

THE BIRTH OF LIBERAL ORDER AND THE DEATH OF GOD

A Reply to Robert Reilly's America on Trial

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Robert Reilly maintains that the American Founding was based upon natural law principles rooted in the premodern Catholic tradition. He argues that this tradition, and not the authoritarianism of Hobbes, guided the Founders' interpretation of John Locke; and that the worrisome trajectory of present-day America stems not from a flaw in her Founding principles, but a later corruption of them. Reilly's argument rests upon a questionable methodology and upon ignoring the profound transformations to the meaning of "nature," "reason," "God," and "Christianity" in early modern mechanistic philosophy. This mechanistic ontology underlay the politics of both Hobbes and Locke; and Locke works out its implications more thoroughly, partly by paving the way toward a Baconian technological society. Erasing the Christian God from the intellectual horizon, Locke helps establish liberal order with its exaltation of the individual and scientific/technical power as the new all-encompassing horizon, an absolutism more extensive than Hobbes' for being internalized and invisible. America is more than the political incarnation of Lockean philosophy, but the great reconception he represents was axiomatic by the time of the Founding, and Locke points towards its ineluctable destiny. The question for us living within this horizon is not whether we will hate our home (why should we?) or overthrow liberal order (we cannot) but whether—as Reilly's Whig Catholicism unintentionally entails—we will acquiesce in the Death of God that liberal order presupposes and demands.



I. THE POLITICAL CONQUEST OF THE CATHOLIC MIND

One of the defining characteristics of the modern age, and also one of the most subtle, is its subordination of theoretical to practical reason: the tendency, as Francis Bacon put it, to let "the active

tendency itself mark and set bounds to the contemplative part."¹ The inversion and subsequent conflation of theory and practice, and the corresponding reduction of truth to possibility or functional success, has had vast consequences not only in the scientific and technical spheres but in

¹ Bacon, *The New Organon*, ed. by Lisa Jardine, trans. Michael Silverthorne (Cambridge: Cambridge University Press, 2000), II.4.

the political sphere as well. The subordination of questions of truth to the political common good is a system requirement for what has come to be known as “liberal public reason,” where “the political common good” turns out to be nothing other than the eternal perpetuation of liberal order itself as the condition of possibility for all other goods permitted to appear within it, such as religious liberty.²

This arrangement has long been legitimated by what I have elsewhere called the “civic project of American Christianity,”³ a project that in its Catholic form—now at least a century and a half old—parallels in the intellectual sphere the sociological assimilation of Catholics into the American mainstream. The “civic project” spans *both* the theological and philosophical differences historically dividing Protestants and Catholics *and* the political differences dividing the American left and right.⁴ That the flagship journals spawned by this enterprise—*Commonweal* and *America* on the one side, *First Things* on the other—have at least until recently appeared as mirror images of one another is evidence of this underlying unity.⁵

² I frequently use the term “liberal order” instead of “American Constitutional order” or similar terms because I mean to indicate by it something more comprehensive than the strictly political order founded upon and instituted to protect so-called “natural rights,” something that *includes* it. Rather I mean to indicate by this phrase both the *ontological* order—the philosophy of nature—necessarily presupposed and advanced by this conception of politics and also the *social* form to which it gives rise. Both, as I have argued elsewhere and will explain again below, are essentially “technological.” See Michael Hanby, “Before and After Politics: The Technocratic Fate of Liberal Order,” *Political Science Reviewer* 43.2 (2020): 511-30; Hanby, “What Comes Next,” *New Polity: A Journal of Postliberal Thought* 1.3 (November 2020): 77-87.

³ See Michael Hanby, “The Civic Project of American Christianity,” *First Things* (February 2015), available at <https://www.firstthings.com/article/2015/02/the-civic-project-of-american-christianity>.

⁴ For a recent article that illustrates precisely this point, and shows the dependence of the left and right iterations of this project on the thought of John Courtney Murray, see Massimo Faggioli, “What Joe Biden (and All American Catholics) Owe Jesuit John Courtney Murray,” *America*, January 19, 2021, <https://www.americamagazine.org/faith/2021/01/19/joe-biden-john-courtney-murray-who-was-239757>.

⁵ I rather doubt whether my 2015 *First Things* article (see footnote 3, above) that effectively pronounced an end to the traditional *First Things* project and which apparently helped catalyze Robert Reilly’s defense of American first principles, would have been published prior to the arrival of Rusty Reno as editor—especially given the 1980s controversy, an important

Simply put, the “civic project” in its Catholic form is the attempt to harmonize liberal order and Catholicism—whether liberalism be “classically” or “progressively” conceived—by arguing or at least assuming that the former is the highest political expression of the latter.⁶ The insinuation that the Founding of America is the inevitable, even providential, outworking of these ancient Catholic principles is more than a little ironic, given the right’s avowed aversion to historicism. The “cunning of history” whereby, in the words of the late Peter Lawler, “the combination of American Lockeanism and American Puritanism/Calvinism produced something like an accidental American Thomism,” surely involves a magic exceeding anything dreamt of by Hegel or Marx.⁷

The strength of this project and the ardor of its devotees explain why American Catholic thought tends overwhelmingly to be *political* thought, often taking an empirical or sociological rather than a speculative form, even when presented in the guise of history, theology, natural

precursor to today’s debate, between Fr. Neuhaus and David L. Schindler, dean emeritus at the John Paul II Institute where I teach. I regard Reno, with whom I share something of a “Yale School” formation in our distant pasts, as a friend. But we do not necessarily see eye to eye on everything, including, probably, both the first principles of the American Founding and the proper response of Catholics to our present political predicament. Indeed, I see his recent piece on “Practical Integralism,” with its focus on policy outcomes, as almost an inversion of my article “For and Against Integralism,” which *First Things* published in March 2020. Perhaps Reno’s piece is an attempt to advance something of the original *First Things* project in a new form. But I gratefully regard the willingness of *First Things* to publish a piece so critical of the assumptions animating its original project, as well as the pieces of Patrick Deneen and other critics of liberalism, as an important acknowledgment that the dramatic changes in America since the 1980s call for a critical re-examination of those principles and commitments. What the outcome of this reassessment may eventually be in terms of the journal’s editorial stance, and whether there is a similar self-examination taking place among the younger generation staffing the traditional media organs of the American Catholic left, I cannot say. See Rusty Reno, “Integralism Practical, not Theoretical,” *Theopolis*, January 14, 2021, <https://theopolisinstitute.com/conversations/integralism-practical-not-theoretical/>; Hanby, “For and Against Integralism,” *First Things* (March 2020), available at <https://www.firstthings.com/article/2020/03/for-and-against-integralism>.

⁶ See Hanby, “The Civic Project of American Christianity.”

⁷ See Lawler, “Better than They Knew: A Response to Patrick Deneen,” *First Things*, January 25, 2013, <https://www.firstthings.com/web-exclusives/2013/01/better-than-they-knew-a-response-to-patrick-deneen>.

philosophy, or ethical theory. Liberal order, as we shall discuss, has been spectacularly successful in eliminating all theoretical and practical alternatives to itself, establishing itself as the ultimate horizon of thought and its principles as first, even the only possible, philosophy. All real—that is to say, *public*—thought in American life finally is political. The “civic project” makes the principles of this order the *ultimus finis* of Catholic thinking. It compels its protagonists to *stop* thinking at the boundary of liberal horizons and to settle for truths that are just “true enough” to undergird this order or to achieve this or that political end within it. The problem is that “true enough” is rarely true enough.⁸

The cost to the Catholic mind has been incalculable. The voluntary limit on how far we are willing to *think* has become an involuntarily limit on how far we are able to *see*. The “eclipse of the sense of God and man” that so concerned John Paul II and Benedict XVI and is coextensive with the *modern* secular—an immanent field of power relations and an ontological *tabula rasa* that forms the all-encompassing domain within which the drama of history is thought to unfold—casts its shadow within the Church as well as without, depriving us of the light even to recognize our own irreligion.⁹ The Christian imagination is

⁸ An example of this can be seen in the debate over same-sex marriage leading up to *Obergefell*, notable for the speed with which it was “resolved” and for the thoughtlessness that accompanied such a profound and far-reaching decision. Conservative Catholics generally contested this proposed change on the grounds permitted by liberal public reason: that judicial fiat would violate democratic norms and the rightful powers of the legislature, that it would lead to the curtailment of religious freedom, or that it would have negative social consequences. What was most fundamentally at issue, however, was the truth of the human being, the redefinition of the fundamental realities of human life—of man, woman, mother, father, and child—and the presumption of the state to assume authority over the meaning of nature. Having largely failed to recognize this, it is unsurprising that they were then caught flatfooted when, within months, this victory had morphed into the full-blown sexual-orientation and gender-identity revolution we are now undergoing. See Michael Hanby, “The Brave New World After *Obergefell*,” December, 2019, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3501246.

⁹ The concept of “irreligion” is from Augusto Del Noce and signifies something worse than atheism, which is still an inverse kind of theology and a form of engagement with God. It indicates the muting of the religious sense and the elimination of God as a real question from the horizon of thought. See Del Noce, *The Crisis of Modernity*, trans. Carlo Lancellotti (Mon-

thus left bereft in the face of our historical predicament, and the Church often seems to have little more than platitudes, moralistic or therapeutic echoes of the *zeitgeist*, to offer to a civilization that is rapidly consuming itself.

Robert Reilly’s *America on Trial*

This project is now dying, though it is unclear what, if anything, will replace it. It is obvious to all but its most trenchant defenders that the “self-evident” truths upon which American order rests are no longer true or evident enough to prevent liberal order from realizing itself in its totalitarian opposite.¹⁰ Among the stalwart devotees to this dying project, but determined nevertheless to press on, is Robert R. Reilly. His book, *America on Trial: A Defense of the Founding*, which has been met with great acclaim from the American Catholic right, is an exemplary instance of the intellectual tendencies that I have just described.

Reilly names me, along with Patrick Deneen, as one of the chief prosecutors of the case against the American Founding—though the choice of the “trial” metaphor is his, not mine. His, too, is the book’s presentation of the central question between us. What I regard as a *philosophical* question about the essence and logic of American liberal order, Reilly regards as a *historical* question about the Founders’ sources and a *psychological* question about the sincerity of their intentions. A great deal of incomprehension is generated in the translation from the one conception to the other. Adjudicating the American Founding is at best an ancillary concern of mine, necessitated to a great degree by the insistence of people such as Reilly that an (impossible) return to a more pristine form of the Founding principles would save America from a nihilistic fate and and by their refusal even to consider that this fate might have been set in motion by the revolutionary transformation in metaphysics, theology, and natural philosophy that underlay the Founders’ eighteenth-century articulation.

treat: McGill-Queen’s, 2014), 132-3.

¹⁰ Del Noce calls this simultaneity of collapse and fulfillment the “suicide of the revolution” in the case of Marxism. For a thorough and profound explanation of why the logic of modern freedom is essentially and necessarily self-subverting, see D. C. Schindler, *Freedom from Reality: The Diabolical Character of Modern Liberty* (Notre Dame: Notre Dame Press, 2017).

This difference in framing says something important about the genre of Reilly's work. The argument of the book is not philosophical but *political*, though it is not obvious that Reilly grasps the difference. Its primary aim is not really to *understand* the true essence of American order, the meaning of our moment in history, or even the arguments of his interlocutors. Had understanding been Reilly's goal, he would have posed a different sort of question. What differentiates the modern age from its predecessors, for example, and how might America exemplify this difference? Is there anything truly novel about the "American experiment"? Alexander Hamilton certainly thought so.¹¹ What can religion *be* within American liberal order? Does this order place any structural constraints upon it, and if so, upon what metaphysical and theological basis? Is there any correlation between "the Laws of Nature and of Nature's God" appealed to by the Declaration and early modern conceptions of law, God, and nature?¹² Do these underlying metaphysical and theological presuppositions have any bearing on the subsequent shape of the American project and American self-understanding? Are there any flaws in this conception, and how might they

¹¹ "The science of politics, however, like most other sciences, has received great improvement. The efficacy of various principles is now well understood, which were either not known at all, or imperfectly known to the ancients. The regular introduction of legislative balances and checks; the institution of courts composed of justices holding their offices during good behavior; the representation of the people in the legislature by deputies of their own election: these are wholly new discoveries, or have made their principal progress towards perfection in modern times. They are means, and powerful means, by which the excellencies of republican government may be retained and its imperfections lessened or avoided. To this catalogue of circumstances that tend to the amelioration of popular systems of civil government, I shall venture, however novel it may appear to some, to add one more, on a principle which has been made the foundation of an objection to the new Constitution; I mean the ENLARGEMENT OF THE ORBIT within which such systems are made to revolve" (Alexander Hamilton, "Federalist 9," in Hamilton, Madison, Jay, *The Federalist* [New York: Signet, 1961], 72-3).

¹² Reviewers who praise Reilly for having returned the Founders to their proper historical context never seem to have *this* context in mind. They uniformly distort the debate by repeating Reilly's own error of artificially separating political philosophy from its necessary basis in natural philosophy. Among the many examples, see D. Q. McNerny, "The Same Adorable Source," *The New Criterion* 39.5 (January 2021), available at <https://new-criterion.com/issues/2020/10/the-same-adorable-source>.

manifest themselves in the social order? There are many other questions of this kind; Reilly considers none of them. If he were really interested in determining whether recent criticisms have any basis in truth, he would have consulted a broader cross-section of liberalism's Christian critics, people such as David L. and D. C. Schindler, John Milbank, Adrian Pabst, Pierre Manent, Adrian Vermeule, William Cavanaugh, and Stanley Hauerwas, among numerous others—to say nothing of Leo XIII—to determine whether there is more to this critique than the *reductio* to Locke and Hobbes that he imputes to Deneen and me. Were he genuinely interested in understanding rather than simply refuting my own line of criticism, he might have consulted my work in natural philosophy and metaphysics to learn more about how I understand the relationship between early modern natural and political philosophy, a relationship that was not lost on seventeenth- and eighteenth century-thinkers themselves.¹³ At the very least, he would have actually engaged with the essay that seems to have so provoked him. Reilly announces in his introduction that vindicating the American Founding against the supposed "trial" prosecuted by Deneen and me is a central purpose of the book. The formulation "Deneen and Hanby" appears repeatedly, fusing our distinct arguments into one position of his own creation. And yet he cites me exactly twice: once from a 2015 article for *First Things*, a second time from my reply to *his* letter to the editor objecting to that same article. I now wish I had taken the time then to write a less dismissive response to what I thought were his uncomprehending objections. I might have saved us both a lot of trouble.

Though I am flattered that Reilly could work himself into a book-length lather on such a slim basis, a genuine attempt at understanding might have saved him from numerous errors, oversimplifications, and misunderstandings—and even brought some real light to the debate.¹⁴

¹³ See Steven Shapin and Simon Schaffer, *Leviathan and the Air-Pump: Hobbes, Boyle, and the Experimental Life* (Princeton: Princeton University Press, 1985), 80-109.

¹⁴ See Patrick Deneen, *Why Liberalism Failed* (New Haven: Yale University Press, 2019). Patrick Deneen has already defended himself against an earlier version of Reilly's charge, made in *The Claremont Review of Books*. Though Deneen's project and mine are mostly complementary, they are nevertheless quite

He charges me with Hegelianism, a dog whistle guaranteed to elicit the approval of commentators on the American Catholic right who give little evidence of having actually read him. Yet anyone familiar with my thought would know that Hegel plays virtually no part in it (the same can be said for Strauss), and that I am in fact a critic of nineteenth-century historicism, whose emergence in the English-speaking world I take to be partly a function of eighteenth-century mechanical philosophy.¹⁵

Reilly also imputes to me a simplistic reduction of the Founding to Locke and Hobbes, in order to have something to refute. He treats the Hobbesian dimension of liberalism principally as a question of intent, as if the charge were that the Founders contrived to use Locke as a mask for their Hobbesian designs. Locke rejected Hobbes, leaving ample evidence that he was a “natural law realist” rather than a nominalist, and so “The Founders took Locke to be in the tradition of Hooker” rather than Hobbes. This suffices for Reilly’s purposes. For “the question at issue is not whether [Locke’s] teachings could be put to disparate uses, but rather to what use the Founders put them. What matters is how the Founders understood him and to what purposes they applied their understanding.”¹⁶ Reilly simply disregards the mechanistic philosophy of the era that achieved apotheosis in Newton and the corresponding reconception of reason that would launch the entire “critical project” of modern philosophy as though they had no *political* relevance, a relevance not lost on seventeenth- and eighteenth-century thinkers themselves.¹⁷ (Thus Reilly

would probably be surprised to learn that I regard neither the *Leviathan*, nor the *Second Treatise*, nor even *The Federalist Papers* as best expressing the essence of the *novus ordo seclorum*, but would, if such an award must be given, bestow that honor to Bacon’s *New Atlantis*.) Failing to comprehend this reconception of nature and reason, Reilly fails to see that the contrasts upon which he builds his entire case—reason vs. will, natural law realism vs. nominalism—are not entirely to the point, or that his appeals to Locke’s theological positivism and moralism restate rather than solve the fundamental problem, which cannot be resolved simply by cataloging Locke’s references to “the judicious Hooker.” He fails to consider also that the Framers’ perception of an urgent need for the new American state to limit *itself* by dividing and diffusing sovereignty might already attest to the “Hobbesian” absolutization of politics and to the elimination of the Church as a “limiting principle” transcending political order. Nor does he see how the negative rights intended to limit the state actually increase the scope and power of its enforcement.¹⁸

tion, are found to be the basis of civil Communities, and free Governments, and which gather multitudes, by an Orphean charm, into Cities, and connect them in Companies, that so, by laying in a Stock, as it were, of several Arts, and Methods of industry, the whole body may be supplied by a mutual Commerce of each others peculiar faculties; and consequently that the various Miseries and toils of this frail Life, may, by the Wealth and Plenty be diffused in just Proportion to every one’s Industry, that is, to every one’s Deserts.”

