawls’ theory of justice appears to neatly avoid the traditional liberal problem of consent while remaining respectful of individual rights, thereby placing Rawls’ theory

⁷⁷ Rawls, 53.

⁷⁸ *Ibid.*, 293-294.

⁷⁹ *Ibid.*, 301. See also H.L.A. Hart’s “Are There Any Natural Rights?”

squarely within the liberal tradition. Rawls' theory also initially seems capable of generating the obligations necessary to sustain political society. It does this by rejecting the condition of individual consent. Regardless of whether or not a person *agrees* to be in a given political society and conform to its laws, if the basic structure of society is just, or relatively just (Rawls admits the near-impossibility of perfection), then "everyone has a natural duty to do what is required of him."⁸⁰ A person might also have natural obligations rooted in fair play considerations if he or she has benefitted from some arrangement to which other people had to sacrifice or contribute.

In terms of military service, there are at least two Rawlesian arguments for fighting in the armed forces during a war. First, the natural duty to support just institutions could arguably compel a citizen to defend his country in a time of war. If I, as a citizen, live in a political system whose *basic structure* is just or reasonably just, then I must protect it from harm by serving in the military when there is a war. This natural duty could extend even to non-defensive wars: since I must comply with the laws of a just institution, it may be required of me to serve in some capacity in a foreign war.⁸¹ Not surprisingly, Rawls suggests that conscription might be morally permissible, provided that the war for which troops are being raised is waged with the intent of preserving just institutions: "Citizens agree to this arrangement as a fair way of sharing in the burdens of national defense."⁸²

⁸⁰ Rawls, 293-294.

⁸¹ Rawls actually does not himself endorse this implication of his theory: he argues in a different section that individuals may refuse to participate in any war not related to self-defense. See Rawls, 334. However, he also suggests that the "defense of liberty...not only the liberties of the citizens of the society in question, but also those of persons in other societies as well" (334). This would seem to leave open the possibility that a war to protect others' just institutions might fairly require conscription under Rawls' theory.

⁸² Rawls, 334.

The second Rawlesian argument for military service as an obligation of citizenship applies fair-play considerations. In this scenario, we must conceive of the country as a cooperative venture. Since I benefit from the safety provided by the sacrifices of servicemen, it is my “natural duty” to contribute to national defense as well. To many people, Rawls’ theory of justice seems to have satisfactorily resolved many of the problems apparent in liberal social contract theories. Indeed, today John Rawls is considered one of the most important and influential political philosophers. However, upon closer scrutiny there are a number of major problems with Rawlesian justice as the foundation of political obligation.

Rawls’ most famous critic is Robert Nozick, who responds to *A Theory of Justice* with his own liberal magnum opus, *Anarchy, State, and Utopia*. Nozick’s main attack centers on Rawls’ argument that consent is not required in generating obligations. He raises the example of a neighborhood public address system, in which people take turns as DJ, providing entertainment, news, and the like. What if, Nozick asks, there is a person who does benefit from the existence of the system, but who would not have originally chosen to implement the system in the first place or does not (given a choice) wish to contribute? Nozick writes: “You *have* benefitted from it, occasionally opening your window to listen, enjoying some music or chuckling at someone’s funny story. The other people *have* put themselves out. But must you answer the call when it is your turn to do so? As it stands, surely not.”⁸³ Nozick’s assertion is that no one can create obligations for an individual that the individual has not voluntarily accepted: “One cannot, whatever one’s purposes, just act so as to give people benefits and then demand (or seize) payment. Nor can a group of

⁸³ Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 93.

persons do this.”⁸⁴ Nozick concludes that the principle of fairness is “objectionable and unacceptable.”⁸⁵ Surely, Nozick argues, there are myriad benefits incurred involuntarily which should not come with attendant obligations. He describes another example of a man walking across a street. The neighbors sometimes sweep the street to make it look nicer, and therefore the man benefits from the improved aesthetic appearance of his neighborhood. Nozick asks wryly: “Must you imagine dirt as you cross the street, so as not to benefit as a free rider?”⁸⁶ His point is that there may be innumerable “cooperative ventures” in the vicinity of an ordinary citizen, all of which, according to Rawls, might involuntarily oblige the hapless citizen to contribute. Nozick’s argument is blistering, but philosophers sympathetic to Rawls have tried to rehabilitate the concept of obligations from fairness by differentiating between simply *receiving* benefits, which would not generate obligations under fair play considerations, and *accepting* benefits, which requires some positive act in order to generate obligations.⁸⁷ This, to some extent, addresses Nozick’s most effective objection to Rawls’ fair play argument.

However, other liberal philosophers have identified several major problems with the Rawlesian concept of political obligation. A. John Simmons, a political philosopher at the University of Virginia, points out that Rawlesian considerations of fair play make no distinction between moral or immoral cooperative schemes. Theoretically, a person could

⁸⁴ Nozick, 95.

⁸⁵ *Ibid.*, 93.

⁸⁶ *Ibid.*, 94.

⁸⁷ George Klosko, “The Principle of Fairness and Political Obligation,” *Ethics* 97, no. 2 (Jan. 1987), <http://www.jstor.org/stable/2381353> (accessed October 20, 2012), 354.

be bound to a criminal conspiracy by receiving benefits from its existence.⁸⁸ Simmons also raises the argument that natural obligations may actually be nothing more than obligations incurred by consent: in other words, Rawls' theory as it applies to obligation may be little more than a complicated social contract or consent theory. This is because the most philosophically defensible form of Rawls' argument requires a person to *accept* rather than merely *receive* benefits in order to become bound by obligations. But in the positive action of accepting, it may be that people are simply *consenting* to a social contract of sorts, thereby incurring obligations. The principle of fair play, as Simmons notes, may "[collapse] into a principle of consent."⁸⁹

When Simmons suggests that the principle of fair play is actually a principle of consent, he is playing devil's advocate: Simmons is in fact generally supportive of Rawls. Trying to rehabilitate Rawls' principle of fair play, he gives the example of a man who does not want to participate in his neighborhood's initiative to dig a well. The man refuses to contribute, but his neighbors build the well anyway. The man gets water from the well. Simmons argues: "Having accepted the scheme, he has an obligation to do his part within it. But he certainly does not seem to have *consented* to the scheme."⁹⁰ Simmons appears to require that consent be both prior and explicit in nature in order to generate obligations. But it certainly seems that the man has in fact tacitly consented to the scheme after the well was built by drawing water from it. And it seems ridiculous to imagine the man walking up to the well in broad daylight, filling his bucket to the brim while his nonplussed neighbors

⁸⁸ A. John Simmons, "The Principle of Fair Play," *Philosophy and Public Affairs* 8, no. 4 (Summer 1979), <http://www.jstor.org/stable/2265067> (accessed October 18, 2012), 313-314.

⁸⁹ Simmons, 323.

⁹⁰ *Ibid.*, 326.

look on. It is much easier to imagine the man stealing over in the dead of night, avoiding the accusing gazes of his compatriots, and lowering his bucket into the well without a splash. This is because there *is* in fact something wrong with the man's enjoying a benefit that he refused to support previously: common sense says that the man is a hypocrite. Simmons' distinction between consent before the fact and consent after the fact seems irrelevant – and if that is the case, then the fairness principle may be a complicated variant of the principle of consent after all.

Simmons levels a more serious criticism when he argues that Rawlesian fair play considerations cannot create a general account of political obligation. In other words, the people of a country (or the members of a political community) cannot be considered obligated to the laws according to Rawlesian fair play considerations, because most people appear to passively *receive* rather than actively *accept* benefits. In addition, he argues, many people do not conceive of civil society as a cooperative venture but rather a transactional relationship between government and citizens (e.g. I pay taxes, so I receive the benefits of roads and national security).⁹¹ Simmons' objection to Rawls' theory as a general account of political obligations seems oddly similar to the criticism directed against social contract theories, which holds that there can be no political obligation where there is no clear consent on the part of the governed.

Simmons and Nozick both criticize Rawls and have serious doubts about his theory's ability to generate moral obligations. While their arguments focus on different aspects of Rawls' work, they are both firmly entrenched in and loyal to the liberal tradition. However, another philosopher, Michael Sandel, argues that Rawls' theory – and indeed liberalism in

⁹¹ Simmons, 334-336.

general – is based on an erroneous conception of human beings and human nature.

Sandel's argument strikes at the very heart of liberalism, and identifies some of the major problems inherent in liberal political philosophy.

Sandel argues that liberal thinking presupposes a certain conception of what it means to be a person and a moral agent: "At the heart of the liberal ethic lies a vision of the person that both inspires and undoes it."⁹² This person is the sort of person who would choose justice as their first principle – the sort of person Rawls described as the "unencumbered self, a self understood as prior to and independent of purposes and ends."⁹³ Rawls' unencumbered self is a man in a vacuum – he is detached from his experiences, history, culture, personal associations, and any inherited status. Of course, it is important to note that Rawls does not believe that this person actually exists – he is simply the actor in the hypothetical situation (the "original position") who tries to decide what justice is from behind the "veil of ignorance." Still, Sandel makes an important point. In order for the liberal ethic to exist – a scenario in which the "right" (non-interference) precedes the good (teleological ends) – we must understand ourselves as "unencumbered selves," attached only to a transcendent ethic of non-interference.⁹⁴ It is also instructive – in liberalism as much as in Rawlesian theory – that Rawls wants past experience to be discarded in moral decision-making. Sandel explains: "Freed from the dictates of nature and the sanction of social roles, the human subject is installed as sovereign, cast as the author of the only moral meanings there are."⁹⁵

⁹² Sandel, 83.