The text of this draft, given in Stephen Wren’s *Parentalia*, is cited in Stephen Gaukroger, *The Emergence of a Scientific Culture: Science and the Shaping of Modernity, 1210-1685* (Oxford: Oxford University Press, 2009), 39.

distinct, despite the tendency of critics like Reilly to lump them together. To avoid this confusion, and to avoid imputing to Patrick my own understanding of the issues, I will let his defense stand on its own. See Deneen, “Corrupting the Youth? A Response to Reilly,” *Public Discourse*, September 19, 2017, <https://www.thepublicdiscourse.com/2017/09/20087/>.

¹⁵ This emergence is particularly apparent in the transition from William Paley to Darwin. See Michael Hanby, *No God, No Science? Theology, Cosmology, Biology* (Chichester: Wiley-Blackwell, 2013), 105-249.

¹⁶ Reilly, *America on Trial: A Defense of the Founding*, (San Francisco: Ignatius Press, 2020), 226.

¹⁷ Consider, for example, Christopher Wren’s late-seventeenth-century draft of the Royal Society charter:

“The Way to so happy a Government, we are sensible is in no matter more facilitated than by the promoting of useful Arts and Sciences, which, upon mature Inspec-

¹⁸ Bernard Bailyn, whose authority Reilly does recognize, seems to see this paradoxical problem when he writes of the Framers’ desire “to reconcile the need for a powerful, coercive public authority with the preservation of the private liberties for which the Revolution had been fought” (p. 2); their discovery that “absolute power need not be indivisible but can be shared among stages within a state and among branches of government (p. 4); and that the Constitution’s basic proposition was “that power could be created and constrained at the same time” (p. 54) (*To Begin the World Anew: The Genius and Ambiguities of the American Founders* [New York: Random House, 2003]; see also pp. 1-36, 100-130). For a further critique of the inherent “totalitarianism” of this attempt at self-limitation, see D. C. Schindler, “Liberalism, Religious Freedom, and the Totalitarian Logic of Self-Limitation,” *Communio* 40.2 (Fall 2013), 577-631. Though I wish ultimately to maintain that only the

Once again, Reilly's is not the *modus operandi* of a philosopher, but that of a defense attorney. Indeed, his principle for interpreting the Founders precludes any real philosophical analysis. Reilly insists that the meaning of the Founders' words and deeds is exhausted by what they meant in writing and committing them—neither more nor less. "To understand [the Founders] in a way other than they understood themselves would mean they were in the grip of forces beyond their own comprehension."¹⁹ This principle is historically naïve and philosophically incoherent; so it is little wonder that Reilly himself does not consistently adhere to it. It should be noted, first of all, that the plausibility of his argument for a natural-law foundation to American order hangs not on the intention and motivation of the Founders'

Church can limit and prevent the absolutization of political order, I recognize that talk of the Church as a "limiting principle" risks an essentially modern and anachronistic conception of politics and its problematic, insofar as it suggests that ecclesial and political order are by nature extrinsic to one another and not mutually interpenetrating and overlapping "spheres" of the one natural and supernatural reality.

¹⁹ Reilly, *America on Trial*, 249. Reilly is taking sides on one of the more important methodological controversies of twentieth-century American historiography. Gordon S. Wood describes it thus: "I have never thought that one could explain anything fully by referring only to the beliefs of people. In writing the article ['Rhetoric and Reality in the American Revolution'] I was well aware of the powerful implications of Bernard Bailyn's introduction to his *Pamphlets of the American Revolution*, which had just been published in 1965 and which would eventually become *The Ideological Origins of the American Revolution* (1967). As shatteringly important as I knew Bailyn's work to be, I nevertheless thought it tried to explain the Revolution too much in terms of the professed beliefs of the participants. Thus I wrote the 'Rhetoric and Reality' article as a corrective to the idealist tendency I saw in the neo-Whig literature of the 1950s and early 1960s that I believe had climaxed with Bailyn's stunning work" (Gordon S. Wood, *The Idea of America: Reflections on the Birth of the United States* [New York: Penguin, 2011], 54; see pp. 1-55). Wood's own method is interesting because it makes ample space for the "way of ideas" while neither equating their significance with the beliefs of those who held them or succumbing to the "the traditional assumptions of neo-Progressive social history" and what Wood considers its crude "polarities of ideas versus behavior, rhetoric versus reality" (54). While Wood is not a philosopher, his acknowledgment of the causal efficacy of ideas and the importance of broader context for determining their implications leaves room for the kind of philosophical interpretation Reilly disdains. It is not clear whether Reilly is conscious that he is taking sides in a much larger battle over the principles of American historiography, but he does cite Wood (p. 2) so he is presumably aware of the issue.

expressed in the Constitution itself, but on the Declaration of Independence—and thus relies on acceptance of Harry Jaffa's questionable theory that the Declaration of Independence functions, in Patrick O'Neil's words, as a kind of "Ur-Constitution," the 'why' to the Constitution's 'how.'²⁰ I have no wish myself to contest this theory—in fact, I am inclined to accept it—but it is necessary to point out that the Constitution's own silence on the matter and its omission of any reference to the "Laws of Nature and of Nature's God" as allegedly undergirding its separation of powers and enumeration of rights makes this unspoken axiom far from self-evident. Reilly's principle is contradicted historically, moreover, by the discrepancy, apparent even within their own lifetimes, between what the Founders intended and what they created, which leads the eminent historian Gordon S. Wood to suggest that they *were* in the grip of forces they did not fully comprehend.²¹ Reilly's adherence to this principle is selective. He certainly does not extend it to his opponents; neither does it seem to rule out the "better than they knew" defense of the Founding advanced by John Courtney Murray and his disciples. Rather it seems only to apply to my "worse than they knew" rejoinder. And Reilly's attempts to transmute "Nature's God" into the Chris-

²⁰ Patrick M. O'Neil, "The Declaration as Ur-Constitution: The Bizarre Jurisprudential Philosophy of Professor Harry V. Jaffa," *Akron Law Review* 28.2 (1995): 237-252, available at <https://core.ac.uk/download/pdf/232682197.pdf>. See also Thomas G. West, "Jaffa versus Mansfield: Does America Have a Constitutional or a 'Declaration of Independence' Soul?," *Perspectives on Political Science* 31.4 (Fall 2002): 235-46.

²¹ As Gordon Wood puts it, "The American leaders may have begun their Revolution trying to recover an idealized and vanished Roman republic, but they soon realized that they had unleashed forces that were carrying them and their society much further than they had anticipated. Instead of becoming a new and grand incarnation of ancient Rome, a land of virtuous and contented farmers, America within decades of the Declaration of Independence had become a sprawling, materialistic, and licentious popular democracy unlike any state that had ever existed. Buying and selling things were celebrated as never before, and the antique meaning of virtue was transformed. Ordinary people who know no Latin and had few qualms about disinterestedness began asserting themselves with new vigor in the economy and in politics. Far from sacrificing their private desires for the good of the whole, Americans of the early Republic came to see that the individual's pursuit of wealth or happiness (the two were now interchangeable) was not only inevitable but justifiable as the only proper basis for a free state" (Wood, *The Idea of America*, 75).

tian *logos* or transmute the medieval distinction between spiritual and temporal power into the modern distinction between church and state in anticipation of the liberalism of Locke or Murray are simply historically naïve and anachronistic.

What concerns me at present, however, are the philosophical implications of Reilly's interpretive principle. If the meaning of every idea is exhausted by the intentions of its thinkers then not only do ideas never derive from others of which we are unaware, but there is also no possibility of them having causal effects unintended by their originators. Since the meaning of every idea would lie self-evidently on its surface, there could be no question of unexamined presuppositions or unanticipated logical implications. It's a principle that seems to be borrowed straight from Humpty Dumpty: "When I use a word," says the great egg-man, "it means just what I choose it to mean—neither more nor less."²² Reilly's principle denies ideas any philosophical meaning independent of an author's intent and thus precludes any real philosophical analysis, for it leaves nothing left to analyze but historical influences and psychological motivations and intentions: that is, whether the Founders "really meant" what they said about God, freedom, morality, and the rest of it. This is really all that Reilly's method comes down to—reflecting, perhaps, the Founding generation's own "whiggish" assumptions about historical causality, and the reduction of English-speaking philosophy to a sort of empirical psychology in the aftermath of Locke and Hume. It is not an approach likely to deepen our understanding, but it is a method well-suited to its task. For Reilly's aim is not to get to the bottom of things—there can be no bottom of things from his methodological vantage—but to exonerate his client. And this aim guides his framing of the point of contention and his selection and arrangement of the evidence, determining how and what he presents and—perhaps even more importantly—what he does not.

Reilly's trial gambit raises a question about the identity of the jury. Just who is he trying to convince, and what further end is served if his client goes free? Reilly's is not an argument designed to win over progressives, Catholic or secular, who openly embrace the historicism he

deplores. Nor does it seem to be aimed even at a majority of conservatives, long accustomed to grounding their preference for negative rights and limited government within the closed world of legal positivism and "originalism"—a process that began *within* the Founders' own lifetime and is perhaps an inevitable consequence of the state's self-contradictory attempt at self-limitation.²³ Reilly cannot concede that the myth of the "civic project" has been falsified by events, but he can see that this project is in peril. He worries for its future and for the future of Christians in the public square. He seems particularly solicitous toward the young—for students influenced by the likes of Deneen and me—, worried that "they will feel they no longer have a country they can love and wish to serve" and thus will decline to follow their forebears down the "path of guardianship."²⁴ In one inadvertently telling remark, Reilly says that those who "denigrate the Founding" as Deneen and I do "exclude themselves from the public arena by conceding it to their opponents."²⁵ And what if our "denigrating" conclusions happen to be *true*? The implication is that one should stop thinking at the point where understanding the truth ceases to be useful in the "public arena" or risks sacrificing political influence. One could hardly ask for a clearer illustration of the difference between a political and a philosophical argument—or of the high cost of the "civic project." Nor could one ask for a better explanation of why Fr. Neuhaus's "Catholic Moment" passed without ever arriving, despite the fact that Catholics are now poised to take the reins of American power in every branch of government. There is no barrier to the advance-

²³ This is evident in the competing conceptions of judicial review in evidence in the Supreme Court case *Calder v. Bull* (1798) which has remained an on-going battle, despite the apparent victory of legal positivism. The fundamental question was whether judicial review would be anchored to the Constitution and legislative acts, or whether the judiciary could strike down positive law on the basis of natural law—albeit a natural law that has undergone a "dissolution [...] into the natural rights of the individual—the rights of 'life, liberty, and estate'—[that has been achieved] through the agency of the Social Compact." These last words are quoted from the *locus classicus* on this question, Edwin Corwin, "The Debt of American Constitutional Law to Natural Law Concepts," *Notre Dame Law Review* 25.2 (1950): 258-84, at 262, available at <https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=3789&context=ndlr>.

²⁴ Reilly, *American on Trial*, 319, 6.

²⁵ *Ibid.*, 318.

²² Lewis Carroll, *Through the Looking Glass and What Alice Found There* (New York: William Morrow, 1993), 124.

ment of Catholics in American public life provided that Catholic truth is irrelevant to the discharge of their public duties.²⁶ One is free to believe whatever one likes in America so long as it's false.

From Reilly's vantage along the guardian's path, then, arguments like Deneen's and mine are "fraught with danger." "If Christians come to believe that America is congenitally their enemy," he writes, "they will cease to defend it and join in its destruction for their own reasons."²⁷ Of course it is preposterous to think, as Deneen observed the first time Reilly leveled such accusations, that America needs our help in destroying itself.²⁸ And the line of reasoning that leads from the attempt to understand the truth, to the declaration of enmity, to complicity in the destruction of the country is as illogical as it is calumnious, rather like accusing someone of patricide for admitting that his father is an alcoholic. I have treated this curious, quintessentially American understanding of patriotism elsewhere.²⁹ It regards America

not as a place, but as an idea, and patriotism not as devotion to one's *patria*—one's home, hearth, and kin—but as adherence to a philosophy. If this philosophy happens to be false, then so much the worse for truth.

Just-so Stories: Answers that Miss the Question

Reilly builds his case nonetheless. He mines the legacies of Rome, Athens, and Jerusalem in their Christian synthesis, so essential to the subsequent history of the West, to establish the historical and intellectual preconditions without which America would not be. From Athens, the West inherited the ideas of a rational universe governed by a divine intellect, of the primacy of reason in the moral life, of an immutable human nature (and thus of natural law), and of the immortal soul. Jerusalem contributed monotheism, the doctrines of creation *ex nihilo* and the essential goodness of the world, the *imago dei*, and salvation history. Christian Rome universalized these truths, when salvation history came to its culmination in Christ: it recognized the inviolability of the human person and de-divinized the world. This made the separation of sacred and secular spheres to be a Christian necessity and eventually led, "by a long road," to religious freedom, as paradigmatically understood by John Courtney Murray, one of the principal architects of *Dignitatis Humanae*.³⁰ The bedrock conditions are now in place from which constitutionalism could develop.

The impressive collection of texts Reilly assembles in support of his claim of continuity is easily the best part of the book. He draws on a plethora of sources from the Middle Ages to argue that essential characteristics of the American Founding thought to be products of the Enlightenment

²⁶ Marc Barnes puts it very well: "This is simply what it means to be a judge within a liberal society — to administrate a justice which is not directly related to truth and falsity, good and evil, but to the past decisions of that same liberal society. A fancy way of putting this is that, within liberal societies, the faculty of judgement is ordered, not towards principles of justice, but towards the will of the sovereign. The judiciary does not *make* laws, it receives them from legislators, interprets them, and judges particular human actions to be in or out of accord with them. The judge exists within a closed world. The ceiling of her judgment is the political power which makes the laws, whether expressed in the Constitution and past cases, or as pushed by the people and their politicians" ("Judges without Justice: What Liberalism Means for ACB," *New Polity*, October 6, 2020, <https://newpolity.com/blog/judges-without-justice>).

²⁷ Reilly, *America on Trial*, 4.

²⁸ See Deneen, "Corrupting the Youth?" *op cit*.

²⁹ Hanby, "What Comes Next." American patriotism could never ultimately mean the traditional piety toward one's *patria*: the "love of peace, and quiet and good tilled earth" that bound the Hobbits to the Shire or the devotion to people and place that forbade Lee from taking up arms against his beloved Virginia. It is doubtful whether such archaic forms of love could ever have been sustained in a relentlessly expansive nation bent upon the continual subjugation of its own continent, but the priority of local attachments over abstract principles was permanently discredited in the United States by the shameful legacy of slavery and the American Civil War and was, in any case, destined to be undermined by the inherent rootlessness of an American populace carried along by the ever-forward thrust of advanced capitalism in the twentieth century. People from nowhere with no real home can have no real place to love. Even now, ask any middle-aged American adult in what parcel of "good tilled earth" he intends to be buried, and there is a good

chance he does not know—especially if he belongs to the meritocratic class. This unsettling fact, which is surely unique in the history of the world, is cause for wonder. See Hanby, "What Comes Next," *op cit*.

³⁰ Reilly, *America on Trial*, 52. For a documentary history of the composition of *Dignitatis Humanae* and a powerful critique of Murray and the still dominant Murrayite interpretation of its meaning, see David L. Schindler and Nicholas J. Healy, *Freedom, Truth, and Human Dignity: The Second Vatican Council's Declaration on Religious Freedom: A New Translation, Redaction History, and Interpretation of "Dignitatis Humanae"* (Grand Rapids, MI: Wm. B. Eerdmans, 2015).

derive in fact from medieval natural law origins: the principle of equality, the rule of law founded in reason, the “dual sovereignty” of the sacred and secular, government by consent of the governed, and the right to resist tyranny. (He says nothing of the sacramental order of reality, reflected in the rites of coronation, that underlay and united the secular and spiritual powers in one ecclesial order.)³¹ Reilly then looks to the familiar story of the voluntarism and nominalism that arose in the High Middle Ages, with a view to their political implications. At the foundation of these philosophical developments is the elevation of the will to primacy over the intellect, which annihilates the natural law—rooted in the divine *logos* and based on human reason—and thus ushers in an era of absolutist thinking foreign to the older tradition: secular in the case of Hobbes, theocratic in the case of Martin Luther, James I, and Robert Filmer. Against this, Reilly employs his method of assembling like-sounding references from diverse authors and citing the Founders’ self-attestations that their universal principles are those of the tradition to establish a genealogy connecting the Americans to their medieval forebears in the natural-law tradition, a lineage that passes from Aristotle and Aquinas to Hooker and Sidney—with cameo appearances by Bellarmine and Suarez—and ultimately to Locke and the Americans. The American Revolution thus appears at the conclusion of this reconstruction not as the radical institution of a new world order, à la the French Revolution, but as a conservative *restoration* of the Christian natural law tradition.