⁹³ *Ibid.*, 86.

⁹⁴ *Ibid.*, 87.

⁹⁵ *Ibid.*

The long-term result of the unencumbered self as the base unit of a liberal state is the undoing of civic and political society. Sandel explains:

To imagine someone incapable of constitutive attachments such as these is not to conceive an ideally free and rational agent, but to imagine a person wholly without character, without moral depth. For to have character is to know that I move in a history I neither summon nor command, which carries consequences nonetheless for my choices and conduct. It draws me closer to some and more distant from others; it makes some aims more appropriate, others less so. As a self-interpreting being, I am able to reflect on my history and in this sense to distance myself from it, but the distance is always precarious and provisional, the point of reflection never finally secured outside the history itself.⁹⁶

Sandel argues that the vision articulated by Rawls is based on a dangerous understanding of human beings and their moral context. For Sandel and others, the particular context around individuals – their culture, upbringing, families, languages, experiences, and unique social positions – help to inform their moral senses. He warns: “The liberal ethic places the self beyond the reach of its experience, beyond deliberation and reflection.”⁹⁷

Alasdair MacIntyre echoes Sandel’s emphasis on the importance of community and local attachments. In “Is Patriotism a Virtue?” MacIntyre attacks the idea of a universal morality based in liberal concerns for individual rights. He argues that liberal morality – a vague attachment to abstract transcendental principles – is not strong enough by itself to influence moral behavior. MacIntyre raises the same issue as Sandel, arguing that it is hard to assume to stance of the “unencumbered self”:

Liberal morality requires of me to assume an abstract and artificial – perhaps even an impossible – stance, that of a rational being as such, responding to the requirements of morality not qua parent or farmer or quarterback, but qua rational agent who has abstracted himself from all social particularity, who has become not merely Adam Smith’s impartial spectator, but a

⁹⁶ Sandel, 91.

⁹⁷ *Ibid.*

correspondingly impartial actor, and who in his impartiality is doomed to rootlessness, to be a citizen of nowhere.⁹⁸

Rather than being an obstacle to moral behavior, local connections are a crucial support. By being surrounded by a community and a local ethical context, individuals have a standard by which they can judge and steer their own actions. MacIntyre continues:

To obey the rules of morality is characteristically and generally a hard task for human beings...it is in general only within a community that individuals become capable of morality, are sustained in their morality and are constituted as moral agents by the way in which other people regard them and what is owed to and by them as well as by the way in which they regard themselves.⁹⁹

Individuals are not born in a vacuum: their surroundings and the traditions from which they emerge are a crucial part of their moral context and moral reasoning. Echoing strains of Edmund Burke, MacIntyre argues that a tradition or a cultural narrative is an essential part of individual identity. He explains:

I am someone's son or daughter, someone else's cousin or uncle; I am a citizen of this or that city, a member of this or that profession; I belong to this clan, that tribe, this nation...As such, I inherit from the past of my family, my city, my tribe, my nation, a variety of debts, inheritances, rightful expectations, and obligations.¹⁰⁰

However, the fact that morality is partially – indeed, heavily – rooted in the community does not mean that there is no other morality other than that taught and exemplified by the

⁹⁸ Alasdair MacIntyre, "Is Patriotism a Virtue?" in *Patriotism*, ed. Igor Primoratz (New York: Humanity Books, 2002), 51. I would add as a side note that MacIntyre associates Adam Smith with the liberal conception of individuals – nothing could be further from the truth. In *The Theory of Moral Sentiments*, Smith claims that the "impartial spectator" governs the moral senses by sublimating society's voice into every man's conscience. As people learn what is pleasing to their communities, they learn to act accordingly. John Locke would be a better target for MacIntyre – Smith was unfairly chosen.

⁹⁹ MacIntyre, 49.

¹⁰⁰ Alasdair MacIntyre, "The Virtues, the Unity of a Human Life and the Concept of a Tradition," in *Liberalism and Its Critics*, ed. Michael Sandel (New York: New York University Press, 1984), 142.

community. It would be absurd to argue that a child born in Nazi Germany, or in the Jim Crow South, should receive his morality exclusively from the community around him. Instead, as Charles Taylor argues, there should be a healthy balance between the morality of the community and universal morality.

Taylor explains the balance by using Hegel's contrast between *Sittlichkeit*, or community morality, and *Moralität*, or the morality of the community.¹⁰¹ Whereas *Sittlichkeit* has stronger obligations rooted in "what already is" within the community, *Moralität* enjoins people to "realize something which does not exist" – a perfect, transcendent morality.¹⁰² Hegel, according to Taylor, is aware that sometimes "public life has been so emptied of spirit, that *Moralität* expresses something higher [than *Sittlichkeit*]. But the fulfillment of morality comes in a realized *Sittlichkeit*."¹⁰³

The liberal idea of the encumbered self purports to describe a humanity that is "what I myself choose to be."¹⁰⁴ It is, as Sandel says, a "liberating vision," but a false one.¹⁰⁵ This is not to say that everyone must be a simple product of his surroundings, but rather to say that one must be aware of his interaction with his history and surroundings. It is certainly possible, as MacIntyre acknowledges, to be in conflict or concordance with one's own culture.¹⁰⁶ But without recognizing this crucial aspect of identity, liberal societies risk developing institutions and laws based on a facile understanding of humanity. There is no

¹⁰¹ Charles Taylor, "Hegel: History and Politics," in *Liberalism and Its Critics*, ed. Michael Sandel (New York: New York University Press, 1984), 177.

¹⁰² Taylor, 177-178.

¹⁰³ *Ibid.*, 178.

¹⁰⁴ MacIntyre, "The Virtues, the Unity of a Human Life," 143.

¹⁰⁵ Sandel, 87.

¹⁰⁶ MacIntyre, "The Virtues, the Unity of a Human Life," 144.

such thing as an unencumbered self, but even if there could be we should never aspire to such a thing.

From the perspective of military service, it is heartening to note (in light of the preceding criticisms) that John Rawls does not appear to provide the dominant narrative of political obligation, at least not among ordinary citizens. It is instructive to analyze Rawls in order to identify some of the faults of liberalism – particularly the failure to account for community and tradition. But in terms of citizenship and service, the Rawlesian argument from natural duty and natural obligation seems not to represent the popular view – even if it has captured the attention of the academy. What I mean to say by this is that the average American is not cognizant of Rawls’ grand theory of justice, nor do most people think like pure liberals or “unencumbered selves.” There is something quite bloodless about Rawls’ theory: one would be hard-pressed to find someone who joined the military on the wholly abstract grounds that they believed that they had a “natural duty” to defend just institutions. By contrast, it would be very easy to find someone who said that they had joined “to serve my country” – and both the words “my” and “country” express ideas starkly at odds with Rawlesian understandings and concepts. The “my” expresses particularity: the government of Sweden may be just, but it is not *mine* and I feel no attachment to it. And the word “country” means much more than a mutual cooperative venture – it refers to something organic, something bound in history and culture and collective identity. My point here is to show that most people do not actually think purely like Rawlesians – to some extent, they still value the narratives, the identities, and the institutions formed within the context of community.

MICHAEL WALZER'S COMMUNITARIAN LIBERALISM

If John Rawls represents a liberal ethic with tremendous influence in the academic world, Michael Walzer represents a liberal ethic that seems more representative of the views of the general public. Walzer, frequently labeled a “communitarian,” tries to weigh the rights of civil society with the rights of individuals. Unlike many liberals, Walzer admits the importance of countries, sovereignty, and horizontal bonds between citizens in a political community. Like Taylor, Sandel, and MacIntyre, Michael Walzer recognizes the importance of tradition and community, and argues: “Community rests most deeply on a contract, Burkeian in character, among ‘the living, the dead, and those who are yet to be born.’”¹⁰⁷ However, echoing more liberal theories, Walzer argues that political obligation is ultimately rooted in a social contract formed by the consent of its members.

Walzer attempts to address the criticism leveled at other social contract theories by claiming that consent can be construed implicitly, and that implicit consent can generate obligations in the same manner as explicit consent.¹⁰⁸ Walzer initially seems to staunchly advocate for a *prima facie* obligation to the state. This includes the obligation of military service, which Walzer terms “the obligation to die.” Recognizing the need for states to sometimes ask their citizens to risk life and limb in order to protect the political community, Walzer argues: “A good society...[is] one worth dying for, whose citizens actually are obligated to risk their lives for public reasons.”¹⁰⁹ In making this claim, Walzer

¹⁰⁷ Michael Walzer, “The Moral Standing of States,” *Philosophy & Public Affairs* 9, no. 3 (Spring 1980), <http://www.jstor.org/stable/2265115> (accessed September 14, 2012), 211.

¹⁰⁸ Walzer, *Obligations*, xii.

¹⁰⁹ *Ibid.*, 90.

sounds deeply sympathetic to Jean-Jacques Rousseau, who claimed that the political community provided a “second moral life” to citizens that must be defended at all costs.¹¹⁰

Michael Walzer is clearly concerned with some of the same issues that trouble MacIntyre and Sandel. Indeed, his attempts to incorporate communitarian objections into his work make him the frequent target of withering criticism from more liberal philosophers. Walzer has been accused of being “overly statist in character” – in other words, prone to uphold the rights of the political community over the rights of individuals.¹¹¹ But Walzer, in his insistence that obligation comes from consent, is firmly rooted in the liberal tradition. In his book *Obligations*, Walzer examines particularly problematic cases of citizenship and political obligation. Although he is generally sympathetic towards communitarian principles, Walzer’s inquiry into particular cases yields so many exceptions to the obligation of military service that there is effectively no generally binding political obligation to sacrifice in time of war. Ultimately, Walzer’s liberalism prevents him from being able to make compelling arguments capable of binding individuals to the laws of their society.

In one problematic case, Walzer echoes Rousseau in arguing that small groups are “morally superior” to large groups. This is because small groups tend to have clearer and more explicit consent than large groups. Therefore, according to consent theories, small groups generate more binding obligations on individuals.¹¹² Walzer claims that despite this principle, small groups are often unjustly subjugated to the whims of large groups – the large group, in the case of political obligation, is usually the state or the majority of the

¹¹⁰ Walzer, *Obligations*, 91.

¹¹¹ Walzer, “The Moral Standing of States,” 209.

¹¹² Walzer, *Obligations*, 10. Walzer calls this a “general rule,” since this principle can obviously be problematic.

polity. If the values of the small group conflict with the large group, according to Walzer, then the small group is within its rights to make a “partial claim” or a “total claim” against the large group. In the former case, the small group simply chooses to disobey or disregard a particular dictate of the large group. In the latter, the small group tries to overthrow the large group through revolution.¹¹³ This principle is so sweeping that it effectively makes any sort of state requirement of military service impossible: if my country makes war and my political party opposes the war, for example, I may not be obligated to share in the war’s sacrifice according to Walzer.

Walzer specifically highlights “oppressed minorities,” who he claims can be classified as “oppressed” provided that they “[feel] oppressed,” since feeling oppressed is functionally – according to Walzer – the same thing as being oppressed.¹¹⁴ In contrast to Locke, Walzer argues that oppressed minorities are free to make partial, but not total claims (revolution) against the state. These people need not “obey every law, or pay every tax, or ever to defend the state...as long as oppression exists, oppressed men and women retain the right, not to destroy the democratic state or make war against it, but to deny what they have to give: their loyalty, service, and obedience.”¹¹⁵ Walzer goes on to claim that political “aliens,” or people who feel detached from politics or from the state, should not have the “ultimate obligation” to take up arms for the state:

A man can incur ultimate obligations to society...simply by residence and daily intercourse. But he cannot commit himself to the polity, he cannot bind himself to risk his life for ‘ordinary national or political objects,’ except through those expressions of consent and participation...that make him a citizen.¹¹⁶

¹¹³ Walzer, *Obligations*, 11.

¹¹⁴ *Ibid.*, 49. Walzer is reformulating John Locke.

¹¹⁵ *Ibid.*, 69.

¹¹⁶ *Ibid.*, 105.

As a result, people who do not *think* themselves committed to the state are in fact *not* bound to it according to Walzer. Walzer goes as far as to call the idea of shared citizenship with equally shared obligations a “myth.”¹¹⁷ The implication of Walzer’s argument is that citizens are effectually bound to their states in the degree that they consider themselves bound. Walzer admits this argument, but claims: “The assertion or presumption is that [citizens] have chosen or will choose...to live like citizens.”¹¹⁸

Not surprisingly, Walzer is strongly opposed to conscription, except in extreme emergencies. He argues that society should rely on volunteers, unless conscription is “necessary to the safety of...society as a whole.”¹¹⁹ Even when conscription is implemented, there are numerous ways that a citizen could “morally” avoid service. As previously discussed, members of small groups making partial claims, or “oppressed minorities” could simply refuse to serve. Walzer also makes an exception for people who disagree with a given conflict: to obligate such people to take up arms might cause “moral anguish,” and therefore the state should tolerate their refusal.¹²⁰

Although Walzer understands and sympathizes with the communitarian critique raised by MacIntyre, Sandel, and Taylor, he is bound by the liberal ethic that insists upon the moral supremacy of the individual. Walzer’s concept of consent as the basis of political obligation ultimately fails to generate obligations for its citizens, because it allows citizens to decide for themselves to what extent they are obligated. But Walzer is hugely important to understand because his arguments seem to reflect the general trend of public opinion

¹¹⁷ Walzer, *Obligations*, 117.

¹¹⁸ *Ibid.*, 98.

¹¹⁹ *Ibid.*, 118.

¹²⁰ *Ibid.*, 138-140.

regarding military service. As I discussed in the previous section, the American public no longer considers military service in a time of war to be a civic duty. More importantly, there is a growing popular tendency to believe – as Walzer does – that if one does not agree with a war, one should simply not participate in it. This is the liberal idea of consent at its extreme: the citizen can choose to approve or disapprove of the individual actions of his elected government, and act accordingly.

CONCLUSION

So far, I have explained how liberal political theories struggle to generate compelling obligations for citizens in wartime: because liberal theories exist to protect individual rights to life, liberty, and property, it seems paradoxical to suggest that individuals could be compelled to lose their lives, and thus the possibility of enjoying the benefits of citizenship. I described how John Rawls answered that problem by redefining citizenship in terms of abstract, universal principles of justice – and how Rawlesian liberalism still fails to generate obligations, relying as it does upon a faulty understanding of human interaction and identity. Finally, I described another, communitarian-leaning philosopher's attempt to create a liberal concept of society that was still capable of generating the political obligations necessary to sustain itself. But as we have just seen, Michael Walzer's social contract theory is unable to compel citizens to do anything because it permits individuals to decide to what extent they should be committed, free of any dictate save their own judgment.

At the beginning of this section, I announced my intention to argue that the ideological influence of liberalism was the underlying cause of our eroded belief in military

service as a requirement of citizenship. The fault lies not simply with liberalism – after all, the United States embraced liberalism since the time of its founding. Liberalism is not inherently corrosive or bad: in fact, the short, proud tradition of tolerance and respect for individual rights has protected citizens from the avarice and oppression of religious and political institutions. The problem lies not with liberalism but with an *unrestrained, immoderate liberalism*, whose influence has metastasized in the absence of a second, hugely important intellectual tradition in American history. In the next section, I will argue that the classical republican tradition has served as an important pillar of citizenship that tempered the worst influences of liberalism and served as the fundamental source of political obligation and public spirit.

CLASSICAL REPUBLICANISM IN THE UNITED STATES

*"Non nobis solum nati sumus ortusque nostri partem patria vindicat, partem amici."
 "We are not born, we do not live for ourselves alone; our country, our friends, have a share in us." – Cicero, De Officiis*

In 431 B.C., the great general and statesman Pericles gave a speech to the people of Athens. The first year of the bitter Peloponnesian War had just ended, and the city was preparing to bury the first of many fallen soldiers. The Greek historian Thucydides recounts: "Pericles, son of Xanthippus, was chosen to pronounce [the eulogy]. When the proper time arrived, he advanced from the sepulcher to an elevated platform in order to be heard by as many of the crowd as possible, and spoke..."¹²¹ Pericles explained why the Peloponnesian War must be fought, and urged Athenians to be prepared to make the same sacrifice as the immortal dead:

You must every day look upon the power of your city and become her lovers, and when you have understood her greatness consider that the men who achieved it were brave and honorable and knew what was necessary when the time came for action. If they ever failed it in some attempt, they were determined that, at least, their city should not be deprived of their courage and gave her the most beautiful of all offerings. For they gave their lives for the common good...¹²²

Pericles exhorted the people of Athens to take the sacrifice of their countrymen as an example: "Now it is for you to emulate [the fallen], knowing that happiness requires freedom and freedom requires courage, do not shrink from the dangers of war."¹²³

The story of Pericles' funeral oration is not unique in ancient history. The Roman historian Livy recounts a similar story in his *Early History of Rome*. The city of Rome was not yet a great empire, but a small city ruled by a king. The Romans had just declared war

¹²¹ Thucydides, "The History of the Peloponnesian War," MIT Internet Classics Archive, <http://classics.mit.edu/Thucydides/pelopwar.2.second.html> (accessed May 1, 2013).

¹²² Thucydides, "The History of the Peloponnesian War." Historical context contained in Donald Kagan, *The Peloponnesian War* (London: Penguin Books, 2003), 74.