Those already versed in the mythology of the

³¹ “I have described thirteenth-century France as sacramental and incarnational. What I hope I have made clear is that the secular power and the spiritual power were not operating in different realms. Rather, the spiritual power was a power precisely inasmuch as it operated in the secular world, and the secular power was a power precisely inasmuch as it worked toward a spiritual end. What made them ‘powers’ and not just violence on the secular side or ritual functions or preaching on the spiritual side was the combination of their spiritual legitimacy and their efficacy in the temporal society: both were the Church, clerical and lay, in action. The Church in action both constituted the kingdom and pointed beyond it to the unity of Christendom and, ultimately, of humanity itself” (Andrew Jones, *Before Church and State: A Study of Social Order in the Sacramental Kingdom of St. Louis IX* [Steubenville: Emmaus Academic Press, 2017], 145-6). A serious appraisal of Jones’ work would reveal the anachronistic character of Reilly’s analysis.

“civic project” will recognize these as commonplaces in the conservative telling of that mythology. Equally familiar is the cast of villains who shoulder the blame for America’s “fall,” thereby absolving the conservative wing of a critical examination of first principles. German historicism, Darwinism, John Dewey, Woodrow Wilson—perennial foils in the ongoing battle against political progressivism—all make their predictable appearance. The story is Whig Catholic history at its finest.³² At several points, Reilly even implies that Catholic natural law principles are fully realized in the political sphere *for the first time* in Protestant America, though it takes a few “just-so” stories to pull this off.³³ He equates “Nature’s God” of the

³² The notion of “Whig history” originates with Herbert Butterfield’s famous 1931 volume, *The Whig Interpretation of History*. It has come to be a pejorative designation for an anachronistic form of historiography, whether political, scientific, or religious, that views history from the vantage of an “enlightened” present toward which history is thought progressively and inevitably to tend, and that selects its relevant elements on that basis. The term “Whig Thomism” was first coined by Lord Acton, and later appropriated by Michael Novak to describe what we could call the “proto-Enlightenment” or “proto-American” elements in the thought of St. Thomas, abstracted (so I would argue) from the historical and ontological setting that originally made them intelligible. This misreading of St. Thomas is used by the “conservative” devotees of the “civic project” to synthesise Catholicism and liberal order. This inevitably involves the construction of a historical narrative (exemplified here by Reilly)—whose basic elements have become recognizable to anyone familiar with such attempts—that answers to the description of Whig history. See Michael Novak, *The Hemisphere of Liberty: A Philosophy of the Americas* (Washington: AEI Press, 1992), 107-23 and Novak, “The Return of the Catholic Whig,” *First Things* (March 1990), available at <https://www.firstthings.com/article/1990/03/the-return-of-the-catholic-whig>.

³³ See e.g., p. 13: “As John Quincy Adams would later say, their ‘theory of government had been working itself into the mind of man for many ages.’ But the Founding was also something new. What was revolutionary about it was that, for the first time in history, the effort was made to found a regime on these truths, for as Adams remarked, they ‘had never before been adopted by a great nation in practice.’” Or p. 52: “The secular is not antithetical to Christianity; it is a *product* of it. Christianity created the secular. It insists on it.... This was the ultimate basis for the constitutional principle of separation of ecclesiastical and secular authority. By a long road, it eventually led to religious freedom—something that would have been inconceivable unless the political order had been secularized. (Ultimately, it was the basis for the First Amendment.) ... Jesus’ words, Lord Acton said, gave to the civil power ‘bounds it had never acknowledged, and they were the repudiation of absolutism and the integration of Freedom.... The new law, the new spirit, the new authority, gave to liberty a meaning and a value it had not possessed in the philosophy or in the constitution of

Declaration with the “Judeo-Christian God”—which is itself notably a sociological abstraction rather than a theological description—“for the simple reason that there is no other revelation (or cult, if you will) at the base of a *culture* that supports the Declaration’s principles to the extent that they could have *originated* within it.”³⁴ And there was no need to embed specifically Christian principles in the Constitution *both* because it was necessary for these principles to be “independent of the validity of any particular religious beliefs” *and* because colonial America was apparently *so* Christian that the colonists would simply know that the philosophical appeals to Nature’s God on which it rested “were vindicated by and sustained by the God who reveals himself as the divine Logos.”³⁵ Just so. *Why* it was necessary for such a deeply Christian nation to transmute its God into a philosophical abstraction belonging to no actual religious tradition and its faith into these ‘independently valid’ philosophical terms, only so that each individual could then translate them back, he does not say.

Still, it might surprise Reilly to learn that I find nothing particularly objectionable about most of these claims, stated at this level of generality. I certainly see nothing in them fatal to my own view. Obviously, the American Founding is an event in a Western and Christian history that includes the discovery of the New World, the Protestant Reformation, the disintegration of Christendom, the English Civil War, and the Scientific Revolution. It could not *but* be informed by the tradition from which European civilization drew its breath, just as it could not fail to be affected by these transformations. I have never

Greece or Rome before the knowledge of the truth that makes us free.” Or p. 248: “We have emphasized that liberty and constitutional order are not the products of just any conception of the universe, but only one—that of the Judeo-Christian and natural law tradition. And so we come around at last to *what* this genealogy made possible. The Founders not only declared the *inherited* principles of human equality, popular sovereignty, the requirement of consent, and the moral right to revolution that we have been following since the Middle Ages, but *for the first time in history*, instantiated them, put them into practice, producing a constitutional republic that was the product of deliberation and free choice.... The Founders accomplished this in the form of an extended federal republic the likes of which the world had never seen.”

³⁴ *Ibid.*, 264.

³⁵ *Ibid.*, 266.

regarded the Founding merely as the incarnation of Lockean philosophy, despite Locke’s obvious influence upon the thought of Jefferson and other Founders. Nor have I regarded Lockean philosophy in quite so reductive and simplistic a fashion as Reilly supposes.³⁶ The whole of modern political philosophy unfolds in the shadow of Hobbes, and the question of Locke’s literary and philosophical relationship to him is a complex one that does not turn, in my view, either on the simple question of acceptance or rejection or on Locke’s attitude toward absolutism, the natural law, and morality. Certainly, the invocation of Locke’s moralism or his appeal to the law of nature in the *Second Treatise* is not the objection to my position that Reilly imagines, though in acknowledging these aspects of Locke’s thought it should be noted that the nature and function of “natural law” in his philosophy remains a vexed question among Locke scholars.³⁷ I have always understood the

³⁶ Garry Wills famously denied virtually any Lockean influence upon Jefferson, but Ronald Hamowy and Allen Jayne, among others, pretty much demolish this view. See Wills, *Inventing America: Jefferson’s Declaration of Independence* (New York: Doubleday, 1978); Ronald Hamowy, “Jefferson and the Scottish Enlightenment: A Critique of Garry Wills’s *Inventing America: Jefferson’s Declaration of Independence*,” *The William and Mary Quarterly*, Third Series, 36.4 (October 1970): 503-23; Allen Jayne, *Jefferson’s Declaration of Independence* (Lexington: The University Press of Kentucky, 1998), 41-61.

³⁷ Questions abound concerning both the function and the actual content of the law of nature—which Locke leaves undeveloped in the *Second Treatise*—as well as its compatibility with the doctrine of the *Essay*. Peter Laslett, who edited the Cambridge edition of the *Two Treatises*, writes the following in his long introductory essay to that work. “So sharp here is the contrast between two almost contemporaneous works by the same author that in one passage in *Two Treatises*, perhaps in a second passage also, Locke uses language on the subject of natural law which seems inconsistent with his own statements about innate ideas in the *Essay*. Questioning on this point cannot be pressed too far, for we are told that ‘it would be besides my present purpose, to enter here into particulars of the Law of nature, or its *measure of punishment*, yet, it is certain that there is such a Law, and that too, as intelligible and plain to a rational Creature, and a Studier of that Law, as the positive Laws of Commonwealths, nay possibly plainer’ (II, § 12). It seems that it was always ‘beside his present purpose’ for Locke to demonstrate the existence and content of natural law. He did not do that in his *Essay*, even in the 2nd edition where the passage in the second book which Tyrrell had complained of was rewritten. He would not do so by bringing out his early *Essays on the Law of Nature*, which Tyrrell asked him to do in the course of their exchange. As Dr Von Leyden has shown, these earlier essays would not have provided a doctrine of natural law capable of reconciling the theory of knowledge

thought of the Founders as a complex amalgam of Protestant Christianity, Scottish Enlightenment moral philosophy, Baconian and Newtonian natural philosophy, and the Renaissance tradition of civic humanism. It is hardly an accident that we have a *senate and a capitol*, or that the young nation filled its new Rome along the banks of the Potomac with Greek and Roman temples. Nor is it an accident that the Founders did *not* build in Gothic; this fact alone ought to call into question Reilly's inordinate stress on the medieval Christian origins of the American Founding. "If any one cultural source lay behind the republican revolutions of the eighteenth century," Gordon Wood writes, "it was ancient Rome—republican Rome—and the values that flowed from its history."³⁸ If anything, Reilly's account of the Founding's Christian, natural law origins *understates* the Founders' neo-classicism in forming their republican imagination. The warnings of Cicero, Sallust, Livy, and Tacitus against the corrosive effects of luxury and decadence fueled the Founders' own suspicions of the corrupting effects of "interest"—defined, in Madison's words, as "the immediate augmentation of property and wealth."³⁹ Roman history would also provide the archetypes after which they patterned themselves: Cato, sacrificing his life for his country; Cincinnatus, laying aside his commission to return to his farm.⁴⁰ Jefferson hoped, rather romantically, that the yeoman farmers he imagined would populate his empire of liberty would be such high-minded, disinterested men." "Ours,' he informed Crèvecoeur in 1787, 'are the only farmers who can read Homer.'"⁴¹ Though the radical liberty advanced by Jefferson and Thomas Paine would contribute to the dissolution of this republican vision even within the Founders' lifetimes, in their minds it

also served as the precondition for any possible realization of that disinterested ideal.⁴² "Interest,' many of them said, 'is the greatest tie man one man can have on another'";⁴³ by contrast, the "classical ideal of disinterestedness was based on independence and liberty. Only autonomous individuals, free of interested ties and paid by no masters, were capable of such virtue."⁴⁴ The demise of this neoclassical vision and the dramatic transformation of the new nation into "a scrambling business society dominated by the pecuniary interests of ordinary people" prior even to the adoption of the Constitution, raises the enduring question of whether the Founders' republican ideal could survive the corrosive effects of Lockean liberty and its metaphysical underpinnings.⁴⁵ That it *has not* survived is beyond debate.

Reilly's Whig philosophical history ultimately fails, however, for the same reason that it is superficially plausible, because it is neither philosophy nor history in any rigorous sense. Reilly valorizes *ideas* like eternal truth, but he never moves beyond assembling similar sounding texts to analyze how these ideas function differently in their disparate literary and philosophical contexts, much less does he enter into philosophical speculation about what God, nature, freedom, reason, law, *are*.⁴⁶ Reilly's historical naïveté is at least the equal to his philosophical incomprehension and finally inseparable from it. For example, his grand genealogy of the classical and Christian roots of American civilization concludes with the blithe assertion that Christianity requires "the secular"—thus obviously preparing the way for religious freedom and the First Amendment as the realization of that requirement—, while paying no heed to the difference between ancient and modern senses of the term, or to the work of people such as Andrew Willard Jones or John Milbank which should have made such easy elisions impossible.⁴⁷ It is there-

in Locke's *Essay* with the ethical doctrine of that work and of *Two Treatises*. This, it is suggested, may have been one of the reasons why Locke was unwilling to be known as the author of both books." See Laslett's "Introduction" in John Locke, *Two Treatises of Government*, ed. by Peter Laslett (Cambridge: Cambridge University Press, 1988), 81-82, referred to hereafter as *Two Treatises*. Laslett's introduction will be cited by page number, Locke's own text by its internal numbering. For a profound critique of the "impotence" of Locke's conception of law, see D. C. Schindler, *Freedom from Reality*, 66-87.

³⁸ Wood, *The Idea of America*, 59.

³⁹ Quoted in Wood, *The Idea of America*, 140.

⁴⁰ *Ibid.*, 57-80.

⁴¹ Bailyn, *To Begin the World Anew*, 44.

⁴² Wood, *The Idea of America*, 127-69.

⁴³ *Ibid.*, 140.

⁴⁴ *Ibid.*, 143.

⁴⁵ *Ibid.*, 139.

⁴⁶ A number of these texts and ideas are not quite so similar as they seem, for example the implicit equation of the medieval doctrine of the two swords, which Reilly calls "dual sovereignty," and the separation of the church and state, or the comparison of Suarez, the Virginia Declaration of Rights, and the Declaration of Independence on pp. 215-17.

⁴⁷ See John Milbank, *Theology and Social Theory* (Oxford: Black-

fore unsurprising that the real significance of the early-modern revolution in metaphysics and natural philosophy, of the loss of a sacramental order of reality, and of the Protestant Reformation—ingredients all in the new conception of political order—completely escapes him. In the same way, Reilly’s generic references to “Christianity” and the abstract “Judeo-Christian heritage” conceal the historical fact that “Christianity” and “God” were highly contested terms everywhere in the eighteenth century and especially in colonial America, refuge to a vast assortment of British non-conformists and religious misfits from northern Europe. Perhaps Matthew Stewart’s *Nature’s God* is too invested in contemporary polemics to be a reliable historical guide; nevertheless, it must be conceded to Stewart that the mere existence of a text like *Reason, the Only Oracle of Man*, a weirdly Spinozistic tome attributed at the time to Ethan Allen—“prophet of Ticonderoga,” “Philosopher of the Green Mountains,” and leader of the Green Mountain Boys—“testifies to the presence in the remotest regions of revolutionary America of modes of thought that have been almost universally regarded as too old, too radical, and too continental to have played a role in the founding of the American republic.”⁴⁸ Yet Reilly needn’t have consulted Stewart or the Green Mountain Philosopher. Ben Franklin’s *Autobiography* would’ve done, or Jefferson’s Bible, which he hoped would “prepare the euthanasia for Platonic Christianity.”⁴⁹ Apparently, Jefferson forgot that “Nature’s

well, 1990); Jones, *Before Church and State: A Study of Social Order in the Sacramental Kingdom of St. Louis IX* (Steubenville: Emmaus Academic Press, 2017).

⁴⁸ Stewart notes that what is most striking about the book, what makes it most worthy of his attention, “is its lack of originality.” “From the serenity of his mountain lair, Ethan Allen appears to have rediscovered an infinite, centerless, and eternal universe; a nearly pantheistic deity coeval, coeternal, and coextensive with this unending cosmos; a human body composed of the constant flux and reflux of material particles, a natural world of constant transformation in which nothing is ever truly created or destroyed; and a host of other speculative visions that seem both older and more profound than the best-of-all-possible-worlds of watchmaker Gods and providential blandishments with which deism has long been identified.” Stewart, *Nature’s God: The Heretical Origins of the American Republic* (New York: W. W. Norton, 2014), 14, 15.

⁴⁹ Jefferson, “To John Adams” (October 12, 1813), in Merrill D. Peterson (ed.), *Thomas Jefferson: Writings* (New York: The Library of America, 1984), 1301-2. Anti-Platonism is something of a theme in Jefferson’s letters. In addition to the letter to

God” “reveals himself as the divine Logos.”

In extracting the pure principles which [Jesus] taught, we should have to strip off the artificial vestments in which they have been muffled by priests, who have travestied them into various forms, as instruments of riches and power to them. We must dismiss the Platonists and Plotinists, the Stagyrites, and the Gamaelites, the Eclectics the Gnostics and Scholastics, their essences and emanations, their Logos and Demi-urgos, Aeons and Daemons male and female with a long train of Etc. Etc. or, shall I say at once, of Nonsense.⁵⁰

History Inside the Great Transformation

Because the Whig historian always sees history tending inevitably toward his own present—historicism for me but not for thee—the past is always perfectly comprehensible to him. Just so, Reilly views this vast swath of philosophy and history from the pre-philosophical Egyptians to the Progressive era from the comfortable vantage of his own untroubled present and its unspoken assumptions. This, presumably, is why he has not really comprehended my position and indeed remade it in the image of his own political preoccupations—that, and the fact that his self-appointed role of defense attorney absolves him of understanding it. He simply does not see what he does not see. And it is why, from my point of view, he consistently poses the wrong questions: “Was the American Founding rooted in the Judeo-Christian heritage and natural law, or was it infused with notions of the radical autonomy and the perfectibility of man and, therefore, inimical to the Christian and natural law conception of reality?”⁵¹ “Was Locke a nominalist and a vol-

Adams, see also “To Peter Carr” (August 10, 1787), in *Thomas Jefferson: Writings*, 900-901; “To Benjamin Waterhouse” (June 20, 1822), in *Writings*, 1458-9.

⁵⁰ Jefferson, “To John Adams” (October 12, 1813), in *Writings*, 1301.

⁵¹ Reilly, *America on Trial*, 2.

untarist, or was he a natural law realist?"⁵² "Were those 'rights' ordered to any natural end, or were they autonomous, to be exercised at the will and complete discretion of their possessor? In other words, was the enterprise primarily an exercise of pure *will*, or was it grounded in reason?"⁵³ Like his challenge to Deneen and me to "prove that the Founders had a non-teleological or anti-teleological view of nature along the lines of Hobbes," the questions are empty and beside the point.⁵⁴

Even Hobbes did not simply reject Christianity, though the atheistic implications of his philosophy were immediately sniffed out. He reinvented Christianity as an instrument of his politics. So too did Locke, albeit more subtly, and Jefferson also, with "Nature's God" and a de-Platonized Jesus forming the two poles of the new enlightened Unitarian faith he prophesied for America's religious destiny.⁵⁵ Seventeenth- and eighteenth-century titans such as Bacon, Newton, and Locke were not simply voluntarists who exalted will over reason.⁵⁶ They were also *rationalists* bent on redefining and regulating reason as the counterpart to the physics of force that was supplanting the Aristotelian physics of form. The result was not a simple rejection of natural law but a transformation of the meaning of both law and nature: so that natural law became the Laws of Nature, which are not exactly the same thing.⁵⁷ As Amos Funkenstein once said, the "laws of nature" enjoyed their finest hour in the seventeenth and eighteenth centuries, as a *replacement* for the substantial form abolished by the mechanical

philosophy of the seventeenth century.⁵⁸ The paradigmatic example is Newton's laws, which would define the scientific ideal for the English-speaking world deep into the nineteenth century.⁵⁹ Final causality was not thereby eliminated, but rather *transformed* from an immanent quality of substantial form—the "sake" that expresses a thing's unity, denotes its ontological identity, and grounds the distinction between natural and violent motion—to an extrinsic purpose, a design, extrinsically imposed on extended matter from without by a contriving God.⁶⁰ Hobbes will echo this in launching his *Leviathan*.⁶¹ This extrinsic teleology would persist in British natural theology through William Paley and the *Bridgewater Treatises* right up to the time of Darwin, and it is still by and large what English-speaking Darwinians like Richard Dawkins take teleology to be when they reject it.⁶²

What I have always meant by the "conflation of nature and artifice" is this mechanistic reconception of nature, the *theologia naturalis* presupposed and implied by it, and the corresponding conflations of contemplation and action, truth and function—not endless self-creation or "the perfectibility of man" as Reilly seems to think, though

⁵² *Ibid.*, 225.

⁵³ *Ibid.*, 289.

⁵⁴ *Ibid.*, 310.

⁵⁵ Jefferson famously remarks in his 1822 letter to Benjamin Waterhouse (*Writings*, 1458-9), "I rejoice that in this blessed country of free inquiry and belief, which has surrendered its creed and conscience to neither kings nor priests, the genuine doctrine of only one God is reviving, and I trust that there is not a *young man* now living in the United States who will not die an Unitarian." Jefferson's letter to Waterhouse deserves to be read in its entirety.

⁵⁶ Jefferson, "To John Trumbull" (February 15, 1789), in *Writings*, 939-40.

⁵⁷ On the provenance of the "Laws of Nature" (plural) in the Founding Fathers, and their distinction from the traditional sense of natural law discussed by Reilly, see the work of the great Newton scholar, I. Bernard Cohen, *Science and the Founding Fathers: Science in the Political Thought of Thomas Jefferson, Benjamin Franklin, John Adams, and James Madison* (New York: W. W. Norton, 1995), 108-34.

⁵⁸ Funkenstein, *Theology and the Scientific Imagination: From the Middle Ages to the Seventeenth Century* (Princeton: Princeton University Press, 1986), 123. After offering a hypothetical definition of bodies as determined quantities of extension that are mobile, impenetrable, capable of exciting sense perception, and subordinate in their motions to certain laws, Newton writes, "That for the existence of these beings it is not necessary that we suppose some unintelligible substance to exist in which as subject there may be an inherent substantial form; extension and an act of the divine will are enough" ("De Gravitatione et Aequipondio et Fluidorum," in A. R. Hall and M. B. Hall (eds.), *Unpublished Scientific Papers of Isaac Newton* [Cambridge: Cambridge University Press, 1962], 140).

⁵⁹ For more on Newton's paradigmatic role in defining the British scientific ideal, see Depew and Weber, *Darwinism Evolving: Systems Dynamics and the Genealogy of Natural Selection* (Cambridge: MIT Press, 1997), 85-140.

⁶⁰ See Hanby, *No God, No Science?*, 107-85.

⁶¹ "Nature (the art whereby God hath made and governs the world) is by the *art* of man, as in many other things, so in this also imitated, that it can make an artificial animal" (Hobbes, *Leviathan*, praef., 1).

⁶² The *locus classicus* of the genre is William Paley, *Natural Theology: Or, Evidences of the Existence and Attributes of the Deity from the Appearances of Nature* (New York: Sheldon & Company, 1854). However, Paley was a devotee of Locke and regularly lectured on him, so there may have been some Lockean inspiration for his argument.

these mechanistic reductions probably make such fantasies inevitable.⁶³

The mechanization of nature and reason commences in earnest in the seventeenth century and underlies the new “science of politics” in a way whose importance is sometimes overlooked. All previous political philosophy accorded some role to human construction in the foundation of the *polis*, and the idea that the soul is a microcosm of the city is at least as old as Plato. But Hobbes was the first, as far as I know, to fuse the microcosm and the macrocosm into an “artificial man” and to make him into a “Mortall God” endowed with divine attributes of unity, immutability, and indivisibility. He was also the first political theorist to conceive of the “life” of *both* soul and city as a *machine*. This “artificial” conception of nature, and a conception of knowledge *as* construction, underlies an ambition that is every bit as *technological* as it is political.

NATURE (the art whereby God hath made and governs the world) is by the *art* of man, as in many other things, so in this also imitated, that it can make an artificial animal. For seeing life is but a motion of limbs, the beginning whereof is in some principal part within, why may we not say, that all automata (engines that move themselves by springs and wheels as doth a watch) have an artificial life? For what is the heart, but a pump, and the nerves, but so many strings, and the joints, but so many wheels, giving motion to the whole body, such as was intended by its artificer? Art goes yet further, imitating that rational and most excellent work of nature, man. For by art is created that great LEVIATHAN called a COMMONWEALTH or STATE, (In Latin, CIVITAS) which is but an artificial man, though of greater stature and strength than the natural, for whose protection and defence it was intended....⁶⁴

⁶³ For a succinct and profound account of the modern transformation of the meaning of truth, see Joseph Ratzinger, *Introduction to Christianity* (San Francisco: Ignatius, 2004), 57-66. For more on the conflation of contemplation and action (or theory and practice), see Hans Jonas's essay “The Practical Uses of Theory” in Jonas, *The Phenomenon of Life* (Evanston: Northwestern University Press, 2001), 188-210.

⁶⁴ Hobbes, *Leviathan*, praef., 1.

The ideal of “knowledge through construction” inherent in the conflation of nature and artifice played an important role in the emerging sense of *history* as a human artifact and provided enormous impetus, long before the arrival of German historicism or American pragmatism, to “cunning of history” arguments purporting to offer a “science” of providence and a transcendental logic for the outworking of history.⁶⁵ John Dewey regarded pragmatism not as one possible school of philosophy, but as the real truth of what thought had really always been.⁶⁶ Nevertheless he traces the dawning realization of this truth and his own intellectual patronage to Francis Bacon, whom he regarded as “the real founder of modern thought.”⁶⁷ Reilly, as we noted, predictably blames the Whigs' familiar cast of villains for American decline. “German historicism” is the arch-villain, though Reilly—apparently forgetting that Darwin, Wilson, and Dewey weren't German—also includes Woodrow Wilson's replacement of the Founder's “Newtonian” Constitution with his own “Darwinian” version, and Dewey's aspiration to “a control of human nature comparable to our control of physical nature.”⁶⁸ Dewey's own recognition of the essentially Baconian character of pragmatism, not to mention his own avowed distrust of German philosophy, suggests that beneath the dichotomy of Newton and Darwin, or classical and “renascent” liberalism, there lies a common ontological substrate.⁶⁹

⁶⁵ See Milbank, *Theology and Social Theory*, 38 ff. The “dismal science” of political economy is in this tradition, and the eighteenth-century preoccupation with the “life cycle” of states—depicted visually (and romantically) in the nineteenth century in Thomas Cole's *The Course of Empire*—probably owes something to it as well. For more on how the new “science of providence” transforms the meaning of providence itself, see the important discussion of Funkenstein, *Theology and the Scientific Imagination*, 202-345.

⁶⁶ This pretense to unmask the truth claims of all preceding philosophy merits Dewey a place among Ricoeur's “masters of suspicion.”

⁶⁷ Dewey, *Reconstruction in Philosophy* (New York: Henry Holt, 1920), 28.

⁶⁸ Reilly, *America on Trial*, 325-6. Interestingly, Reilly neglects Dewey's own criticism of Hegel's thought as leading to absolutism, which ought to complicate any attempt to lump Dewey and “German historicism” together indiscriminately. Dewey, *Reconstruction in Philosophy*, (London: Forgotten Books), 77-102, 187-213.

⁶⁹ For a landmark account of the essentially Newtonian presuppositions of Darwinian theory, mediated to Darwin by the

Early protagonists of the newly mechanized nature did not reject God, at least not explicitly. Rather their program was *theologically* warranted.⁷⁰ As Funkenstein observes, the seventeenth-century drive toward univocity in language and method and toward homogeneity in nature transmuted the question of God's eternity and ubiquity into a straightforward physical problem, an idea later echoed by Jefferson.⁷¹ Newton would even conclude, remarkably, "that the quantity of the existence of God was eternal, in relation to duration, and infinite in relation to the space in which he is present."⁷² This signifies an utter loss of the analogical difference between God and the world—and a mostly "quantitative" conception of the difference between divine and creaturely attributes—and it marks, for all intents and purposes, an end to the "Platonic" metaphysics of participation in which the doctrine of creation had been explicated and which undergirded both the symbolic cosmos and the sacramental order of the Middle Ages.⁷³

British political-economists, see David J. Depew and Bruce H. Weber, *Darwinism Evolving*, 57-139.

⁷⁰ In addition to Funkenstein and my own work, see the fascinating work of Peter Harrison, *The Bible, Protestantism, and the Rise of Natural Science* (Cambridge: Cambridge University Press, 1998); *The Fall of Man and the Foundations of Science* (Cambridge: Cambridge University Press, 2007). See also the magisterial three-volume history of Stephen Gaukroger, *The Emergence of a Scientific Culture: Science and the Shaping of Modernity, 1210-1685* (Oxford: Oxford University Press, 2009); *The Collapse of Mechanism and the Rise of Sensibility: Science and the Shaping of Modernity, 1680-1760* (Oxford: Oxford University Press, 2012); *The Natural and the Human: Science and the Shaping of Modernity, 1739-1841* (Oxford: Oxford University Press, 2018).

⁷¹ See Jefferson, "To John Adams" (August 15, 1820), in *Thomas Jefferson: Writings*, 1443, discussed below.

⁷² The entire passage is worth quoting: "Space is a disposition of being qua being. No being exists or can exist which is not related to space in some way. God is everywhere, created minds are somewhere, and body is in the space it occupies, and whatever is neither everywhere or anywhere does not exist. And hence it follows that space is an effect arising from the first existence of being, because when any being is postulated, space is postulated. And the same may be said of duration: for certainly both are dispositions of being or attributes according to which we denominate the presence and duration of any individual thing" (Newton, "De Gravitatione," 136).

⁷³ In describing the matter this way, I am of course assuming that Aristotle and the Christian Aristotelianism of the Middle Ages are, in a fundamental sense, a form of Platonism. See Hanby, *No God, No Science?*, 49-104. For more on the transmutation of the divine attributes, see Funkenstein, *Theology and the Sci-*

In consequence of this reduced sense of both God *and* nature held by the new "secular theologies," it was much more common in the seventeenth and eighteenth centuries to invoke directly the agency of a "contriving" God in order to explain complex features of the world that seemingly defied mechanical explanation—biological functionality, language, human fellow-feeling and sociality—than it had been in the thirteenth, when a more radical sense of divine transcendence and a metaphysics of participation sustained a robust distinction between primary and secondary causality.⁷⁴ Locke, in language that

entific Imagination, 3-25; Hanby, *No God, No Science?*, 107-49. For more on the social and political implications of sacramental order see Jones, *Before Church and State*, 161-2: "The point of this example is that within the sacramental cosmos, every social function had, intrinsic to its very self-identity, elements that we might be inclined to label 'secular' and elements we might be inclined to label 'religious.' This is not to say that the monarchy or its opponents justified itself with a Christian ideology—such a conception preserves the division between the religious and the secular by simply laying one on top of the other. Within such a conception, this religious ideology could change while the monarchy, for example, retains categorical integrity as itself secular: the Christianity of the monarchy is seen as accidental to its essence as the State. This is the conceptual framework maintained by the proponents of the secularization thesis.... Rather, we must recognize that within a sacramental worldview there is no fundamental conflict between the temporal and the spiritual that needs to be dealt with through an 'alliance' of Crown and altar. To the contrary, the spiritual and the temporal are united fundamentally—that is the very definition of a sacrament."

⁷⁴ Funkenstein remarks on the significance of this new theology: "A new and unique approach to matters divine, a secular theology of sorts, emerged in the sixteenth and seventeenth centuries to a short career. It was *secular* in that it was conceived by laymen for laymen. Galileo and Descartes, Leibniz and Newton, Hobbes and Vico were either not clergymen at all or did not acquire an advanced degree in divinity. They were not professional theologians, and yet they treated theological issues at length. Their theology was secular also in the sense that it was oriented toward the world, *ad saeculum*. The new sciences and scholarship, they believed, made the traditional modes of theologizing obsolete; a good many professional theologians agreed with them about that. Never before or after were science, philosophy, and theology seen as almost one and the same occupation." Funkenstein goes on to note that the new theology was neither theoretical in the traditional sense—ordered to contemplation—nor practical, that is, moral, though these thinkers often dealt with moral questions. It is rather that a certain conception of matters divine formed an indispensable part in the new system of natural knowledge. What Funkenstein wrote in 1986 remains true: this is "a fact of fundamental social and cultural importance," and the definitive work exploring this significance is yet to be written. Funkenstein, *Theology*

foreshadows Paley's natural theology, will frequently write this way when he runs up against a difficulty in the *Essay*, and Jefferson will later echo what had by then become a commonplace way of speaking.⁷⁵ The problem is that this sort of theology has a kind of built-in obsolescence. God becomes redundant once experimental reason discovers how the artifact works or once an alternative mechanism such as history or natural selection can be found to account for the artifact's first assembly.⁷⁶ This is one reason why the conservative contrast between the Newtonianism of the Founders and the Darwinism of the Progressives is overdrawn. Mechanism replaces the inherent unity and intelligibility of form with the *formalism* of law and eliminates the transcendence conferred on things by Platonic and Aristotelian form, effectively erasing the distinction between a transcendent order of being and the order of temporal development. "What things are" is now wholly resolved into how they came to be and how they work. This terminates logically in the conflation of being and history, the linear series of causes and effects that construct the present. Experimental knowledge reconstructs this series and ascertains its regularities. Scientific explanation thus becomes an explanation of what Bacon called the "latent process" by which the present comes to be; shifting attention away from *things* properly speaking, and toward the processes governing their assembly and interactions.⁷⁷ As Hannah Arendt put it, "The shift from the 'why' and the 'what' to the 'how' implies that the actual objects of knowledge can no longer be

things or eternal motions but must be processes, and that the object of science therefore is no longer nature or the universe but the history, the story of the coming into being, of nature or life or the universe."⁷⁸

The point I wish to emphasize here is that the new science of politics that commenced in the seventeenth century and provided the intellectual underpinnings for the republican revolutions of the eighteenth was neither *merely* political, nor simply a straightforward rejection of the antecedent Christian tradition. Rather it was one aspect of a radical *transformation of that tradition* at every level—theological, metaphysical, natural, scientific, ecclesiastical, cultural and sociological—a transformation that cannot be papered over by appeal to similar sounding texts separated by centuries. Reilly simply adopts the perspective one has from *inside* the transformation, perhaps unconsciously, and then reads the whole tradition from that vantage.

II. WAS HOBBS A LOCKEAN?

It is in the light of this vast transformation in the Western conception of God, nature, and reason coinciding with the disintegration of Christendom that we should take up the relation between Hobbes and Locke that forms the central question of Reilly's pivotal eighth chapter. We can then ascertain more clearly what it might mean to speak of a "Hobbesian" dimension of American order, if indeed such a description is useful.

Locke, Living within Hobbes' Unreal World

"The continuous dialogue with Hobbes," wrote Funkenstein, "is the distinguishing mark of modern political theories."⁷⁹ It is impossible to do justice to the depth and complexity of this "dia-

and the Scientific Imagination, 3-9.

⁷⁵ See John Locke, *An Essay Concerning Human Understanding* (London: Penguin, 2004), II.23.12, III.1.1, III.5.39–III.6.40, IV.10.1. See Jefferson, "To Peter Carr" (August 10, 1787), *Thomas Jefferson: Writings*, 901-5.

⁷⁶ As Funkenstein puts it, "It is clear why a God describable in unequivocal terms, or even given physical features and functions, eventually became all the easier to discard. As a scientific hypothesis, he was later shown to be superfluous, as a being, he was shown to be a mere hypostatization of rational, social, or psychological ideas and images... Once God regained transparency or even a body, he was all the easier to identify and kill" (Funkenstein, *Theology and the Scientific Imagination*, 116).