¹²³ Thucydides, "History of the Peloponnesian War," and Kagan, 74.

on a neighboring tribe, the Albans. The two forces met in the outskirts of Rome, with all their troops arrayed in battle formations. In order to prevent carnage, the Romans and Albans agreed to settle the conflict with a trial by combat: three Roman brothers – triplets – would fight against three Alban triplets, the Curatii.¹²⁴ In *Oath of the Horatii*, the painter Jacques-Louis David depicts the Horatii triplets standing before their father in full kit and armor. The brothers stand tall, saluting their father, who holds their swords aloft. It is a stirring portrait of duty and honor. Patriotism is connected explicitly with the concept of filial duty: the Horatii father represents both Rome itself, and an earlier generation of Romans who previously defended the city. Livy continues telling the story:

The six champions now made ready for battle. As they stepped forward into the lists between the two armies their hearts were high, and ringing in their ears were the voices of friends, bidding them remember that their parents, their country, and their country's gods, their fellow-soldiers and all they loved at home, would be watching their prowess and that all eyes were on their swords.¹²⁵

The stories recounted by Thucydides and Pericles are moving, even to a modern reader. But in order to fully understand them it is important to understand their philosophical context in the ancient world. Pericles' funeral oration and the story of the Horatii and Curatii are examples of the classical republican tradition, and specifically examples of the obligation of military service within the classical republican tradition. In the last section, I described the intellectual tradition of liberalism. I concluded that liberalism, because it was focused fundamentally on individuals, fails to generate compelling obligations for its citizens to serve their country in wartime. In this section, I will describe a second, hugely important intellectual tradition: the classical republican

¹²⁴ Livy, 55-58.

¹²⁵ *Ibid.*, 59.

tradition. I will describe the underlying ancient philosophy of classical republicanism, and then trace its intellectual roots in American history. I will then describe the erosion of the republican tradition in the United States, attributing it ultimately to the rise of secularism, capitalism, and moral individualism in American society.

LIBERTY, VIRTUE, AND THE CITY

In the previous section, I described modern liberal political theories about civil society and political obligation. In the liberal formulation, man is attached to political society only by consent or contract.¹²⁶ His relationship with society is distant and conditional: society represents an unwelcome, but necessary restraint. Classical political theories, by contrast, celebrate man's relationship with political society as both natural and welcome. Political society is not a collection of grudging participants, but rather an organic body of friends and neighbors. In order to understand this radically different view of civil society, it is important to understand the ancient formulation of human nature and the self.

Ancient philosophers believed that human beings possess two distinct motivations: passions and reason. Passions are natural, but capricious, desires and sentiments. One can think of a wild animal that must satisfy its whims immediately: if it is hungry, it will obtain food. If it is angry, it will attack or kill other animals. If it is lustful, it will mate by force. Passions, according to Aristotle, are the ruling influence on animals and beasts.¹²⁷ Reason,

¹²⁶ With the exception of John Rawls, which is a liberal theory not for its insistence on consent but instead because of its concern for individual and universal ("human") rights.

¹²⁷ Aristotle, *The Politics*, trans. Carnes Lord (Chicago: University of Chicago Press, 1984), 41.

by contrast, belongs only to men.¹²⁸ Unfortunately, human beings often fail to apply their reasoning capacities, and are therefore governed by their baser animal natures. Ancient philosophers believed that the city, or political society, served to develop virtue by redirecting the base passions towards the fulfillment of higher aims. Aristotle writes: “What each thing is, when fully developed, we call its nature.” He continues: “Man is by nature a political animal.”¹²⁹ Aristotle’s famous thesis holds that man *belongs* in city: only in the context of political society – among people who actively master their passions through participation in politics – can man fully realize his potential and cultivate virtue.

Aristotle’s claim that human beings are “political animals” is starkly at odds with liberal natural rights theories, which portray man alone in the state of nature. Human beings, according to liberal thinkers like John Locke, only enter political society reluctantly, acting in the interest of self-preservation in order to protect their natural rights. For Aristotle and other ancient philosophers, this would have been unthinkable. Aristotle describes the “man outside the city,” a human being who lives at the margin of human society: “He who is without a city through nature rather than chance is either a mean sort or superior to man; he is ‘without clan, without law, without hearth,’ like the person reproved by Homer.”¹³⁰ Plato portrays the “man without society” in a similar manner, casting him as a person without restrictions, who is a slave to his appetites and passions.¹³¹ Locke’s description of self-preservation as the “natural” end of human beings is a claim that

¹²⁸ It must be added that Aristotle did not believe that all people possess reason, but rather that all people are capable of *perceiving* reason. Aristotle, 41.

¹²⁹ Aristotle, 37.

¹³⁰ *Ibid.*

¹³¹ John T. Bookman, “Plato on Political Obligation,” *The Western Political Quarterly* 25, no. 2 (Jun. 1972), <http://www.jstor.org/stable/447196> (accessed December 3, 2012): 261-262.

would have horrified Plato and Aristotle, for whom virtue mattered much more than mere survival.

Plato and Aristotle's discussion of the man outside the city raises an important distinction between ancient and modern thinking on the concept of liberty. For most modern readers, the word "freedom" or "liberty" connotes a freedom from attachment. It is the freedom of a bird flying through the air, unbound by the trammels of weight or gravity. It is the freedom that Walt Whitman proclaimed when he wrote: "I too am not a bit tamed, I too am untranslatable,/I sound my barbaric yawp over the roofs of the world."¹³² But this is a radically new understanding of liberty. The columnist Irving Kristol writes that there are two concepts of freedom: the first holds that to be free is to be good, and the second holds that to be good is to be free.¹³³ In other words, the first concept of freedom is a freedom from restraint: it is negative freedom, the freedom to do as one pleases. The second concept of freedom suggests that goodness, or virtue, is what makes a person free. That seems paradoxical, since virtue requires self-restraint, which by definition is *not* doing whatever one wants to do. But in the context of the Aristotelian dichotomy of passion and reason, this definition of freedom is more readily comprehensible. For a person who simply does what he feels like doing is little better than an animal: he is a slave to his passions. Only the virtuous citizen, the man who can redirect his passions and master his appetites, can truly be called free.

¹³² Walt Whitman, *Poetry and Prose*, ed. Justin Kaplan (New York: Literary Classics of the United States, 1996), 247.

¹³³ Irving Kristol, "Capitalism, Socialism, and Nihilism," *National Affairs*, Spring 1973, 15. Kristol uses this in a slightly different context, arguing that the latter idea is liberal in nature. Following Sandel, I will argue differently.

The second concept of freedom, which freely embraces restraint, is the sort of liberty praised by ancient philosophers. Human beings become free by developing their virtue through participation in political society. The city, according to this understanding, is sacred, because liberty and virtue depend on its preservation. It is not surprising, then, that ancient philosophers in the republican tradition encouraged public service. They regarded it as a way of amplifying one's own virtue. Neal Wood describes the philosophy of the Roman statesman Cicero:

True honor, [Cicero] asserts, rests on virtue and the highest virtue, and hence the greatest honor, is won "in serving the state with distinction." Service to the state brings out supreme *virtus* in men of ability, who in governing wisely and prudently are far superior to those who do not participate in politics.¹³⁴

Cicero, following the philosophy originally set forth by Aristotle and Plato, encouraged duty in all forms, but particularly duty to the state. For Cicero, filial duty towards one's family was important, but "the dearest ties of all should be to the republic itself." The city represented the common good and the source of justice: as a result, participation in politics was the highest duty imaginable.¹³⁵

Given this understanding of public life and political society, it is not surprising that classical republican philosophers emphasized the importance of military service in a time of war. Far from liberal theory, which held that the state existed for the protection of individual life, ancient theory emphasized the worthlessness of life without political society. Ancient Greek and Roman history abounds with examples of virtuous men who sacrificed their lives for the common good, or the city. Perhaps one of the most famous

¹³⁴ Neal Wood, *Cicero's Social and Political Thought* (Berkeley: University of California Press, 1988), 121.

¹³⁵ M.N.S. Sellers, *American Republicanism* (New York: New York University Press, 1994), 94.

examples is the story of Lucius Quinctius Cincinnatus. Cincinnatus was a renowned general and a former consul of Rome who had retired to private life on a small farm. In 458 B.C., Rome went to war against a neighboring tribe, the Aequi. With the military situation looking increasingly desperate, Rome decided to appoint Cincinnatus as a dictator, granting him absolute power. A delegation of senators dispatched to inform Cincinnatus found him plowing his fields. Cincinnatus accepted the position without complaint, and hurriedly assembled an army in Rome. His forces crushed the Aequi army. Cincinnatus then promptly renounced the dictatorship and returned to his fields, only sixteen days after assuming control. The story of Cincinnatus is, in many ways, an encapsulation of classical republican virtues. It displays the subordination of private to public life: by placing the needs of the city before the needs of his own family and self, Cincinnatus demonstrated the influence that civic participation has on individual virtue. Cincinnatus' willingness to serve his country even after a long life of public service, and a well-deserved retirement, is impressive in its own right. Still, a cynic might counter that Cincinnatus acted out of a desire for power or fame rather than civic virtue. But his relinquishing of absolute power at a time when he might easily have abused it is even more impressive: more than anything, it shows that Cincinnatus valued Rome far more than himself.

Thus far I have described classical republicanism as an alternative intellectual tradition to liberalism. While liberalism focuses on individuals and rights, republicanism emphasizes communities and obligations. Whereas liberalism fails to coherently explain why its citizens should risk life and limb to protect their societies, classical republicanism elevates the city above all else and clearly explains why its protection is more important than individual human life.

AMERICAN REPUBLICANISM

For most of American history, the classical republican tradition served as a bulwark of citizenship and public spirit. Its tremendous influence in American politics and history is often overlooked. This is not surprising, since many documents and institutions from the Founding appear to be steeped in the language of natural rights and liberalism. The Declaration of Independence, for example, follows Locke in asserting that all men are born with “certain unalienable rights,” and that the purpose of government is the protection of rights. Certainly it is the case that the United States was heavily influenced by liberal political thought. But it is also indisputably the case that republicanism in America was strongly interwoven with the founding generation.

The most obvious evidence that classical republicanism played a major role in the Founding is the fact that the Founding Fathers – as well as all educated people in colonial America – were educated in the classical tradition. The typical colonial school curriculum, according to M.N.S. Sellers, consisted “almost exclusively” of works in Latin, “with some Greek readings and few or none in English.”¹³⁶ Classical education began at age eight – grammar schools taught the classics “every morning from eight to eleven and every afternoon from one until dark.”¹³⁷ In higher education, thorough knowledge of Cicero, Virgil, and other Latin and Greek authors was required for admission to the university.¹³⁸ As Sellers notes:

¹³⁶ Sellers, 21.

¹³⁷ Carl Richard, *The Founders and the Classics* (Cambridge: Harvard University Press, 1994), 13.

¹³⁸ Richard, 19.

More colonials had read Sallust than had read Harrington or Machiavelli, and if educated Americans had read anything at all, they had read Cicero, whose writings and orations were the staple of every colonial classroom. Learned Americans such as Jefferson and Adams embellished their educations with modern works of European political theory, but the basic framework of their education and understanding was classical.¹³⁹

The Founding Fathers often receive attention for their studies of Locke, Montesquieu, Hume, and other authors of the Enlightenment. And indeed, great statesmen like James Madison and Thomas Jefferson were astute students of modern political theory. However, they were also keenly interested in classical texts. Jefferson was so fond of quoting classical authors in his letters that John Adams complained: "Lord! Lord! What can I do with so much Greek!"¹⁴⁰ In a letter to his nephew Peter Carr, Jefferson enclosed a vast reading list, including works by Herodotus, Thucydides, Xenophon, Sallust, Livy, Polybius, Suetonius, Tacitus, Marcus Aurelius, Plato, Cicero, and others.¹⁴¹

Historians often assume that liberalism replaced classical republicanism during the Revolutionary era as a primary influence in American politics.¹⁴² This overlooks a vast body of evidence that shows that the classical tradition was not replaced, but rather *augmented* by liberalism during the American Founding. Carl Richard notes:

The neat dichotomy between classical republicanism and liberalism also masks the notorious inconsistency of humans, who have always proven quite capable of holding contradictory views simultaneously. The founders wandered the unmarked borderlands between classical republicanism and liberalism...while human beings are attracted to intellectual systems, because they bring meaning to the puzzling complexity of the world, static concepts cannot reflect their many moods.¹⁴³

¹³⁹ Sellers, 22.

¹⁴⁰ Richard, 27.

¹⁴¹ Thomas Jefferson, "Letter to Peter Carr, August 10, 1787," University of Virginia Library, <http://etext.virginia.edu/toc/modeng/public/JefLett.html> (accessed April 9, 2013).

¹⁴² Richard, 3.

¹⁴³ *Ibid.*, 6.

Liberalism was in no way incompatible with classical republicanism during the Founding. Instead, Carl Richard calls classical republicanism “the parent of liberalism,” owing to the fact that the concept of natural rights was largely derived from Stoic conceptions of natural law.¹⁴⁴ However, the main reason that there was no clash between the two traditions was the fact that liberalism during the Founding lacked many of the individualistic features of modern liberalism. John Locke, considered one of the fathers of American liberalism, alluded to Livy in making a distinction between “liberty” and “license.” He argued that liberty was not the freedom to do as one pleased but rather something closely allied with “Law” and “Reason.”¹⁴⁵ In making this distinction, he appears to endorse the ancient conception of freedom (“to be good is to be free”), rather than the modern conception (“to be free is to be good”). And Thomas Jefferson, the author of the decidedly liberal Declaration of Independence, wrote in a letter: “Self-love is no part of morality. Indeed it is exactly its counterpart. It is the sole antagonist of virtue leading us constantly by our propensities to self-gratification in violation of our moral duties to others.”¹⁴⁶ More modern iterations of liberalism, as I will discuss later in this section, erased the distinction between liberty and license.

For the members of the founding generation, knowledge of the classics was crucial for the cultivation of personal virtue and character. Carl Richard notes: “The founders were conditioned as children to associate the works of certain ancient republican authors with personal and societal virtues.”¹⁴⁷ Indeed, education in general was considered necessary

¹⁴⁴ Richard, 180.

¹⁴⁵ Sellers, 135.

¹⁴⁶ Thomas Jefferson, “Letter to Thomas Law, June 13, 1814,” University of Virginia Library, <http://etext.virginia.edu/toc/modeng/public/JefLett.html> (accessed April 22, 2013).

¹⁴⁷ Richard, 38.

for the formation of good morals, not technical or specialized knowledge. As John Adams wrote to John Quincy Adams: “You will ever remember that the End of all study is to make you a good Man and a useful Citizen.”¹⁴⁸

Classical teachers used historical models as didactic examples for moral education. From the Founders writings, it is possible to divine what sort of classical virtues the Founders deemed most important. Among the Greeks, the Founders particularly admired “aristocrats who had attempted, unsuccessfully, to rein in the mobs.” Most important among these was Solon, the sixth-century aristocrat who attempted to persuade the capricious Athenian people to be moderate.¹⁴⁹ Among the Romans, the most popular classical heroes were Cato the Younger, Brutus, and Cicero: “statesmen who had sacrificed their lives in unsuccessful attempts to save the republic in its expiring moments.”¹⁵⁰ These heroes became exemplars for many of the Founding Fathers. Even George Washington, who by most accounts was decidedly not a cerebral or academic man, admired Cato so much that the biographer James Thomas Flexner described his subject as “Cato turned Virginia country gentleman.”¹⁵¹ Washington quoted Cato frequently in letters and in addresses to his soldiers. In the worst days of the Revolution, he had Addison’s play *Cato* performed in order to boost morale through the example of the great statesman’s own sacrifices.¹⁵²

The classical models identified by the Founders suggest that the Founding Fathers were in fact informed by and appreciative of the classical republican tradition. Among the Romans particularly, the Founders selected great men whose selflessness on behalf of the

¹⁴⁸ Richard, 37.

¹⁴⁹ *Ibid.*, 56

¹⁵⁰ *Ibid.*, 57.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*, 58-59.

republic caused them to suffer terrible deprivations, or even death. The influence that these classical republican examples had on the Founders is perhaps best illustrated – once again – by George Washington, the “American Cincinnatus.” At the conclusion of the Revolution, Washington wielded so much power and influence that King George III scoffed at the idea that he would ever relinquish it. The king dismissed the possibility of abdication, claiming that Washington’s resignation would make him “the greatest man in the world.”¹⁵³ But Washington’s firm adherence to classical republican ideals allowed him to surrender power and personal honors for the sake of the republic. He, like the rest of the Founding generation, emulated Cicero’s example of a true public servant:

Such a man will devote himself entirely to the republic, nor will he covet power or riches...He will adhere closely to justice and equity, that, provided he can preserve these virtues, although he may give offence and create enemies by them, he will set death itself at defiance, rather than abandon his principles.¹⁵⁴

I have argued that classical education was a major ideological influence even in the earliest days of the American republic. And certainly it seems clear that the Founding Fathers were steeped in classical lessons. But the Founding Fathers were not ordinary Americans. They were disproportionately wealthy, and disproportionately among the most famous and most well-educated men of their generation. Few of their contemporaries had formal schooling, and fewer still had college degrees. Formal classical education generally belonged only to the wealthiest and most privileged Americans. Even among these higher-income tiers of American society, classical education gradually became less and less popular. By the 19th century, classical education had been mostly replaced by newer forms

¹⁵³ Richard, 71.

¹⁵⁴ *Ibid.*, 61.

of education aimed at technical knowledge and specialization. How, then, did classical republicanism continue to be an important part of American politics?

Wilson Carey McWilliams answers the question in large part by pointing out that the Bible is in many ways a universal source of classical education. The Bible, according to McWilliams, is an “alternative to the ‘liberal tradition’ set in the deepest foundations of American life.”¹⁵⁵ McWilliams argues that the Bible serves as a sort of classical text, albeit one modified to mediate the classical idea of excellence (virtue) with the modern idea of democracy.¹⁵⁶ Instead of portraying human beings as powerful and independent, it shows them to be “vulnerable, contingent, and doomed to oblivion” in isolation.¹⁵⁷ McWilliams outlines six central classical lessons contained in Scripture:

- 1) Human beings are not born free and independent...
- 2) Human beings begin with a desire for independence and a yearning to do as they will, but this is the product of sin, not the true nature of humanity.
- 3) Society and polity exist to educate human beings out of self-concern to the greatest extent possible.
- 4) The good political society is founded on a covenant, a spiritual and moral union, and cultivates justice and fraternity rather than material power, preferring inner excellence to external expansion.
- 5) Such a regime, given human frailties, must be limited in size and governed by law.
- 6) The polity itself is part of the whole, limited and ruled by a higher law.¹⁵⁸

McWilliams’ claim that the Bible is a source of political virtues may seem dubious. After all, some Judeo-Christian values encountered in the Bible seem to conflict with classical values.

While this may be true in certain particular cases, Scripture and classical republican

¹⁵⁵ Wilson Carey McWilliams, *Redeeming Democracy in America* (Lawrence: University Press of Kansas, 2011), 29.