⁷⁷ In the life sciences, this is reflected in the shift in attention from ontogeny—the development of a living organism over the course of its own lifetime—to phylogeny, the relation between generations and the mechanisms by which heritable bits of data are passed between them.

⁷⁸ We might reformulate this for the political sphere by saying that the ontological premises of classical liberalism naturally terminate—and have their practical outworking—in progressive or "renascent" liberalism. Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1998), 296. See Hanby, *No God, No Science?*, 107-249. On "renascent liberalism," see John Dewey, *Liberalism and Social Action* (Amherst: Prometheus Books, 2000), 61-93.

⁷⁹ Funkenstein, *Theology and the Scientific Imagination*, 327.

logue” when viewed simply as a binary choice to accept or reject him. “The most important political thinkers of the seventeenth century did not reject him outright even if they were profoundly irritated by his claims. Instead, they absorbed the full force of his arguments before transforming them into a different, sometimes even a contrary, theory.”⁸⁰ Peter Laslett, editor of the Cambridge edition of *Two Treatises* and no simple adherent to the “Hobbes with a smiley face” view of Locke’s political philosophy, concurs: “If Locke wrote his book as a refutation of Sir Robert Filmer, then he cannot have written it as a refutation of Thomas Hobbes.”⁸¹ Laslett continues, “Locke rejected Hobbesian absolutism along with Filmer’s, of course: the word ‘Leviathan’ occurs in his *Second Treatise*, and there are phrases and whole arguments which recall the Hobbesian position, and must have been intended in some sense as comments upon them. Moreover, the thinking of Hobbes was of systematic importance to Locke and enters into his doctrines in a way which goes much deeper than a difference in political opinion.”⁸²

⁸⁰ Ibid. He gives Giambattista Vico as a case in point. “He refused to accept the paradigmatic role of mechanics precisely because he endorsed the principle that truth and what is made are identical, *verum et factum convertuntur*. Since we did not make nature, we cannot hope to understand it properly, either; but the science of humanity is entirely open to our investigation because—here Vico agrees entirely with Hobbes—society is a human artifact, because ‘we have made the commonwealth ourselves.’ Our second, historical nature is entirely our own making” (328).

⁸¹ Laslett, *Two Treatises*, 67. The observation complicates Reilly’s classification of absolutisms. Laslett adds, “Locke certainly absorbed something from patriarchalism. It has been shown above that there had been a time when he went a very long way with this traditional argument. But he did not learn enough, not enough to understand such institutions as the family, the nation, the community of a neighborhood, as we think they should be understood. And Hobbes could do nothing with the patriarchal attitude. To him patriarchal societies were those ‘the concord whereof dependeth on natural lust’, and that was all. He was unwilling to distinguish the authority of a father from the naked exercise of force. In all these respects, then, Hobbes, Locke, Tyrrell, Sidney and others were on the one side, with Filmer and the tradition he stood for on the other. Leibniz apparently classed *Two Treatises* and *Leviathan* in contrast with *Patriarchia*, and Leibniz was in no doubt that Filmer was Locke’s target throughout the book. A controversy between Locke and Hobbes would have been within one party only, and could never have given rise to the characteristic political attitude of the modern world” (70).

⁸² Ibid., 67-8.

The precise literary relationship between Hobbes and Locke is difficult to establish; the formal similarities in their argumentation are not. They are virtually identical. Each deduces the social compact with Euclidean precision from a highly abstract and counterfactual “state of nature” reduced to its basic “mechanical” elements, thereby repeating in the “new science of politics” the founding gesture of the new science more generally: premising the actual world on the basis of the counterfactual.⁸³ Both the form and content of this reasoning are mechanistic, as basic elements are abstracted from the totality in which they actually exist, treated as if they were ontologically basic, and then become the basis for reconstructing the whole from which they were originally abstracted.⁸⁴ Metaphysically speaking, this reflects the elevation of possibility or power over being-as-act in the aftermath of Aristotle’s overthrow.⁸⁵ Locke himself seems to hedge his bets on whether his “state of nature” should be regarded as a kind of ontological structure prior to history, an identifiable historical condition—or both at once.⁸⁶ For both Hobbes and Locke,

⁸³ See Funkenstein’s discussion of the history of this tendency and the difference between the seventeenth- and fourteenth-century versions of it (117-201). “Benedetti and Galileo, Huygens and Descartes, Pascal and Newton used their imaginary experiments in a definite way which differs *toto caelo* from their medieval predecessors not in discipline and rigor, but in their physical interpretation. Counterfactual states were imagined in the Middle Ages—sometimes even, we saw, as limiting cases. But they were never conceived as commensurable to any of the factual states from which they were extrapolated. No number or magnitude *could* be assigned to them, even if the schoolmen were to give up their reluctance to measure due to their conviction that no measurement is absolutely precise. For Galileo, the limiting case, even where it did not describe reality, was the constitutive element in its explanation” (Funkenstein, *Theology and the Scientific Imagination*, 177). See also Hanby, *No God, No Science?*, 108-49.

⁸⁴ This is so common that one is tempted to regard it as a formal feature of modern thought. We see it, e.g., in Descartes’ mechanical reconstruction of the world after his *epoché*, or in the Newtonian laws of motion, which presuppose the inertial tendencies of bodies that never actually subsist in inertial isolation.

⁸⁵ D. C. Schindler’s devastating—and to my mind, decisive—critique of Locke is largely a critique of how all the fundamental elements of Locke’s political philosophy are conceived in terms of this primacy. My own work has traced out its effects in natural philosophy and early-modern science up through Darwin. Schindler, *Freedom From Reality*, 1-127. Hanby, *No God, No Science?*, 107-249.

⁸⁶ Locke acknowledges the objection in *Second Treatise*, II, 14.

the characteristics that define the natural state are not the multitude of relations characterizing our actual existence (kinship, for example) or the inclinations heretofore regarded as “built in” to our creaturehood (a desire for the good, an obligation to the flourishing of others, a supernatural end)—but freedom and equality, albeit somewhat differently conceived by each. For Hobbes, equality derives from our lethality: our capacity to kill each other as we seek to act without hindrance in preserving our lives.⁸⁷ For Locke, equality follows from the freedom of all men “to order their Actions, and dispose of their Possessions, and Persons as they think fit, within the bounds of the Law of Nature, without asking leave or depending upon the Will of any other Man.”⁸⁸ In the absence of a common authority, this entails an equal right (and obligation) to execute the law of nature. One *can* speak of a certain “individualism” here, but the primary sense is not a moral one. Rather it is that the indivisible unit, the singular, is the foundational element in a mechanistically-conceived order.

This difference in the way each conceives of equality underlies the material differences in their respective conceptions of the state of nature. Whereas Hobbes identifies the fundamental condition as the “war of all against all,” Locke differentiates between the state of nature and the state of war, going beyond Hobbes and expanding the Law of Nature to include not only self-preservation, but an obligation not to “harm another in his Life, Health, Liberty, or Posses-

sions.”⁸⁹ Hobbes never explains how the *fact* of our natural striving confers a *right* and *obligation* to self-preservation: a difficulty that would seem to be exacerbated by the fact that “justice” and “injustice” are, for him, consequent upon the erection of an authority who compels by fear. It seems like pure positivism. The difficulty persists in Locke, who nevertheless attempts to ground his obligations on the conflation of nature and art discussed above and on his “labor theory of property” writ large, so to speak: that is, because we are God’s “Workmanship,” we are God’s “Property.”⁹⁰ It is not clear, however, why this fact alone should oblige. One must look beyond the *Second Treatise* to the *Essay* and Locke’s reinvention of reason and of the wellspring of human action (changing it from the inclination toward the Good to “unease”) to understand how this might oblige and why it might be reasonable.

Locke’s state of nature, which he describes as a state of perfect freedom, seems positively idyllic in comparison with Hobbes’ grim view—but on closer inspection, this begins to look like a dis-

On the one hand, he extrapolates to the level of “Princes and Rulers of *Independent Governments* throughout the world” to argue that such a state has never been absent and calls on the authority of the “Judicious Hooker” to suggest it as a historical condition that precedes actual human society. This interpretation would seem to be strengthened by Locke’s declaration, “Thus in the beginning, all the world was America,” which testifies to the power that the New World exercised over Locke’s imagination (and perhaps also to the influence of Hobbes: *Leviathan*, I, 13, 11), to the point of being archetypal for the origins of civil society rather than the other way around. On the other hand, he affirms that “all Men are naturally in that State, and remain so, till by their own consent they make themselves Members of some Politick Society,” which seems to support an ontological, or perhaps a “phenomenological,” interpretation, especially when one takes into consideration Locke’s doctrine of “tacit consent” (VIII, 119), which is given simply from being born.

⁸⁷ Hobbes, *Leviathan*, I, 13, 1; I, 14, 1-2.

⁸⁸ Locke, *Second Treatise*, II, 4.

⁸⁹ Hobbes, *Leviathan*, I, 14, 3; Locke, *Second Treatise*, II, 6. This contrast can be overdrawn. Even Hobbes, nemesis of the natural law tradition in Reilly’s telling, asserts that it is “a precept, or general rule of reason: that every man ought to endeavor peace, as far as he has hope of obtaining it” (*Leviathan*, I, 14, 4).

⁹⁰ The tradition is of course replete with references to God’s “art,” but these references were always qualified by a) a strong understanding of the *difference* between things existing-by-nature and artifacts, b) a strong sense of analogy whereby any similarity of the creature to God was surpassed by an ever-greater dissimilarity, and therefore c) a strong sense of the difference between creation proper, which presupposes nothing but the divine goodness, and every other form of making, which presupposes and modifies being. Because of the radicality of creation, predicated on the transcendent otherness of God as *ipsum esse subsistens*, Aquinas was able to say that in giving being to creatures—the most interior of perfections presupposed in every other qualification of the creature—God was “in all things, innermost.” Augustine was also keenly aware of the absolute otherness of God the world. Thus he would likewise say that God is more interior to me than I am to myself. See Aquinas, *ST* I.8.1, resp.; Augustine, *Conf.*, III.6.11. One can glimpse here that a proper sense of divine transcendence, creation *ex nihilo*, and a metaphysics of the participation of creaturely being in the divine actuality all go hand-in-hand and imply a profound sense of anterior order, whereas the conflation of nature and art has as *its* theological root a loss of divine transcendence and a reduction of creation to “manufacture,” presided over by a God now extrinsically juxtaposed to creation and relating to it principally through an equally extrinsic law. See Hanby, *No God, No Science?*, 107-49, 301-74.

inction without a difference.⁹¹ The right of each person to enforce the Law of Nature proves to be an impossible possibility, since the very qualities of freedom and equality which constitute the perfection of the state of nature incline it immediately toward the state of war.⁹² “Even the least difference,” Locke says, is apt to end in the state of war, presumably because even the attempt to enforce the law meets the defining condition for the state of war: “it being understood as a Declaration of a Design upon his life.”⁹³ “Not only do we lose a distinction between revenge and justice,” writes D. C. Schindler, “we also lose a distinction between justice and simple crime. Justice and injustice are *effectively* the same thing in the state of nature in which there is no common authority. However different Locke is from Hobbes in principle, he begins to appear quite close to him in fact.”⁹⁴ And so, as with Hobbes, the uncertainty of the natural condition drives men to part from this state of perfect freedom and erect a common authority to protect them.⁹⁵

It is beginning to appear that Locke has premised his political edifice upon the *unreality* of Nature and its Law, insofar as each is merely a *possibility* of action or thought and not an *actual order* antecedently binding its participants and shaping their subjectivity and actions prior to their choosing.⁹⁶ Nevertheless, his difference from Hobbes about the state of nature does enable Locke to amend the basis and therefore the end of government, and it thereby seems to provide a fulcrum for leverage against an abso-

lutism of the state in the form of natural rights. Rights, as Locke conceives them, are strictly analogous to property. One might say that property is the essential form of the right, or as Madison will later put it, “[A]s a man is said to have a right to his property, he may be equally said to have a property in his rights.”⁹⁷ The foundational importance of property in Locke’s thought can be seen in his declaration that “Man has a *Property* in his own *Person*.”⁹⁸ (This notion, too, will be taken up and expanded by Madison.)⁹⁹ Property functions almost as a “principle of individuation.” Its essential characteristic is *exclusivity*, as Locke emphasizes in likening original appropriation to the consumption of fruit or wild venison and the enclosure of land.¹⁰⁰ By its very nature, property separates mine from thine—indeed me from thee—and “excludes the common right of other men.”¹⁰¹ A right in the form of property serves to insulate one from the claims of others—those “Designs upon his life” that Locke identifies with the state of war. By negating these “designs,” rights create what D. C. Schindler calls “an enclosure of a field of power” outside of any real order, that transforms the innumerable claims characterizing our actual existence into possible objects of choice,

⁹¹ Many scholars have reached this conclusion, but I regard the analysis of D. C. Schindler as decisive. See Schindler, *Freedom From Reality*, 66-98.

⁹² Compare with Hobbes: “NATURE hath made men so equal, in the faculties of the body, and mind; as that though there be found one man sometimes manifestly stronger in body, or of quicker mind than another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he. For as to the strength of the body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger with himself” (Hobbes, *Leviathan*, I, 13, 1).

⁹³ Locke, *Second Treatise*, III, 17.

⁹⁴ Schindler, *Freedom from Reality*, 76.

⁹⁵ Locke, *Second Treatise*, VII, 77; IX, 123.

⁹⁶ We can suggest an analogy here to the way that inertial motion provides the counterfactual basis for the movement of bodies that never in reality exist in undisturbed inertial isolation.

⁹⁷ W. T. Hutchinson, et al. (eds.), *The Papers of James Madison*, vol. 14 (Charlottesville: University of Virginia Press, 1977), 266-68, available at *The Founders’ Constitution*, <http://press-pubs.uchicago.edu/founders/documents/v1ch16s23.html>.

⁹⁸ Locke, *Second Treatise*, V, 26.

⁹⁹ “This term in its particular application means ‘that dominion which one man claims and exercises over the external things of the world, in exclusion of every other individual.’ In its larger and juster meaning, it embraces every thing to which a man may attach a value and have a right; and *which leaves to every one else the like advantage*. In the former sense, a man’s land, or merchandise or money is called his property. In the latter sense, a man has a property in his opinions and the free communication of them. He has a property of peculiar value in his religious opinions, and in the profession and practice dictated by them. He has a property very dear to him in the safety and liberty of his person. He has an equal property in the free use of his faculties and the free choice of the objects on which to employ them. In a word, as a man is said to have a right to his property, he may be equally said to have a property in his rights. Where an excess of power prevails, property of no sort is duly respected. No man is safe in his opinions, his person, his faculties, or his possessions. Where there is an excess of liberty, the effect is the same, tho’ from an opposite cause” (Madison, *The Papers of James Madison*, vol. 14, 266).

¹⁰⁰ Locke, *Second Treatise*, V, 26.

¹⁰¹ *Ibid.*, V, 27.

subordinate to our freedom.¹⁰² This is why Locke re-conceives of all human relations, whether natural, political, or religious, in voluntary or contractual terms. A government instituted for the protection of natural rights is thus a government instituted to protect this “enclosure of a field of power,” to preserve around each of us a zone of pure possibility free from the claims of others. A government that fails in this responsibility is not really a government and can be dissolved.

Reilly is therefore correct that Locke differs from Hobbes on this point—but this observation does not really apprehend the fundamental change that had already taken place in Hobbes’ aftermath. Abstracting political order from the natural and sacramental orders to which it had previously belonged creates the problem of establishing internal limits to a political order that has abolished all real “external” limits. This problem persists through the *Federalist Papers*; and federalism, the separation of powers, and the Bill of Rights are all attempts to solve it. But the problem of how to cope with the absolute power of a political sphere comprehended by no *real* order greater than itself is a problem bequeathed to the modern world by Hobbes. Pious appeals to the Laws of Nature, however sincerely intended, do not alter what remains a fundamentally Hobbesian conception of political order, especially when the state is the ultimate arbiter of those Laws’ meaning. In Locke, moreover, the Laws of Nature are not an actual order of efficacious truth present and determining the mind prior to its choosing—his denial of innate ideas precludes this. Rather they too are transformed into possible objects of reason or of will, which is why they prove to be impotent even in his imaginary State of Nature.

The attempt of modern liberal order to limit itself was therefore destined to fail. Locke remarks that “the end of Law is not to abolish or restrain, but to preserve and enlarge freedom.”¹⁰³ He does not seem to recognize that the reverse is also true. Rights, we said, enclose a “field of power” or possibility. A political order that exists principally to protect this field of possibility inevitably becomes the mediator of all human relations, insinuat-

ing itself between me and all claims upon the property that is my person. This enclosure of possibility, moreover, is threatened by *anything* that would define me prior to my choosing—even, as it turns out, my own nature. Liberal freedom thus initiates a war against every form of antecedent order, eventually aided and abetted by the new science and its conflation of truth and technological possibility.¹⁰⁴ Rights therefore *must* proliferate—as indeed they have—producing in actuality the denatured individuals that heretofore existed only at the theoretical foundations of liberal theory.¹⁰⁵ But with every new right comes an extension of the state’s power to enforce that right. The state thus becomes absolute precisely in the name of protecting freedom, arrogating to itself, almost by accident, authority even over the meaning of nature itself and a power beyond anything Hobbes could imagine.