¹⁵⁶ McWilliams, 32.

¹⁵⁷ *Ibid.*, 33.

¹⁵⁸ McWilliams is quick to acknowledge that “there are other interpretations of scripture,” but explains that this is simply a “reasonable approximation...as Americans originally understood it.” McWilliams, 38-39.

writings are generally consistent with regard to human nature and the importance of moral development within the context of a covenant or a community. It is not a coincidence that the Catholic Church embraced Neo-Platonism – which fused Aristotle and Plato with Christian theology – for hundreds of years.

McWilliams points out that the Bible was a common text in America – in fact, it was the only common text in the United States for hundreds of years. He continues: “Scripture was a common point of reference for groups with differing and often hostile pasts and a stable beacon for peoples who had broken their ties to custom.”¹⁵⁹ Classical education in America was therefore universal despite the fact that a relatively small number of people formally studied Greek and Latin letters.

Given the constraints of this paper, I will not be able to fully trace the classical tradition throughout American history.¹⁶⁰ Instead, I will describe the gradual erosion of the classical tradition in American political life. This account is not intended to be exhaustive: a great many things transpired after the Founding, which may fairly be said to undermine the classical tradition. I will concentrate on only three: the rise of secularism, the rise of commercial capitalism, and the rise of moral individualism.

THE EROSION OF CLASSICAL REPUBLICANISM

If the Bible served as the most readily accessible source of classical political education in the American republic, as Wilson Carey McWilliams argues, then it stands to reason that any loss of religiosity – or even a loss of biblical literacy – would have serious

¹⁵⁹ McWilliams, 39.

¹⁶⁰ This is already done quite exhaustively in Wilson Carey McWilliams’ *The Idea of Fraternity* and J.G.A. Pocock’s *The Machiavellian Moment*.

consequences for the American polity. Indeed, that is exactly what has happened: as the United States became more secular, it became less and less familiar with the classical lessons contained in scripture. In 1944, only 1 percent of respondents to a Gallup poll said that they did not believe in God. By 2011, 7 percent of Americans said that they did not believe in a God.¹⁶¹ In the same year, 71 percent of Americans polled that they thought religion was losing its influence.¹⁶² Church attendance statistics validate this opinion: in 2011, only 38 percent of Americans said that they attended church “at least once a week” or “almost every week.”¹⁶³ Gallup’s data suggests that secularism is a new social trend. In 2008, the American Religious Identification Survey corroborated this information by identifying a “secular boom” in the 1990s, which added 1.3 million Americans annually to the ranks of nonbelievers.¹⁶⁴ This new secularism is associated with a corresponding loss of religious literacy. An article in *America* magazine by David Gibson noted that while 93 percent of Christians cite the Bible as their favorite book, only half of U.S. adults could name a single Gospel. Six in ten Americans cannot name five of the Ten Commandments, and half of high school seniors believe that Sodom and Gomorrah were married. Gibson wryly commented: “When a *USA Today* article on Stephen Prothero’s 2007 book *Religious Literacy* was titled ‘Americans Get an ‘F’ in Religion,’ the eminent historian of religion, Martin E. Marty, quipped that the newspaper could be guilty of grade inflation.”¹⁶⁵

¹⁶¹ Gallup Historical Trends, “Religion.” <http://www.gallup.com/poll/1690/religion.aspx#2> (accessed April 23, 2013).

¹⁶² Gallup Historical Trends, “Religion.”

¹⁶³ *Ibid.*

¹⁶⁴ Barry Kosmin et. al., “American Nones: The Profile of the No Religion Population,” http://commons.trincoll.edu/aris/files/2011/08/NONES_08.pdf (accessed April 20, 2013).

¹⁶⁵ David Gibson, “A Literate Church,” *America*, December 8, 2008.

American secularization poses a difficult problem with regard to political education in the classical republican tradition. As discussed previously, the importance of classical republicanism in the American system is often overlooked in popular politics and in the academy. In the absence of classical education, and with the decline of popular classical republican education in the form of revealed religion, it seems that there are few sources of classical republican learning in modern politics.

Another trend in the erosion of the classical republican tradition is caused by the rise of commercial capitalism. As the American economy shifted from an agrarian economy in the eighteenth century towards a commercially-driven industrial economy, there was a radical correspondent shift in the concept of the duties of citizenship. Capitalism, like no previous idea, encouraged citizens to look after their private interests instead of tending to public interest: the belief being that acting in one's own self-interest would, in the aggregate, benefit everyone. As the fictional Gordon Gekko famously put it: "Greed is good." But this new concept of private interest as public duty would have serious repercussions for classical republicanism in America.

In the earliest days of the American Industrial Revolution, a French nobleman named Alexis de Tocqueville visited the United States and recorded his observations about the young republic. De Tocqueville noted an American predisposition towards individualism, which he defined as a "reflective and peaceable sentiment that disposes each citizen to isolate himself from the mass of those like him and to withdraw to one side with his family and his friends."¹⁶⁶ Rather than involve themselves in the life of the *polis*, as classical republicanism required, citizens would retreat into their own affairs. Although he

¹⁶⁶ Alexis de Tocqueville, *Democracy in America*, trans. Harvey Mansfield (Chicago, University of Chicago Press, 2000), 482.

regarded it as a well-intentioned tendency, Tocqueville worried: “Individualism at first dries up only the source of public virtues; but in the long term it attacks and destroys all the others and will finally be absorbed in selfishness.”¹⁶⁷ Tocqueville believed that two things tempered this tendency towards individualism: religion and participation in government. By fixing human desires beyond the material world, and by “imposing duties” on people to care for their fellow men, religion helped to limit the individualism of democracy.¹⁶⁸

I have already mentioned secularization in the United States, and its influence on the classical republican tradition. In the context of Tocqueville’s observation, it seems that one of the bulwarks against selfishness and private interest is rapidly disintegrating. The state of the other safeguard against individualism mentioned by Tocqueville – participation in government – is cause for even greater concern. Although participation in government is necessary to prevent the worst effects of capitalist society (namely, self-absorption and selfishness), capitalism actively encourages citizens to eschew public life and act exclusively in their private interest. At the same time, capitalist society enlarges the scope of government and makes it harder for individual citizens to participate. As Michael Sandel observes, the growth of large-scale markets and interstate commerce in the twentieth century produced centralized political power capable of regulating the new and complex economic arrangements.¹⁶⁹ This was the opposite of what classical republican philosophers suggested: the ancients believed that the state should be as small as possible. As Wilson Carey McWilliams explains that this was “because the polis was within the periphery of the

¹⁶⁷ Tocqueville, 483.

¹⁶⁸ *Ibid.*, 419.

¹⁶⁹ Sandel, 92.

senses, reducing the distance and the conflict between public good and private interest.”¹⁷⁰

In a large state, a single citizen cannot be heard among the multitude: his individual actions occur in the midst of the teeming waves of action around him, and are seemingly ineffective in the public sphere.

Capitalism eroded the classical republican tradition first by positing the idea that private interest and public interest were the same thing. It further eroded classical republican ideals by producing a massive commercial republic with centralized power. This, along with the destruction of religion, eliminated the only safeguards against democratic individualism and selfishness.

The third and final corrosive influence on classical republicanism in America was the rise of moral individualism. This is a difficult term to define, but in this context I understand moral individualism to be a sort of moral calculus in which the individual has an inviolable and *exclusive* right to be his or her own moral arbiter.¹⁷¹ This idea was well established in America even in the nineteenth century: Walt Whitman’s “Song of Myself,” for example, praises the individual and individuality. In the 1960s, however, moral individualism became part of mainstream American politics: for the first time, large numbers of American citizens rejected the morality of their society and the previous generations. They were propelled in large part by distrust of establishments: Watergate and the civil rights battles did not encourage them to put their trust in “the Man.” It is unfair to categorize the entire generation as a generation of pot-smoking hippies: not

¹⁷⁰ McWilliams, 13.

¹⁷¹ The “exclusive” part of this definition is, I think, very important. Certainly a person should be a moral agent, but moral individualists deny that society, or any other person or institution, has any right to make moral claims on them.

everyone went to Woodstock.¹⁷² But even among the hippie movement, there was admirable political activity directed at reforming, not toppling, the system. One obvious example of positive social reform was the Civil Rights Movement. But there was another strain of thought in the 1960s counterculture in which moral individualism, long present in American culture, metastasized. Slogans like “Let your freak flag fly,” “Go with the flow,” and “Do your own thing” expressed an unreflective sort of resistance to the “establishment.” These moral individualists did not question particular abuses of authority: they rejected authority and external constraint altogether. “Who are you,” the moral individualist asked, “to tell *me* what I should do?”