Liberal order is not “Hobbesian,” therefore, because some petty tyrant arbitrarily commands or prohibits every action of its citizens. Its absolutism is a good deal more subtle. Liberal order is absolute because it is the transcendent whole within which social facts like churches or so-called “intermediate associations” are allowed to appear and beyond which there is nothing.¹⁰⁶ Liberal order is absolute because it is our mortal god.

Mechanism: The Ontological Basis of Liberal Order

Part One of *Leviathan* provides an ontological basis both for Hobbes’ state of nature and for

¹⁰² Schindler, *Freedom From Reality*, 182. For an excellent explanation of why this conception of freedom is a “deceptive and self-destroying illusion” (188), see pp. 152-88.

¹⁰³ Locke, *Second Treatise*, VI, 57.

¹⁰⁴ I have written about this in numerous places. See most recently, Hanby, “What Comes Next,” *New Polity*, *op cit*.

¹⁰⁵ Pierre Manent’s assessment of Hobbes is applicable here as well: “One is tempted to say that Hobbes is absolutist in spite of his individualism. But, on the contrary, Hobbes is absolutist because he is so rigorously individualistic” (Manent, *An Intellectual History of Liberalism*, trans. Rebecca Balinski [Chicago: University of Chicago Press, 1994], 28).

¹⁰⁶ Political order thus becomes “secular” in John Milbank’s and Andrew Willard Jones’ sense: “Our own vision is secular. Even when we acknowledge the importance of religion, we do so from within the assumption of the secular: that reality itself is ultimately free of the religious. Religions come and go; they are relative. The secular is permanent; it is absolute and universal. To us, the secular is the field on which the game of history—including religious history—is played.... In such an approach, “religion” is a category that functions within the secular” (Jones, *Before Church and State*, 3). See also Milbank, *Theology and Social Theory*, 9-26.

his elimination of the “other sword” of ecclesial authority. Hobbes rejected the notion of “incorporeal substance” in the concluding part on “The Kingdom of Darkness,” for example, not only because of what he saw as the absurdity of such language, but because it was a tool of priestcraft.¹⁰⁷ There is no parallel to these chapters in Locke’s *Two Treatises*, no basis in metaphysics or natural philosophy for Locke’s state of nature. For that one must look to the *Essay Concerning Human Understanding*. Reilly does not give much evidence of having really studied the *Essay*, but he knows, with what he calls its “tinge of voluntarism and nominalism,” that it presents a problem for his thesis.¹⁰⁸ So he proposes simply to set it aside as a work in “empiricist epistemology,” presumably irrelevant in its political implications.¹⁰⁹ This ignores the fact, noted by Peter Laslett, that “the implications of Locke’s theory of knowledge for politics and political thinking were very considerable and acted quite independently of the influence of *Two Treatises*.”¹¹⁰ It imposes an artificial separation between natural and political philosophy that is false to the real order of things and false to the way seventeenth- and eighteenth-century thinkers understood themselves. (Much better is the proposal of Shapin and Schaffer to read *Leviathan* as a treatise in natural philosophy first.)¹¹¹ It ignores any symbiosis between two texts that Locke wrote almost contemporaneously. And it leaves notions unexplained that are central to the intelligibility of *Two Treatises* but undeveloped there—freedom and reason chief among them. However, if one places the *Essay Concerning Human Understanding* in the position of those early chapters of *Leviathan* one can see the true nature of his project. And if one reads the *Essay* and the *Two Treatises* in this way side by side with Hobbes’ work, then one begins to see an ontological foundation shared by both their political

philosophies, one with far-reaching implications for the subsequent shape of liberal order. Indeed when viewed from this more comprehensive vantage as a unity of natural and political philosophy, Locke’s work begins to appear as a significant development of and expansion upon Hobbes. Reilly’s question—was Locke really a Hobbesian?—may thus be looking through the wrong end of the telescope. The more fitting question may be whether Hobbes was a proto-Lockean.

Let us examine this foundation.

Hobbes and Locke are united in their desire to restrict and “regulate” the scope of thought. As Locke put it, “It is therefore worthwhile, to search out the *bounds* between opinion and knowledge, and examine by what measures, in things whereof we have no certain knowledge, we ought to regulate our assent, and moderate our persuasion.”¹¹² Locke builds upon and makes infinitely more sophisticated Hobbes’ project of reconstructing thought and speech from their basic elements, with the object, in both their cases, of the policing of “abuses of speech” or “insignificant speech”—remote ancestors, no doubt, of Jefferson’s capital-N “Nonsense.” It comes as no surprise that most of these “abuses” turn out to be illicit compounds of simple ideas or hypostasizations, predicated on the naïve assumption by traditional philosophy that our words and ideas somehow give us access to the essences of things.¹¹³ The religious and political implications are immediately obvious. If reason can be understood in such a way that the intelligibility of nature and all but the barest affirmation of God’s existence fall outside of it, then neither priestcraft,

¹⁰⁷ See Shapin and Schaffer, *Leviathan and the Air-Pump*, 92 ff.

¹⁰⁸ Reilly, *America on Trial*, 238.

¹⁰⁹ *Ibid.*, 233.

¹¹⁰ Laslett, *Two Treatises*, 84. He continues, “The famous doctrine of the *tabula rasa*, for example, the blank sheet of the mind on which experience and experience alone can write, made men begin to feel that the whole world is new for everyone and we are all absolutely free of what has gone before. The political results of such an attitude have been enormous. It was, perhaps, the most effective solvent of the natural-law attitude.”

¹¹¹ Shapin and Schaffer, *Leviathan and the Air-Pump*, 92.

¹¹² Locke, *An Essay Concerning Human Understanding* (London: Penguin, 1997), Intro.3; compare with Hobbes, *Leviathan*, I, 3, 3-4. Locke continues: “If by this inquiry into the nature of understanding, I can discover the powers thereof, how far they reach; to what things they are in any degree proportionate; and where they fail us, I suppose it may be of use, to prevail with the busy mind of man to be more cautious in meddling with things exceeding its comprehension, to stop, when it is at the utmost extent of its tether; and to sit down in a quiet ignorance of those things, which upon examination, are found to be beyond the reach of our capacities. We should not then perhaps be so forward, out of an affectation of an universal knowledge, to raise questions, and perplex ourselves and others with disputes about things, to which our understandings are not suited, and of which we cannot frame in our minds any clear or distinct perceptions, or whereof (as it has perhaps too often happened) we have not any notions at all.”

¹¹³ Compare Locke, *Essay*, II.32.13; III.10.1-34 and Hobbes, *Leviathan*, I, 5, 5-19; I, 7, 27; IV, 46.

with its legitimating apparatus in “the schools,” nor the “enthusiasm” roiling seventeenth-century England can lay claim to political authority or qualify human freedom prior to the exercise of consent. The way is clear for the absolutization of political order and the redefinition of the Church in either Hobbesian terms (as an instrument of the sovereign) or in Lockean terms (as a voluntary association *within* civil society). It is Locke’s “congregationalist” conception that has become the *de facto* ecclesiology of American order.¹¹⁴ Another equally fundamental result is that restriction of the “certainty and extent of human knowledge” will limit the range of things we can meaningfully be said to think *about*. With one stroke, the whole tradition of philosophical thinking about being and nature, theological doctrines articulated with categories borrowed from the tradition (e.g., the Trinity, the Eucharist), and traditional activities such as contemplation (and their monastic institution) heretofore regarded as the highest goal of human existence will be rendered obsolete and unintelligible, destined eventually to disappear from anything publicly recognizable as reason or knowledge.¹¹⁵

So both Hobbes and Locke begin with an inquiry into the causal origins of our ideas, with Locke famously declaring the mind a *tabula rasa* and denying so-called innate ideas. It is important to see, however, that the insurrection against a metaphysics of participation is not the *conclusion* of this inquiry, but its *presupposition*, built into Locke’s notion of an “idea” and his formulation of the question. (Indeed, a history of the changing meaning of “ideas” would capture much of this metaphysical revolution.)¹¹⁶ Ideas no longer principally signify the exemplars in the divine mind that determine the intelligible natures of things, which

the mind somehow participates in through Augustinian illumination or the Aristotelian abstraction of intelligible species. This was the metaphysical basis of the traditional understanding of truth as an *adequatio rei ad intellectum*. Absent this basis in intelligible form (Platonic or Aristotelian), there can be no adequation, only an opaque causal relation between a mind and a world that are utterly heterogeneous.¹¹⁷ For this reason, Locke reduces the “idea” from an ontological to a psychological entity, defining it as “whatever is the object of the understanding.”¹¹⁸ (This definition, strictly considered, leads to a radical conclusion heretofore only implicit in Descartes’ bifurcation of reality, a conclusion that will catalyze the skepticism of Hume and the critical project of Kant: that our knowledge is not of the world, but of our ideas only.)¹¹⁹

Hobbes and Locke both sought to locate the causal origins of thought in a newly mechanized conception of sense experience, caused (in Hobbes’ case) by an “external body, or object, which presseth the organ proper to each sense,” either mediately or immediately, or (in Locke’s case) by “impulse, the only way [which] we can conceive bodies to operate in.”¹²⁰ Locke will add to ideas derived from sensation a second “original” for our ideas: the so-called “ideas of reflection,” derived from the mind’s attention to its own

¹¹⁴ One of the best explanations of this remains William T. Cavanaugh, “A Fire Strong Enough to Consume the House: The Wars of Religion and the Rise of the State,” *Modern Theology* 11.4 (October 1995): 397-420.

¹¹⁵ This is one reason, perhaps, why Locke’s *Reasonableness of Christianity* conspicuously omits any mention of the Trinity and why Locke was widely regarded (along with Newton) as a Socinian. See Stephen D. Snobelen, “‘God of gods and Lord of lords’: The Theology of Isaac Newton’s General Scholium to the *Principia*,” *Osiris* 16 (2001): 169-208, at 194.

¹¹⁶ See Roger Ariew and Marjorie Grene, “Ideas, in and before Descartes,” in Ariew, *Descartes and the Last Scholastics* (Ithaca: Cornell University Press, 1999), 58-76.

¹¹⁷ What Gilson writes of Ockham is largely true of Hobbes and Locke, and it anticipates the culmination of this line of thinking in Hume. Gilson writes, “There is no criticism of the notion of causality in the doctrine of Ockham. To him, causality is given in sense intuition together with substances and their qualities. Only, for the same reason as above, this is all we know about causality. Since no real thing participates in the nature of any other real thing, the simple intuition of a thing cannot give us any knowledge, either intuitive or abstractive, of the nature of another thing which we have not perceived before by sensation or intellection. How do we know that a thing is a cause of a certain effect? Simply by observing that when that thing is present what we call its effect habitually follows” (Etienne Gilson, *Christian Philosophy in the Middle Ages* [London: Sheed and Ward, 1955], 496). See also Funkenstein, *Theology and the Scientific Imagination*, 144.

¹¹⁸ Locke, *Essay*, Intro.8. Locke’s entire argument against innate speculative and practical principles presupposes and depends upon this reduction. He denies, for example, that the principle of noncontradiction is an innate principle on the grounds that “children and idiots” (and presumably many in between) have not thought of it (*Essay*, I.2.4-5). Whereas for Aristotle, it was a “most certain principle of being” that one affirms in thinking at all (*Metaph.*, IV.3, 1005b10).

¹¹⁹ Locke, *Essay*, IV.1.1.

¹²⁰ Hobbes, *Leviathan*, I, 1, 1; Locke, *Essay*, II.8.11.

activities.¹²¹ For him, all of our subsequent ideas, their modes, and ultimately speech are built upon this twin foundation and never depart from it. Knowledge is of our ideas only. All the “abuses” which Locke will later analyze come from illicit combinations of these ideas or from thinking that ideas and words refer beyond themselves to give us knowledge of *things*. Hobbes’ mechanistic reconfiguration of the senses—and the corresponding reconception of appetite and aversion that underlies the brutality of his state of nature—has as its ontological foundation the new theory of matter as some kind of dimensive quantity liberated from its relation to form that came to prominence in the seventeenth century.¹²² This is the ontology that operates in the *Essay* as well, though in a more complex way. For Locke, the so-called “primary qualities” of bodies produce in us the simple ideas “solidity, extension, figure, motion or rest, and number,” which must be regarded as “resemblances” of some real existence, since these belong to the very idea of body and cannot be separated from it.¹²³ Nevertheless, the “secondary qualities” such as “red” and “cold” that the primary qualities produce in us bear no resemblance to anything. The mind is now separated by an ontological abyss from the world. Knowledge has ceased to be a participation in the self-communication of intelligible being. This self-communication was the primitive basis of the Platonic-Aristotelian understanding of causality. With being now emptied of its intrinsic intelligibility, causality has been transformed into a kind of force (Locke’s “impulse”) and will soon

cease to be intelligible. Reality is thus bifurcated into a merely subjective sphere of meaning and quality and an external realm, closed off to us and unintelligible in itself, drained of the intrinsic form and finality conferred on it by Platonic and Aristotelian form. This emptying necessitates a profound transformation of what were traditionally regarded as transcendental attributes of being. Both Locke and Hobbes reduce truth to a property of propositions dependent upon “the connexion and agreement, or disagreement and repugnancy of any of our ideas,” an anticipation of the coherence theories of later analytic philosophy.¹²⁴ And both deny goodness any ontological (and therefore causal) weight, rejecting the *summum bonum* and redefining “what we call good” as “what has an aptness to produce pleasure in us.”¹²⁵ This massive ontological transvaluation leads Locke to reconceive the wellspring of action, and it underlies his reinvention not only of the political sphere but of Christianity as well.

Locke differs from Hobbes in holding out eternal rewards and punishments as opposed to the merely temporal punishments doled out by the Leviathan. Reilly is correct about this, but he completely misunderstands why it is “most important.”¹²⁶ It is not an indication that the traditional principles of form and finality have been retained, but that they have been overthrown, evacuated as *intrinsic* principles of motion and rest and transposed into the “designs” of the God whose “workmanship” we were in the *Second Treatise* and whose laws *extrinsically* govern nature in a fashion analogous to Newton’s laws in the physical realm. The tradition understood the highest meaning of liberty as the undivided love which fulfills my natural inclination toward the good and which alone makes

¹²¹ Locke, *Essay*, II.1.2.

¹²² Descartes had identified the “essence” of matter with extension. Newton disputed Descartes’ definition as part of his rejection of Descartes’ vortex theory of planetary motion. Nevertheless, like Descartes, he invoked a methodological “principle of annihilation” to destroy all those qualities without which body could not be thought, separating the definition of body from extension (so as to posit absolute space) but still conceiving its “essence” as a kind of dimensive quantity: “that which fills place...so completely that it wholly excludes other things of the same kind or other bodies, as if it were impenetrable being”; and alternatively: “determined quantities of extension which omnipresent God has endowed with certain conditions.” These conditions in brief, are 1) mobility, 2) impenetrability such that two of the same kind cannot simultaneously occupy the same place, and hence they interact according to law, and 3) the power to excite certain kinds of perceptions in the mind and to be moved by mind or will. Newton, *De Gravitatione*, 122, 149.

¹²³ Locke, *Essay*, II.8.9-17.

¹²⁴ Locke, *Essay*, IV.1.1; see also II.32.1. Compare Hobbes, *Leviathan*, I, 4, 11.

¹²⁵ *Ibid.*, II.21.42, emphasis mine; see Hobbes, I, 6, 6, “For whatsoever is the object of any man’s appetite or desire, that is it, which for his part he calleth good.” For his rejection of a *summum bonum* or *finis ultimus*, see I, 11, 1. Correspondingly in Locke, “moral goodness” is reconceived as “the conformity or disagreement men’s voluntary actions have to a rule to which they are referred, and by which they are judged” (*Essay* II.28.4), and virtue is no longer a habit through which my given end is realized and my nature perfected, but an action conforming to law, or more fundamentally, “those actions, which amongst [men] are judged praiseworthy” (II.28.10.).

¹²⁶ Reilly, *America on Trial*, 246.

my action an expression of my desires.¹²⁷ This differs radically from Locke's conception of liberty, though Locke takes some pains to disguise this difference. With goodness emptied of ontological weight, liberty can no longer consist in the purity of an undivided will embracing a singular object of affection that realizes an end antecedently given along with my nature—freedom as an actuality, not a potency. This loss is reflected in his reduction of happiness from an objective fulfillment of my nature to “the utmost pleasure we are capable of.”¹²⁸ Instead, Locke redefines liberty as “the power to do or to forebear any action,” a possibility foregone the moment it is actualized, thereby transforming the heretofore antecedent realities of God, nature, the moral law, etc., from anterior sources of freedom into possible objects of that power that I may or may not choose to want.¹²⁹ For Locke, the Laws of Nature merely qualify the pursuit of pleasure and the avoidance of pain by adding a cost-benefit analysis regarding which actions might conduce to *eternal* pleasure or pain. This answers our earlier question of *how* the law obliges. Locke concedes that “the greatest visible good does not always raise men's minds in proportion to the greatness,” but the prospect that God, disposing of his “property” as he sees fit, might reward our deeds with eternal punishment appeals to the “unease,” the restless disquiet that has, for Locke, replaced the inclination toward the Good as the fundamental wellspring of human action and that compelled perfectly free man to abandon his imaginary State of Nature.¹³⁰

From Leviathan to the New Atlantis

Locke draws out a radical implication of the het-

erogeneity of mind and world that Descartes and Hobbes, two forebears in this bifurcated reality, never quite reached.¹³¹ It is contained in the radical conclusion, noted above, that knowledge is of our ideas only. Locke proceeds *as if* the simple ideas of solidity, figure, bulk, etc., were the elemental building blocks of reality. And he gives grounds for supposing that bodies are “really” like that, certainly more “like that” than the secondary qualities which they occasion in us, ideas such as colors, sounds, and flavors.¹³² But he does not identify these “primary qualities” of bodies with their corresponding ideas simply, nor with the essence of matter—which he thought equally unknowable as spirit.¹³³ This would be to take ideas for things. Rather he describes these qualities as the power of bodies—note once again the primacy of possibility—to produce those ideas in us.¹³⁴ And he likewise defines secondary qualities as the properties of the object with the power to produce the perceptions or ideas of color, sound, etc. But the nature of this power *as* power, as the mere capacity to affect, is unknowable in principle, as is the so-called “causal connection” binding these powers to their effects.¹³⁵ Why the extended world of bulk and figure, or the world that produces such ideas in us, should also produce ideas of color and sound—why it should produce meaning at all—is and must remain unfathomable. There “is no conceivable connexion betwixt the one and the other.”¹³⁶ Anticipating Hume, he will say that only *experience*—the “constant and regular connexion” they have in “the ordinary course of things”—can establish that the one follows regularly from the other, and following Bacon he will wish for a method by which experience “were more improved.”¹³⁷

Locke thus provides a philosophical justification for philosophical suicide. His operative

¹²⁷ See, e.g., Augustine, *De Civ.*, XIX.4, 10-12, 15. Michael Hanby, *Augustine and Modernity* (London: Routledge, 2003).

¹²⁸ Locke, *Essay*, II.21.42.

¹²⁹ Locke, *Essay*, II.21.8. For Schindler it is precisely Locke's reduction of freedom from an actuality to a mere power or possibility—that is, its separation of the agent from reality and its reconfiguration of the given realities constitutive of the actual world as simply objects of possible choice—that accounts for its inherently “diabolical” and deceptive character, its tendency to undermine and destroy the very thing it promises. This deception derives from the fact that as mere possibility Lockean freedom is fundamentally *unreal*. See Schindler, *Freedom From Reality*, 13-192.

¹³⁰ Locke, *Essay*, II.21.29. I would suggest that the role which unease plays in Locke's theory of volition is paralleled by the role of fear—specifically fear of death—in Hobbes.

¹³¹ It is important to recognize that this “bifurcation” persists inside of any attempt, whether materialist or idealist, to reduce the whole of reality to one of its poles. See Hanby, *No God, No Science?*, 107-49.

¹³² See, e.g., *Essay*, II.23.24, IV.5.8.

¹³³ *Ibid.*, IV.3.16.

¹³⁴ Locke, *Essay*, II.8.7. As we saw previously, there is an echo of this idea in Newton.

¹³⁵ On the absence of a necessary (and intelligible) connection, see Locke, *Essay*, II.8.25; IV.3.12-14.

¹³⁶ Locke, *Essay*, IV.3.13.

¹³⁷ *Ibid.*, IV.3.28; IV.3.16.

ontology bars the way to further ontological speculation and precludes any philosophy of being, its principles, and its elements that would qualify as knowledge. Lockean “skepticism” is thus more radical and more complete than anything explicitly stated by Descartes or Hobbes, though he, like them, is quite certain of the limits of reason. Neither the clarity and distinctness of our ideas nor a proof that God is not a deceiver could, for Locke, suffice to guarantee that ideas give us a true representation of the world, since “true” now refers merely to the relationship among our ideas themselves.¹³⁸ Mind and world remain eternally separated by an abyss bridged only by “impulse,” a “causal connexion” that we cannot understand. The “bounds” and “extent” of our knowledge thus turn out to be quite narrow, and yet it is this very narrowness—the unintelligibility of being and nature—that warrants Locke’s embrace of the Baconian experimentalism that Hobbes, despite his conflation of nature and art and his own constructivism, held in suspicion.¹³⁹ The “Reason” exalted by Reilly in Locke’s name is thus in one sense a much more humble creature than Reilly acknowledges. It is true that it still suffices “to secure the great ends of morality and religion,” but only because religion will henceforth be reduced to a *morality* only arbitrarily related to our mechanistic *reality*. And yet, in another sense, reason’s humility proves to be a false modesty, for its real benefit is to increase our mastery over nature, to attain “whatever is necessary for the conveniences of life,” and to “put within the reach of [men’s] discovery the comfortable provision for this life and the way that leads to a better.”¹⁴⁰ Metaphysics becomes unintelligible in the wake of this philosophical suicide; natural philosophy is absorbed into the empirical and experimental sciences. The mind is left with morality and technology; and morality, as Alasdair MacIntyre explained over thirty years ago, will soon afterward cease to be regarded as a matter of reason at all.¹⁴¹ This partly

explains the overwhelmingly moralistic character of American religion, as well as Whig Catholicism’s inability to see beyond a moral diagnosis of America’s ills to the “technological” ontology harbored within animating principles.¹⁴² But it is this technological ontology that has come to define for us what it means to think—and what there is to think about.

To speak then, of Locke as a Hobbesian or Hobbes as a proto-Lockean, is not to allege a malign esoteric intent on the part of Locke or that of the Founders who numbered him among their sources of inspiration. Neither is it to deny other influences upon their work, or the possibility of locating Locke with the Judicious Hooker within an alternative tradition from which he and the American Founders undoubtedly drew. To locate him in that tradition in a way that completely neglects the permanent effects of the Reformation and the revolution in every branch of seventeenth- and eighteenth-century thought, however, is to fail to detect the soldiers inside the horse. Finally, to speak of the Hobbesian dimension of liberal order is not to suggest that the fictional Lockean commonwealth or the real American Republic is a Hobbesian despot that dictates everything one can and cannot do. To the contrary, *atomization and fragmentation* are the logical consequences of Lockean liberty, even in the state of nature, and a society organized around the Lockean conception of natural rights will be a virtual factory for the production of new factions. America’s peculiar genius for birthing new religious sects surely attest to this. It was the genius of *Federalist* 10 to perceive that atomization increases rather than diminishes the power and stability of the state.

To propose that Hobbes might be a proto-Lockean is to suggest, however, that Locke succeeded, even beyond Hobbes, in fulfilling Hobbes’ technological ambition to create a “mortal God,” whose “divine” attributes of unity and indivisibility mimic and indeed ultimately

¹³⁸ Of course the idea that knowledge is principally a matter of “representation” already presupposes the Cartesian separation of mind and world.

¹³⁹ See once again Shapin and Schaffer, *Leviathan and the Air-Pump*, 110-54.

¹⁴⁰ Locke, *Essay*, IV.4.6; I.1.5.

¹⁴¹ MacIntyre, *After Virtue* (South Bend: Notre Dame Press, 1981).

¹⁴² See, e.g., Thomas G. West, *The Political Theory of the American Founding: Natural Rights, Public Policy, and the Moral Conditions of Freedom* (Cambridge: Cambridge University Press, 2017). West’s book should be considered as belonging in the same genre as Reilly’s—which is unsurprising, perhaps, since each did his graduate work at Claremont—and it misses the point in a similar way, treating the Founders’ commitment to Christian morality as the key to the meaning of the American Founding and as a sufficient rebuttal to its critics.

replace those of the Immortal God.¹⁴³ What do I mean? I mean that liberal order is for us the all-encompassing whole within which we live and move and have our being, and beyond which there is nothing at all. Within its transcendent horizon, so-called “intermediate associations” are permitted to appear like so many congregationalist polities as mere parts of this comprehensive whole comprehended by nothing.¹⁴⁴ I also mean to suggest, moreover, that this artificial God is predicated upon an “artificial” nature, whose opaque and mechanical ontological-epistemological premises define the limits of our intellectual horizons and commence an interminable pursuit of technical conquest that is increasingly our collective *raison d'être*. In which case the ultimate import of Locke’s “Hobbesianism”—or Hobbes’ “Lockeanism”—is as midwife to the establishment of Bacon’s *New Atlantis* on the western shores of the Atlantic.¹⁴⁵

III. THE AMERICAN ATLANTIS

John Locke was a preeminent theorist of the

¹⁴³ Liberal order thus perfects what Rousseau saw as the essence of sovereignty. This essence lies near to the heart of what we might call the metaphysics of the modern state. Rousseau had criticized his liberal predecessors for “having no precise notion of what sovereignty is” and “for taking mere manifestations of authority for parts of the authority itself.” These manifestations, he maintained, are divisible—into legislative and executive functions, for example—and through them the state can even limit itself to create a free space for the exercise of private agency. But as mere manifestations, they are the expression of a sovereignty which is unitary, inalienable, indivisible—in essence, transcendent. If one recognizes the traditional divine predicates in this description, I would suggest it is because liberal order is, in effect, the mortal god which Hobbes had sought to construct. As Pierre Manent puts it, “The mystery of the modern executive is the mystery of its unity” (Manent, *An Intellectual History of Liberalism*, 49). See, Rousseau, *The Social Contract* (London: Penguin Classics, 1968), II.8.

¹⁴⁴ Obviously, then, I reject the premise behind these questions: “If the American Founding was inspired by Hobbesian ontology, why did it not look like it? The denial of formal and final causality defines Hobbes’ thought and his unlimited Leviathan. If they shared in a similar metaphysical rejection, why did the Founders not replicate a Leviathan state?” (Reilly, *America on Trial*, 310). The American Founding does look like Hobbes’ Leviathan, though it looks like it in its developed, Lockean-Baconian mode, realizing Hobbes’ “technological ambition” on a technological as well as a political plane.

¹⁴⁵ For more on the technocratic fate of liberal order, see my articles cited in footnote 2 above.

emerging liberal order and an undoubted influence on the architects of the American Founding. He is also a decisive figure for the fate of philosophy in the English-speaking world. Even so, he has assumed what is probably an outsized role in the contemporary debate, with critics of American liberalism training their fire on its Lockean presuppositions and defenders such as Reilly assuming that they can deflect this criticism either by minimizing the importance of Locke’s influence or severing his widely-recognized relation to Hobbes. Reilly’s recourse to this strategy is one reason we have had to dwell so long on Locke and his relation to Hobbes. But a more fundamental reason is that they are paradigmatic representatives of a new vision of nature, knowledge, religion, and political order whose general contours were becoming axiomatic in the seventeenth and eighteenth centuries, even among otherwise pious and orthodox Christians. They were not the only such representatives, nor were the details of this vision uncontested among English-speaking Protestants. Scottish Enlightenment thinkers Thomas Reid, Adam Ferguson, and Dugald Stewart would advance a “common sense” philosophy that qualified the social atomism of the earlier mechanists and affirmed empiricism while attempting to refute skepticism. This may form part of the background for Jefferson’s “self-evident truths” and may have been lurking in the back of his mind years later when he wrote that his purpose in writing the Declaration was “not to find out new principles, or new arguments, never before thought of,” but to “place before mankind the common sense of the subject....”¹⁴⁶ Adam Smith, Hutcheson, Lord Kames, and Hume himself, taking up the difficult task identified by Locke in his *Essay* of putting “mechanism and morality together,” developed new theories of the moral (and aesthetic) sense, as a way of reconciling morality with Newtonian nature and Baconian science. Jefferson subscribed

¹⁴⁶ Quoted in Cohen, *Science and the Founding Fathers*, 111. For more on the contested interpretation of Jeffersonian self-evidence, see Cohen, 121-34. See also Scott Segrest, “Common Sense Philosophy and American Political Theology: Preliminary Considerations” (presented at the American Political Science Association meeting, Philadelphia, September 1, 2006), available at <https://sites01.lsu.edu/faculty/voegelin/wp-content/uploads/sites/80/2015/09/Scott-Segrest3.pdf>.

to a version of this philosophy as well.¹⁴⁷ It would be absurd to reduce a complex historical event like the American Founding to a simple incarnation of Lockean or Hobbesian philosophy; yet it would be just as absurd to deny that the Founders assumed, with varying degrees of self-consciousness, the axiomatic ontological and epistemic judgments of their age that these philosophies exemplify. There were none other seriously on offer among English-speaking Protestants of the eighteenth century. Reilly seems to think, however, that in order to harbor a “Hobbesian ontology” (his term, as far as I can recall, not mine), the Founders must either have self-consciously deduced their political philosophy from Hobbes’ ontological principles or be carried along blindly by the force of history, a “determinism” that insults the Founders “rectitude.”¹⁴⁸ Neglected, so he argues, is “the possibility that the change in metaphysics altered the meaning of things *only* for those who accepted the new metaphysics, and not for those who did not.”¹⁴⁹

We have seen that the eighteenth-century emphasis on morality and natural law is as much an *expression* of this mechanical ontology as it is its antithesis. This fact alone is enough to call Reilly’s false alternative into question. This alternative is useful, nevertheless, in showing once again the naïveté of Reilly’s “Whiggish” equation of meaning and intention, with its ham-fisted understanding of the way meaning is transacted in language and its failure to grasp how metaphysical judgments operate *tacitly* within political and scientific discourse: not as a “system” from which political conclusions are explicitly deduced but as something logically entailed in the basic elements of the discourse itself, and often unarticulated.¹⁵⁰ Entailed in every conception of political order is a conception of nature and the

human being, without which the nature and ends of government—not to mention still more basic notions like “entity,” “order,” and “truth”—would be unintelligible. And every conception of nature implies a corresponding conception of God—what God must “be like” if the world is really like this—irrespective of whether he is taken to exist. Metaphysical judgments in this sense need not be thought out loud and do not depend upon a conscious act of judging. They are built in, so to speak, to the structure of concepts *by which* we judge, and are implicated in our different ways of thinking and speaking about nature, the human being, goodness, truth, or causality, often without our being fully aware of it. Metaphysics in this sense will be found to operate not only “within” these terms, but in the interstices between them. This means that metaphysical judgments are sometimes also evident in what is *not* said—indeed in what *cannot* be said or conceived—within a given discourse. One needn’t turn history into an occult force to recognize this; one need only acknowledge the truth of Michael Polanyi’s observation that we know more than we can say, as well as its converse, that sometimes we say more than we know.¹⁵¹

The Republic of Science and Its Invisible Foundations

Thomas Jefferson, writing to John Turnbull from Paris in 1789 to request that portraits be made of Bacon, Locke, and Newton for his home at Monticello, referred to them as “the three greatest men that ever lived, without any exception, and as having laid the foundation of those superstructures which have been raised in the Physical & Moral sciences.”¹⁵² Among those superstructures, we learn, are the great scientific societies like the Agricultural Society of Paris, which Jefferson praises in terms worthy of Dewey in an 1809 letter to John Hollins:

¹⁴⁷ See Jefferson, “To Thomas Law” (June 13, 1814), in *Thomas Jefferson: Writings*, 1335-9. For a discussion of Jefferson’s philosophy of the moral sense and its relation to the theories of Hutcheson and especially Kames, see Jean M. Yarbrough, “The Moral Sense, Character Formation, and Virtue,” in Gary L. McDowell and Sharon L. Noble (eds.), *Reason and Republicanism: Thomas Jefferson’s Legacy of Liberty* (Lanham: Rowman and Littlefield, 1997), 271-303.

¹⁴⁸ Reilly, *America on Trial*, 312.

¹⁴⁹ *Ibid.*, 310.

¹⁵⁰ See my chapter “Discourse on Method” in Hanby, *No God, No Science?*, 9-48.

¹⁵¹ See Polanyi, *The Tacit Dimension* (Gloucester: Peter Smith, 1983), 6. By “say more than we know” I mean two things: first, that sometimes we speak about things we do not properly understand, and second—*pace* Reilly—that our thought and speech entails assumptions and judgments of which we may not be aware, and meanings and implications that we do not intend or foresee. Both senses of the expression are true of Reilly.

¹⁵² Thomas Jefferson, “To John Trumbull” (February 15, 1789), *Thomas Jefferson: Writings*, 939-40.

I mention these things, to show the nature of the correspondence which is carried on between societies instituted for the benevolent purpose of communicating to all parts of the world whatever useful is discovered in any one of them. These societies are always in peace, however their nations may be at war. Like the republic of letters, they form a great fraternity spreading over the whole earth, and their correspondence is never interrupted by any civilized nation.¹⁵³

We've already seen that Jefferson shared with these "three greatest men" a disdain for Plato and the scholastics. We can add to this disdain for Platonism a devotion to "our master, Epicurus," as Jefferson put it, and to what Robert K. Faulkner calls the "useful and active materialism" of Francis Bacon.¹⁵⁴ Jefferson expounds upon his "creed of materialism" which he took to be the doctrine of Locke, de Tracy, and Stewart, in an 1820 letter to John Adams, confiding that he "cannot reason otherwise" than that "to talk of immaterial existences is to talk of nothings."¹⁵⁵ He gives his material-

ism a particularly Baconian twist in another letter written near the end of his life in 1825. "The business of life is with matter, that gives us tangible results," he wrote. "Handling that, we arrive at knowledge of the axe, the plough, the steam-boat, and everything useful in life, but from metaphysical speculations, I have never seen any useful result."¹⁵⁶

In 1743, Benjamin Franklin founded the American Philosophical Society in Philadelphia, patterned after the Royal Society, the latter being the first such institution in the scientific "superstructure," dedicated to Bacon's vision of "useful knowledge" and promoting "all philosophical Experiments that let Light into the Nature of Things, tend to increase the Power of Man over Matter, and multiply the Conveniencies or Pleasures of Life."¹⁵⁷ The Society would boast Washington, Jefferson, Madison, Hamilton, Marshall, and Paine among its members and officers. Jefferson was elected president of the Society as he ascended to the nation's vice-presidency and enjoyed it far more than government. He would maintain an active presidency for the next eighteen years.¹⁵⁸ The promotion of "useful knowledge" was so essential to the vision of the new nation, it would be inscribed into Article I, section 8 of the U.S. Constitution, which grants Congress the power to "promote the Progress of Science and the Useful Arts" through what came to be known as the Copyright and Patent Provision. Madison had advocated for this in *Federalist* 43.¹⁵⁹

¹⁵³ Thomas Jefferson, "To John Hollins" (February 19, 1809), *Thomas Jefferson: Writings*, 1201.