Moral individualism embraces the sort of “freedom” that Aristotle considered slavery: it is “freedom” from society, but slavery to one’s own passions and appetites. This is not to say that individuals should always unquestioningly obey their societies: the example of civil disobedience during the Civil Rights movement is one obvious example to this effect. But Martin Luther King, following Henry David Thoreau, understood that civil disobedience must be accompanied by societal sanctions. The purpose of civil disobedience is not to *avoid* an unjust law but to *confront* it: by disobeying, individuals could try to bring public attention to their cause. In his “Letter from a Birmingham Jail,” Martin Luther King explained:

In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to

¹⁷² As John McCain once famously quipped, “I was tied up at the time.”

arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.¹⁷³

The apex of moral individualism in the 1960s did not express “the highest respect for law.” It simply abrogated particular laws, and in so doing further weakened the republican ideas of membership in a political community and selfless service. Even after the 1960s had ended, moral individualism remained present in American politics. The novelist Kurt Andersen identifies elements of moral individualism in the decadence and fervor of the American private sector in the 1980s and 1990s.¹⁷⁴ And today, moral individualism is most visibly present in opposition to the draft.

It is difficult to know exactly how the three influences that I have mentioned – secularism, capitalism, and moral individualism – intertwine. Certainly to some extent they may interact with one another. For example, the erosion of religion in the United States might undermine religious prohibitions on excessive wealth, which might in turn fuel decadence justified by moral individualism. But this is a fruitless exercise, a question of the chicken or the egg. It is sufficient to know that these social and ideological trends have systematically undermined the classical republican tradition. They have deprived classical republicanism of its propagation – in the absence of religion and biblical literacy, there is no way to readily disseminate classical political education. They have undermined public spiritedness, encouraging human beings to withdraw into their own private societies rather than participate in the chaos of democracy. And they have placed the individual on an altar, free from the salutary bonds of human society and religious humility.

¹⁷³ Martin Luther King, “Letter from a Birmingham Jail,” University of Pennsylvania African Studies Center, http://www.africa.upenn.edu/Articles_Gen/Letter_Birmingham.html (accessed April 23, 2013).

¹⁷⁴ Kurt Andersen, “The Downside of Liberty,” *New York Times*, July 3, 2012.

Despite all this, the republican tradition is not dead. Perhaps the most obvious proof of this is that young men and women still volunteer to take up arms in defense of the American people and American interests. Selfless service to others is a living proof of the continued presence of classical republican virtues. But the men and women who serve today will have an increasingly difficult time explaining to themselves why they are doing what they are doing. As Alasdair MacIntyre points out, the survival of modern liberal societies depends on the continued presence of decidedly illiberal citizens who are willing to look beyond individualism.¹⁷⁵ This raises the question, MacIntyre continues, of whether our society has a sort of “systematic incoherence” in its ideals.¹⁷⁶ In the next section, I will attempt to describe ways of restoring coherence to American political life by revitalizing the classical republican tradition. This in turn will address the problem of the civil-military gap that I described in the first section, by reemphasizing service in wartime as a fundamental duty of citizenship. In the next – and last – section, I will argue that we have a duty to one another as citizens, above all when the country goes to war.

¹⁷⁵ MacIntyre, “Is Patriotism a Virtue?,” 56.

¹⁷⁶ *Ibid.*, 59.

THE FATIGUES OF FREEDOM

"Those who expect to reap the blessings of freedom must, like men, undergo the fatigues of supporting it." – Thomas Paine, "The Crisis"

In 1776, the American Revolution seemed to be doomed to failure. The Continental Army was reeling after its loss in the Battle of New York. The American soldiers had barely serviceable armaments, and meager quantities of food and ammunition. Morale was dangerously low. Watching the troops, an English-born revolutionary named Thomas Paine could not help but despair. On November 22, the author of *Common Sense* put pen to paper and wrote the famous first words of *The Crisis*: "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands by it NOW deserves the love and thanks of man and woman."¹⁷⁷ Paine intended for his pamphlet to electrify the American people, and he succeeded. As David Hackett Fisher notes, *The Crisis* was wildly effective: soldiers used it as a watchword and a rallying cry. Militiamen who had returned to their farms rejoined the ranks of the army. In the words of James Cheetham, a contemporary of Paine's: "Hope succeeded to despair, cheerfulness to gloom, and firmness to irresolution."¹⁷⁸ The crisis, at least for the time being, had passed.

In this paper, I have argued that there is a different sort of crisis in the modern American political environment. In the first section, I outlined the growing gap between civilians and the military that protects them. I explained how military service in wartime, once an understood and acknowledged duty of citizenship, came to be regarded as a voluntary sacrifice. In the second section, I attributed that cultural shift to the intellectual

¹⁷⁷ David Hackett Fisher, *Washington's Crossing* (New York: Oxford University Press, 2004), 140.

¹⁷⁸ Fisher, 142.

influence of liberalism, which prioritizes the rights and prerogatives of individuals. Next, I identified and traced the philosophical tradition of classical republicanism in the United States, which served as a source of public spirit. Then I identified factors that had contributed to the erosion of the classical republican tradition. In the absence of the philosophical counterbalance of the classical republican tradition, Americans increasingly came to regard military service as something for other people to do. In this section, I will make normative recommendations in order to address the crisis of military service and citizenship in the United States. Thomas Paine's response to the crisis of 1776 was to urge Americans to make sacrifices in the public interest. My response to the crisis of military service will attempt – in a somewhat different way – to do the same thing. Specifically, my proposals will ultimately seek to address the crisis of military service by restoring the classical republican tradition in the United States.

In the previous section, I identified secularization, capitalism, and moral individualism as three central sources of the deterioration of classical republicanism in the United States. The restoration of classical republicanism, then, logically requires the reversal or arrest of those three trends. Of course, this is a very difficult proposition: the events described in the previous section are related to complex social and political forces that may be impossible or undesirable to alter. It is, for example, somewhat ridiculous to prescribe that we return to a pre-capitalist agrarian economy in order to fix the woes of capitalism, or to suggest that we collectively forget the 1960s in order to address the ills of moral individualism. Nevertheless, I intend to sketch in broad terms some ways of preserving and restoring the classical republican tradition. First, I will approach the restoration of religion from a Tocquevillian perspective, in order to show how religion

might protect its tenuous existence in modern culture. Next, I will advocate sweeping reforms to strengthen federalism in the United States, in order to mitigate the alienating political effect of capitalism. Finally, I will propose the institution of a system of universal service in the United States.

SAFEGUARDING RELIGION IN THE UNITED STATES

There are many explanations for why the United States is gradually growing less religious. One of the oldest of these associates religion with superstition. It posits the idea that Americans will grow more secular as they become more educated and less indebted to religious dogmas. This was a popular idea as far back as the eighteenth century, especially among Enlightenment *philosophes*. Alexis de Tocqueville summarizes their position: “Religious zeal...will be extinguished as freedom and enlightenment increase.” Tocqueville strongly disagrees with this perspective on religion: “It is unfortunate that the facts do not accord with this theory.”¹⁷⁹ Tocqueville believes, as I mentioned in the previous section, that religion is a crucial support of democracy. He calls it “necessary to the maintenance of republican institutions.”¹⁸⁰ I will not fully expound on Tocqueville’s belief in the importance of religion in democracy. Instead, I will focus on what Tocqueville perceived to be the greatest threat to religion in democratic states: the “intimate union of politics and religion.”¹⁸¹

Since Tocqueville had previously argued that religion is indispensable to democracy, it seems odd that he should revile the combination of religion with politics. But Tocqueville

¹⁷⁹ Tocqueville, 282.

¹⁸⁰ *Ibid.*, 280.

¹⁸¹ *Ibid.*, 287.

believes that religion's influence in democracy is – and must be – implicit: religion helps to mold good people, and good people are essential for democracy. Problems arise only when religious authority allows itself “to be intimately united with the powers of the earth.”¹⁸² Tocqueville was principally referring to the common practice of state establishment of religion. But he also worries about the effects of a politicized clergy on religion: “The unbelievers of Europe hound Christians as political enemies rather than as religious adversaries: they hate faith as the opinion of a party much more than as an erroneous belief; and it is less the representative of God that they repel in the priest than the friend of power.”¹⁸³ Tocqueville's concern was that religious authorities would adopt political stances that could eventually turn public opinion against them. As people stopped believing their religious leaders on political matters, they might also stop believing their religious leaders in spiritual matters as well.

In the context of modern politics, Tocqueville's identification of politicized religion as the single greatest threat to religious belief seems validated. In recent American political affairs, organized religious stances on political issues have helped to make religion deeply unpopular. Various elements of the American clergy have stated official positions, particularly on social issues. The Catholic Church stands firmly against abortion and contraception; the Southern Baptists refuse to ordain gay preachers or preside over gay marriages. Interest groups like Moral Majority became famous for using religious arguments to back political positions. This was exactly what Tocqueville feared. When “the interpreters [of religion] mix in public affairs,” they jeopardize public faith in religion.¹⁸⁴

¹⁸² Tocqueville, 288.

¹⁸³ *Ibid.*, 287-288.

¹⁸⁴ *Ibid.*, 521.

In order to preserve religion in the United States, the clergy must voluntarily step back from the political arena. We must, as Tocqueville writes, “chain priests in the sanctuary [rather] than allow them to leave it.”¹⁸⁵ Those chains must be voluntary: freedom of speech protects the right of religious leaders to express political opinions. But prudence urges that the clergy remain silent in the public arena. By doing so, religion in the United States can continue to exist and provide one of the primary sources of classical republican political education.