¹⁵⁴ Faulkner, "Jefferson and the Enlightened Science of Liberty," in Gary L. McDowell and Sharon L. Noble (eds.), *Reason and Republicanism: Thomas Jefferson's Legacy of Liberty* (Lanham: Rowman & Littlefield, 1997), 31-52, at 43. Faulkner notes that Jefferson's dismissal of Plato as "one among the 'genuine sophists'" as well as his praise for Epicurus as containing "everything rational in moral philosophy which Greece and Rome have left us" echoes Bacon. See Jefferson, "To William Short" (October 31, 1819), in *Thomas Jefferson: Writings*, 1430-33.

¹⁵⁵ "But enough of criticism: let me turn to your puzzling letter of May 12, on matter, spirit, motion, etc. It's croud of scepticisms kept me from sleep. I read it, and laid it down: read it, and laid it down, again and again: and to give rest to my mind, I was obliged to recur immediately to my habitual anodyne, 'I feel, therefore, I exist.' I feel bodies which are not myself: there are other existences then. I call them *matter*. I feel them changing place. This gives me *motion*. Where there is an absence of matter, I call it *void*, or *nothing*, or *immaterial space*. On the basis of sensation, of matter and motion, we may erect the fabric of all the certainties we can have or need. I can conceive *thought* to be an action of a particular organization of matter, formed for that purpose by its creator, as well as that *attraction* in an action of matter, or magnetism of loadstone. When he who denies to the Creator the power of endowing matter with the mode of action called thinking shall shew how he could endow the Sun with the mode of action called attraction, which reins the planets in the tract of their orbits, or how an absence of matter can have a will, and, by that will, put matter in motion, then the

materialist may be lawfully required to explain the process by which matter exercises the faculty of thinking. When once we quit the basis of sensation, all is in the wind. To talk of *immaterial existences* is to talk of *nothings*. To say that the human soul, angels, god, are immaterial, is to say they are *nothings*, or that there is no god, no angels, no soul. I cannot reason otherwise..." (Jefferson, "To John Adams" [August 15, 1820], in *Thomas Jefferson: Writings*, 1443).

¹⁵⁶ Jefferson to anon., 1825, in Edwin T. Martin, *Thomas Jefferson: Scientist* (New York: Henry Schuman, 1952), 36, quoted in Faulkner, "Jefferson and the Enlightened Science of Liberty," 43.

¹⁵⁷ Benjamin Franklin, "A PROPOSAL for Promoting Useful Knowledge among the British Plantations in America," (Philadelphia, 1743), available at <https://founders.archives.gov/documents/Franklin/01-02-02-0092>.

¹⁵⁸ Bailyn, *To Begin the World Anew*, 41.

¹⁵⁹ This prompts Leon Kass to say that "the American Republic is, to my knowledge, the first regime explicitly to embrace scientific and technical progress and officially to claim its importance for the public good." He goes on to say that "the entire Consti-

This “useful knowledge,” Franklin recognized, was indispensable to the growth and unity of the young nation and to humanity’s progress in mastering nature.¹⁶⁰ The “great fraternity” constituted by the Royal Society, the American Philosophical Society, the *Académie des sciences* in Paris and similar organs is a concrete, institutional bridge between Bacon’s utopian vision in the *New Atlantis* and its eventual realization in what Dewey called “an intelligent administering of experience”: “a State organized for collective inquiry” that “attacks nature collectively” over generations.¹⁶¹ It was Dewey’s genius to recognize that the “American experiment” was an experiment in the deepest sense, a perpetual assault on the limits of possibility, that was by nature interminable.

Did Jefferson *understand* the full depths of the transformation—to our concepts of God, nature, causality, even truth and reason itself—that had to occur in order for his “great fraternity” of societies for the promotion of useful knowledge to

tution is a deliberate embodiment of balanced tensions between science and law and between stability and novelty, inasmuch as the Founders self-consciously sought to institutionalize the improvements of the new ‘science of politics,’ and in such a way that would stably perpetuate openness to further change.” Leon R. Kass, *Toward A More Natural Science: Biology and Human Affairs* (New York: The Free Press, 1985), 133-4.

¹⁶⁰ See Franklin, “Proposal”:

“The English are possess’d of a long Tract of Continent, from Nova Scotia to Georgia, extending North and South thro’ different Climates, having different Soils, producing different Plants, Mines and Minerals, and capable of different Improvements, Manufactures, &c.

“The first Drudgery of Settling new Colonies, which confines the Attention of People to mere Necessaries, is now pretty well over; and there are many in every Province in Circumstances that set them at Ease, and afford Leisure to cultivate the finer Arts, and improve the common Stock of Knowledge. To such of these who are Men of Speculation, many Hints must from time to time arise, many Observations occur, which if well-examined, pursued and improved, might produce Discoveries to the Advantage of some or all of the British Plantations, or to the Benefit of Mankind in general.

“But as from the Extent of the Country such Persons are widely separated, and seldom can see and converse or be acquainted with each other, so that many useful Particulars remain uncommunicated, die with the Discoverers, and are lost to Mankind; it is, to remedy this Inconvenience for the future, proposed...”

¹⁶¹ Dewey, *Reconstruction in Philosophy* (London: Forgotten Books, 2005), 95, 37.

exist? Was he fully aware of the manifold metaphysical judgments embodied in their existence? Did he know of the radical transformation of the metaphysical patrimony of the West, all the controversies and changes to the meaning of “matter” itself presupposed by his “creed of materialism”? Was he aware of the earth-shattering consequences of Descartes’ original version (*cogito ergo sum*) of his “anodyne” or its role in transforming the West’s understanding of nature, knowledge, and God? Did he think upon all the historical and philosophical reasons why he “could not reason otherwise,” when so many who had gone before him could? Were Washington, Madison, Hamilton, Marshall, and Paine aware of the profound transformation of the notion of reason and truth embodied in their Society? Did they intend or even anticipate the subsequent train of causes and effects set in motion by this transformation? In the end, *does it matter*? Even without understanding the universe of philosophical judgments presupposed in his “creed of materialism,” Jefferson was able to profess it and to enact it even in the small areas of life, such as his banter back and forth with his old friend Adams. As Wittgenstein once wrote, “When I give the description: ‘The ground was quite covered with plants’—do you want to say I don’t know what I am talking about until I can give a definition of a plant?”¹⁶²

As it was with Jefferson and the other Founders, so it is with the social order they helped to create. The tacit metaphysics of a people and an era, the *sensus communis* about the nature of reality that marks them as belonging to a shared world, is visible not only in what they think, or what they say, but in what they cannot think and say. We have seen that the new conception of political order birthed in the seventeenth and eighteenth century—the conception that would determine the shape of the modern world ever since and that finds its exemplary expression in America as the quintessentially modern nation—was premised upon the destruction of a symbolic and sacramental order that bound spiritual and temporal power into a unity even in their distinction, and upon a revolutionary transformation of every sphere of thought (indeed in the meaning of thought itself) that had made

¹⁶² Ludwig Wittgenstein, *Philosophical Investigations*, 3rd ed., trans. G. E. M. Anscombe (Oxford: Basil Blackwell, 1958), §70.

this unity intelligible. We have seen as a consequence how liberal order recreates the preliberal world in its own image, transforming antecedent realities that comprehend us, define us, and actuate our freedom—such as God, nature, and the moral law—into possible objects of choice, selected from a new Archimedean point outside of nature occupied by every experimenter confronting a field of technical possibilities.¹⁶³ (This is no doubt the deep root of the Whig sensibility and one reason why it is possible to imagine that there is one unbroken “natural law” tradition, unaffected by profound transformations in our understanding of nature itself, that passes from antiquity through to Aquinas, Bellarmine, and Suarez in the Middle Ages, to Hooker, Sidney, and Locke, before it terminates in us.)

If we wish to ask whether liberal order embodies a metaphysics, or whether that metaphysics is in some way “Hobbesian,” we should not only look deeply into how it depicts nature, freedom, God, and the good; we should ask what one cannot see or say from within its conceptual parameters. To say that liberal order recreates the world in its own image is to say that its renunciation of competence in spiritual matters (Murray’s so-called “articles of peace”) is a fiction.¹⁶⁴ Concealed within its alleged metaphysical and religious neutrality is both an extrinsicist theology that makes God incidental to the meaning and intelligibility of nature and a quasi-official ecclesiology whose main outlines are supplied by Locke’s *Letter Concerning Toleration*, that regards a church as “a voluntary society of men, joining themselves together of their own accord in order to the public worshipping of God in such manner as they judge acceptable to Him, and effectual to the salvation of their souls.”¹⁶⁵ In other words, as the transcendental whole that comprehends all things and is comprehended by none, liberal order excludes God and even traditional metaphysics

from its official form of rationality. And it *requires* as a condition of appearance within its borders that every religion be tacitly conceived as a species of Protestant congregationalism. As modern liberals, we “cannot reason otherwise.” To discover whether American liberalism harbors a “Hobbesian” metaphysics, we need only ask whether it is possible for liberal order or the American state to recognize what the Catholic Church is in its true, *theological* nature as the sacrament of Christ or whether, by contrast, this is “constitutionally” impossible.

The Only Possible World and the Other Country

What is true of the Founders is true of all of us to some degree. We all know more than we can say. And we all say more than we know. This is certainly true of Reilly. He says more than he actually knows, both about Deneen and me and our work, and about the thought of the Founders. And he says less than is actually operative inside his own thought. He does not see what he does not see. That Reilly could act as if a contested and materially empty sense of natural law could substitute for the living reality of the Catholic Church in “limiting the political to be itself,” that he could entertain the idea of “a Catholic Founding” or imply that Catholic political principles are realized for the first time in a political order that is constitutively incapable of acknowledging the true nature and authority of the Catholic Church, raises the question about what Reilly thinks Catholicism *is* and how deeply his imagination of it is shaped by Lockean presuppositions that are invisible to him.¹⁶⁶ It is not that Reilly would deny the Church’s sacramental nature or universal authority as articles of faith. Rather it is that neither these truths nor the metaphysical judgments necessary to sustain them enter operationally into his basic conception of natural or political order; there is no sense, in other words, that the sacramental nature of the Church has anything to do with the basic ontological structure of the world. And again, what is true of Reilly is true of all of us Americans to some degree, and maybe of the contemporary

¹⁶³ Arendt, *The Human Condition*, 265. “In the experiment man realized his newly won freedom from the shackles of earth-bound experience; he placed nature under the conditions of his own mind, that is, under conditions won from a universal, astrophysical viewpoint, a cosmic standpoint outside nature itself.”

¹⁶⁴ See Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (Lanham, MD: Rowman and Littlefield, 2005), 59-86.

¹⁶⁵ Locke, *A Letter Concerning Toleration*.

¹⁶⁶ Reilly, *America on Trial*, 33, 214 ff.

Church as a whole. We accept “what the church teaches”—or don’t—fideistically, perhaps even living lives of moral rectitude, while otherwise adopting “sociologism” as our unreflective mode of thinking and perceiving the world.¹⁶⁷ This is why Lockean liberalism—with the mechanical world it presupposes and the Baconian world it sets in motion—more perfectly realizes Hobbes’ absolutist ambitions than Hobbes himself does. Why repress the Church when you can entice Catholics to think like Protestants, or even like atheists, without knowing it?

The advent of liberalism and of liberal societies is a transitional moment in the death of God in the modern West, a catastrophe from which the Church is not exempt. The “priority of the political” and the power that politics exercises over our vision and imagination are among its most acute symptoms. This is really the heart of the matter, and why my thought, unlike Reilly’s, is not in the first instance political. The overarching concern that has motivated all my thinking on these matters is not the political concern to “prosecute” the Founders or, conversely, to hypothesize about the best regime. My concern is what John Paul II and Benedict XVI called “the eclipse of the sense of God and man” in the modern West and, particularly, in the modern Church, the dark

¹⁶⁷ Augusto Del Noce describes sociologism thus: “The true clash is between two conceptions of life. One could be described in terms of the religious dimension or the presence of the divine in us; it certainly achieves fullness in Christian thought, or in fact in Catholic thought, though per se it is not specifically Christian in the proper sense. Rather, it is the precondition that makes it possible for the act of faith to germinate in man, inasmuch as it is man’s natural aptitude to apprehend the sacred. (I cannot linger here on the definition of this dimension and I must refer to the very beautiful pages by Fr. Danielou.) The other is the conception that ultimately can be called sociologicistic, in the sense that contemporary sociologism reduces all conceptions of the world to ideologies, as expressions of the historical situation of some groups, as spiritual superstructures of forces that are not spiritual at all, such as class interests, unconscious collective motivations, and concrete circumstances of social life. So that the progress of the human sciences is supposed to lead to social science as the full extension of scientific reason to the human world, achieving a complete replacement of philosophical discourse by scientific discourse and thus clarifying the worldly, social, and historical origin of metaphysical thought” (Augusto Del Noce, *The Age of Secularization*, trans. Carlo Lancellotti [Montreal: McGill-Queens, 2017], 219). I would wish to develop his definition further along the metaphysical lines of thought indicated by this present article, but as a placeholder for that project, the description suffices.

shadow of which has deprived us of the light even to recognize our own atheism.

Reilly alleges that for Deneen and me, “repudiation of the Founding principles of the United States is a necessary condition for Christian revival, if not survival.”¹⁶⁸ Perhaps this is fair if by “repudiate” he means ceasing to pretend that a false idea is true or refusing to conflate the “path of guardianship”—or, let’s be honest, the victory of Republican Party politics—with our Catholic obligation to serve the common good. But otherwise I think this is neither possible nor meaningful. One might as well repudiate air. America is not an idea, or at least not *only* an idea, but a place, and in fact an empire whose power vastly exceeds its direct political control. It is also my home—which it inevitably remains whether that idea be true or false. And since there is no “outside” of liberal order—since the empire of liberty has succeeded so spectacularly in eliminating all theoretical and practical alternatives to itself—, its disintegration is likely to be interminable: always falling, never collapsing. Liberal order may not be the best of all possible worlds, but it is the only possible world as far as the eye can see, and I discern no path forward but to undergo whatever fate is set in motion by the death of God within the prison of this order’s immanent horizons.¹⁶⁹ The presence of a tragic flaw in America’s Founding principles or its history does not eliminate the greatness of the American achievement in establishing this empire; nor is there any reason why acknowledging the cracks in America’s foundations should prevent any of us from loving our home or deter us from working in every sphere to make our country the least nihilistic version of itself. Even if liberal order bars the way to a common good that is truly common, we still have a duty to mitigate the harm done to persons in this order’s interminable disintegration.

But otherwise Reilly is half-right. The Church is in crisis in the modern world, which is very much the American world—beset from without by a secular social order that systematically excludes God from its conception of reality, beset from within by a pious atheism that does not know itself. It is a measure of this crisis that

¹⁶⁸ Reilly, *America on Trial*, 314.

¹⁶⁹ For more on the technocratic shape of this fate, see Hanby, “What Comes Next,” and “Before and After Politics,” *op cit*.

the vision—the seeing—that once defined the Christian life and the goal of human existence has all but disappeared both from our apprehension of the world and from our self-understanding. The recovery of a truer and more profound Catholicism and a properly Christian hope in the abiding presence of the eternal God who fills all things coincides with whatever capacity we may muster and whatever grace is granted to us to see beyond the immanent horizons of liberal order and to transcend its fate from within. Given its external power over our form of life and its internal power over our imaginations, “seeing” at present likely means discovering what we are no longer able to see, just as we must experience this truer Catholicism by enduring the wound of its present impossibility and must hope in God’s abiding presence by mourning his apparent absence. At the heart of this vision and this hope is the ancient Christian conviction that we belong to another country more profoundly than we belong to this one, and our only hope of transcending our nihilistic fate is that this conviction might yet again inform and transform our most basic perception of the world. The alternative represented by the civic project is to relinquish the Catholic mind and to inadvertently baptize the death of God and its ensuing fate, acquiescing unawares in that suffocating immanentism and concealing our hopeless unbelief behind a veneer of pious optimism. Transcending this fate does not require from us the impossible task of repudiating America or liberal order—as if there were anywhere else to go—but it does require us to repudiate the Whig Catholicism of Robert Reilly and rediscover the abiding presence of that other country that is our only true hope.