DECENTRALIZATION AND THE FEDERAL PRINCIPLE

Capitalism’s effect on classical republicanism, as I described in the previous section, has been twofold: first, it has propagated the idea that acting in the private interest is acting in the public interest (with the assurance that “the market will determine the efficient outcome”). Second, the major interstate and international commerce that capitalism produced helped to lead to massive increases in the size and power of the federal government.¹⁸⁶ It is this second effect that I want to concentrate on. Classical republicanism requires a sense of community and ownership: a citizen must feel that he has a stake in his political society, and that his political society has a stake in him. In a centralized, distant national government, that sense of community is impossible. Politics seems abstract and distant – “government” and “the people” seem to be two different things. Meanwhile, the governments closest to the people – on the state and local levels – have been deprived of most of their power and influence. American citizens today are

¹⁸⁵ Tocqueville, 521.

¹⁸⁶ Sandel, “The Procedural Republic and the Unencumbered Self,” 92-93.

alienated and distant: few people know the names of their representative in Congress, much less their representative in the state legislature.

The solution is fairly simple, at least conceptually: power must be returned to state and local governments to the greatest extent possible. I will not discuss policy proposals for decentralizing federal power and restoring the vitality of state and local governments. That is beyond the scope of this paper. However, it is worth mentioning that decentralization would not require any alteration of the Constitution: the Tenth Amendment of the Constitution holds that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” Still, it is very difficult for any government body to voluntarily surrender power. As Ronald Reagan once famously quipped: “A government bureau is the nearest thing to eternal life we’ll ever see on this earth.”¹⁸⁷ Decentralization is, therefore, a very complex objective that is unlikely to be secured in the near future.

UNIVERSAL SERVICE: AN EGALITARIAN MODEL

A third option for restoring classical republicanism in America will also have the welcome effect of resolving the civil-military gap. The institution of a new draft would renew the nation’s ethos of citizenship, and divide the sacrifices of war evenly among the population. This idea has many opponents. Since Vietnam, American political leaders have been leery of even the mention of a draft. According to the Pew Research Center, 74 percent of American civilians do not favor a return to the draft.¹⁸⁸ Among veterans, the opposition to the draft is even higher: 82 percent of post-9/11 veterans are against the

¹⁸⁷ Ronald Reagan, “A Time For Choosing” (Speech, October 27, 1964).

¹⁸⁸ Pew Research Center, 14.

institution of a draft.¹⁸⁹ But the crisis of citizenship and military service in modern America should initiate a serious dialogue about the creation of a new system of universal service.

Any new system of civil service ought to be in effect regardless of whether or not the country is technically at war. This may sound paradoxical. After all, in this paper I have argued that military service *in a time of war* is an obligation of citizenship. I have freely admitted that in peacetime, professional soldiers comprise the bulk of the military. But the problem with any draft that only becomes active in the event of a war is that it would never actually be used. The United States has not been in a lawfully declared war (i.e. a war declared by Congress) since World War II. Political leaders would easily be able to send troops to combat, and not have to face the political repercussions of conscription. Therefore, the system of universal service must be one that is active in both peacetime and wartime.

Universal service should include the option to select a component of service, in either a civilian or military capacity. A proposal by William Galston, a fellow at the Brookings Institution, calls for exactly that. Galston argues that all high school graduates (and 18-year-olds, in the case of high school dropouts) should be compelled to serve between twelve and eighteen months in either an expanded version of AmeriCorps, or in the armed forces.¹⁹⁰ Young Americans tasked to the civilian service component could set to work rebuilding American communities: they could be sent to the poorest ZIP codes of the

¹⁸⁹ Pew Research Center, 14. It is not quite clear why there is such a substantial difference. It may be that veterans – having served in professional military forces – are not enthusiastic at the prospect of service in a conscripted army, which would probably be less well-trained.

¹⁹⁰ William A. Galston, “The Case for Universal Service,” in *The AmeriCorps Experiment and the Future of National Service*, ed. Will Marshall and Marc Porter Magee (Washington, DC: Progressive Policy Institute, 2005), 99.

United States, rebuilding infrastructure, delivering meals to the elderly, and learning more about the society around them. These civilian members would not live cushy lives: like soldiers, they could live in barracks and work long hours. At the same time, Americans in the military component might have a slightly shorter term of service than their civilian counterparts, in recognition of the additional dangers and hardships they face.

In advocating a system of universal service, I must admit that there will be a cost to American military effectiveness. An all-volunteer military is more professional, better trained, and more highly motivated than a force comprised mostly of troops whose term of service is only eighteen months. The military claims that it does not need a draft in order to meet its force manpower requirements. That is undoubtedly true. The question is not one of military necessity, but rather one of civic necessity. The Joint Chiefs may not want a draft, but the decision is not up to them. If the civilian leadership orders them to implement a conscript system, then they will carry out orders and accomplish their new mission. Besides, the implementation of universal service would not jeopardize the most elite military units: many young Americans will still be drawn to serve as pilots, Special Forces operators, and the like. They can continue to serve in a volunteer capacity.

It is also necessary to acknowledge that this will be an extremely costly system to implement. William Galston estimates that full implementation of universal service – meaning every single high school graduate and 18-year-old dropout drafted – would cost “at least” \$60 billion annually.¹⁹¹ According to Galston, that is too high a cost. Galston also has concerns about the logistical difficulty of finding placements for millions of young conscripts. He proposes a random lottery system that drafts 20 percent of “physically and

¹⁹¹ Galston, 99.

mentally eligible 18-year-olds” as a reasonable compromise between cost and equity. This, however, seems ill conceived: the system would seem unjust to the small percentage of youth who were selected. Besides, while \$60 billion is a tremendous cost, it is a fraction of the cost of war: a study by Harvard professor Linda Blimes estimates that the wars in Afghanistan and Iraq will cost between \$4 and \$6 trillion dollars, after factoring in the costs of long-term medical care and social benefits.¹⁹² The cost may also not be as large as it seems. A fully implemented civil service system might help to defray other social costs. Thomas Ricks, a fellow at the Center for a New American Security, notes: “Taking food to an elderly shut-in might keep that person from having to move into a nursing home.”¹⁹³

Galston’s discussion of the lottery system gives rise to other questions of equity: how can the system be made as fair as possible? The answer is that universal service must be as close to universal as possible: no exceptions or deferments should be given to college students. Additionally, military screening facilities should determine medical eligibility for potential draftees. These two rules will help to prevent the sort of draft dodging seen in the Vietnam War.

At this point, I have described the potential disadvantages of a universal service system. There would undoubtedly be both military and economic costs. However, universal service also has tremendous benefits. One benefit of universal service that is frequently overlooked is the strong incentive for a peaceful foreign policy. When the burdens of war are shared equally, policymakers have to justify every use of force to the American people.

¹⁹² Linda Blimes, “The Financial Legacy of Iraq and Afghanistan: How Wartime Spending Decisions Will Constrain Future National Security Budgets,” Harvard Kennedy School Working Paper Series, <https://research.hks.harvard.edu/publications/workingpapers/citation.aspx?PubId=8956> (accessed April 23, 2013), 1.

¹⁹³ Thomas Ricks, “Let’s Draft Our Kids,” *New York Times*, July 9, 2012.

The American population will pay more attention to conflicts abroad, and will scrutinize them with a particular rigor given the potential costs – their son or daughter going into harm’s way – on the line. Over time, universal service will also develop a new generation of civilian leaders that are more familiar with military culture, as well as military capabilities. This will help to address the civil-military gap, and will strengthen the principle of civilian control of the military. Civilian leaders with military experience will be less likely to overestimate the military’s capabilities in foreign crises, and will be less blindly trusting of their generals. It is no coincidence that it was Eisenhower who took on the military-industrial complex as president.

Universal service would also help to revitalize civic participation in democracy, thereby “jump-starting” the flagging ethos of classical republicanism in the United States. One of the first things that a student learns in a political science class is that institutions can help drive behavior: an institution built around service to the American republic will provide valuable lessons in public spiritedness, hard work, and self-sacrifice for young Americans. It might also help to combat what Tocqueville called “individualism”: the tendency to withdraw into private communities. Shared civic duties in AmeriCorps or the military would force participants to leave their insulated neighborhoods and work with people from other races, religions, and creeds. Universal service is, in many ways, the greatest civics lesson ever designed.

One of the underlying philosophical principles of universal service is the concept of distributive justice. In the context of universal service, the idea is that the burdens of national defense should be shared as equally as possible. By necessity, the system must discriminate and select only the youngest Americans to fight in wars. But distributive

justice can – and should – be carried one step further, to encompass not just the youngest and most fit Americans, but the entire country as well. In the first section, I briefly described a tax increase that was levied during the Korean War. The tax law was enacted with major bipartisan support, and was signed by President Truman. This is an outstanding precedent: a substantial tax increase should accompany any sustained combat operations that America undertakes.¹⁹⁴ By paying substantially higher taxes, American civilians would assume some financial hardship in solidarity with and in support of their troops abroad. Like universal service, a tax increase would also have the secondary effect of ensuring that the United States only goes to war when absolutely necessary.

In this thesis, I have argued that our modern understanding of citizenship threatens to make us into nation of egotists, bound together only by legal status, and interested only in material gain. This must not be allowed to happen: we must not be a nation of summer soldiers and sunshine patriots. The preservation of the American Republic depends on the continued presence of citizens who recognize that citizenship comes with responsibilities as well as privileges.

¹⁹⁴ This policy could be enacted independently of or along with a universal service system.

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