

## Individualism and Political Dialogue

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### Toward An Individualist Discourse Ethics & Politics

In this paper I will argue that a careful exploration of the nature of dialogue presupposes certain controversial and highly disputed individualist features of human life. I want to show that in terms of such explorations, the famous Marxian idea of specie-being - "The human essence is the true collectivity of man"<sup>1</sup> - must be rejected in favor of one in terms of which human beings are essentially both individuals and social beings.

Some of what I will say is reminiscent of the thesis advanced by discourse ethicists such as Jurgen Habermas, Bruce Ackerman, Frank van Dun, Hans-Herman Hoppe and N. Stephan Kinsella, some of the kind of work done by neo-Kantians such as Ludwig von Mises and Alan Gewirth. Discourse ethics derives norms of personal and social conduct from a strict logical analysis of the assumptions that underlie meaningful dialogue. For example, in his recent book *A Theory of Socialism and Capitalism*, Hans-Herman Hoppe defends the right to private property on the basis of the presuppositions of discourse.<sup>2</sup> Alan Gewirth's line of reasoning about political principles, in turn, derives both freedom and welfare rights from a logical exploration of human action. Earlier Ludwig von Mises developed his system of praxeology based on what he deemed to be a logical - "a priori" - analysis of human action, from which he then proceeded to establish the conditions of a human economy. A similar approach is used by Jurgen Habermas and Bruce Ackerman. Their argument tends to support some form of socialism or welfare state, based on what they take to be the necessary presuppositions of democratic dialogue or, to use Amartya Sen's term, "public reasoning."

In all of these cases, there is a kind of a priorism being employed for purposes of establishing substantive principles of human conduct. The distinctive aspect of this paper is the use to which it puts the kind of arguments employed by those mentioned above. I want to show, first, that discourse is not primary in how we should understand politics. Instead, it is human action itself that is primary, with discourse being only one form of human action. It is the presuppositions of human action that require certain political principles to be respected and protected. And human action needs to be understood by reference to human nature.

Based on this analysis, certain features of discourse help to ascertain not so much various norms of conduct but a normatively potent fact about human life, namely, its individualistic character. Once this individualism is acknowledged, certain implications may be drawn for purposes of understanding political dialogue - e.g., concerning its nature, limits, and its scope. In particular I will argue that the scope of political dialogue should be limited to only those features of human social life that fall outside the authority of the individual, namely, interpersonal conflicts (rights violations). Political dialogue, within this individualist framework, could not include demands for actions pertaining to spheres over which only the individual has a final say.

### Human Individuality Denied

In our days there is a clear resumption of the debate as to whether human beings are in some fundamental respect individuals or members of some collectivity. While, of course, the issue is ancient and has never departed

from those being addressed in ethics and politics, there is today an epistemological tinge to the discussion. Thus, for example, Richard Rorty will bring into his defense of the anti-individualist solidaritarianism considerations derived from Ludwig Wittgenstein's argument against the possibility of a private language.<sup>3</sup> The general line of argument here is that since language is social - no one can have his or her own language - and since human life is intricately bound up with language, human life cannot be characterized as primarily individualistic. Accordingly, since at the epistemic level individualism is inadequate, it cannot be sustained as an adequate ethical, social or political outlook either. This, in turn, gives further support to the idea, made most influential by Karl Marx but present, also, in the thought of conservatives such as Edmund Burke, that the human individual is an invention. Marx went so far as to claim that individualism was invented as a historical necessity to provide capitalism with a needed ideology. Later Marxists, such as C. B. MacPherson, made a great deal out of this in an effort to place the individualist, classical liberal view of politics at a philosophical disadvantage. And today it is communitarians who make use of this and related arguments, in an effort to give support to institutions that would overturn ones forged in response to classical liberal influences - e.g., civil liberties, basic individual rights to privacy and property, etc. Since it is always possible to invoke individual or civil rights in defense of practices generally deemed to be morally odious - e.g., the publishing of pornography, yellow journalism, ownership of firearms, greedy labor strikes, misuse of lands, etc. - communitarians find in the doctrine of individualism and the classical liberal institutions it helps to spawn serious obstacles toward improving the world around them. Thus Amitai Etzioni, whose book *The Spirit of Community* is something of a communitarian manifesto, regards the American Civil Liberties Union's opposition to sporadic police automobile searches for possible drug trafficking a major obstacle to cleaning up communities of illicit drug use.

In any case, it is clear that a serious debate is afoot on whether the human individual is something of a whole being, not simply derivative of humanity or some branch thereof (e.g., the community, race, gender, family, tribe, clan, ethnic group). And much hinges on the resolution to the dispute. As Rorty notes, if it goes his communitarian or solidaritarian way, a concept such as "the essential unity of the self" turns out to be no more than part of "a system of moral sentiments, habits, and internalized tradition that is typical of the politically aware citizen of a constitutional democracy. The self is, once again, a historical product."<sup>4</sup>

In a certain sense there might be nothing deficient about something that is a historical product. After all, what is not a historical product? The world did not come into being with the human self intact. Nor with anything else that had to emerge, develop out of something else. But this is not what Rorty seems to have in mind. Rather he wishes to contrast the "self" as a sort of creation of some groups of human beings, to wit Western Liberals, with some such notion as the human community that has always been part and parcel of human life. In short, the self is a sort of fiction, one well entrenched but no more substantial, ontologically and metaphysically, than, say, the concept of "demon" or "housewife."

In consequence, any "ahistorical human 'rights'," need to be abandoned in any true political philosophy.<sup>5</sup> And, in line with that idea, someone like Rorty could state that there is no moral difference between the Soviet type system and that of Western liberalism - there is no "moral reality" the one captures better than the other.<sup>6</sup> If what is wrong with Stalinism is, in part, the abolition of individuality, and individuality is just an accident in the histories of certain communities, the Stalinist era merely exhibited distinct historical characteristics, it did not foster something unnatural, anti-human.

## Human Individuality Affirmed

The trouble with all the arguments that aim to deny human individuality is that they fail to make room without such individuality for what is actually going on in these arguments. Arguments are efforts by given human beings to establish the existence of something, unless they are mere exercises. In arguments an individual sets out to prove something. The individual gathers evidence and presents the evidence in an appropriate form, thus reaching some conclusion that is purportedly sound, thereby showing something to be the case.

Arguments are, accordingly, a type of creative activity. They require some organ or faculty by means of which they can be achieved. In other words, arguments are functions of a creative thinking organ, a human brain. Even in the most productive committee, say in a scientific laboratory, it is individuals who take the first step toward producing some discovery, let alone an invention. They will, of course, draw on innumerable sources that are available in part because many other persons have built up knowledge in the field. But each step needed to be taken by someone. It is not that such a step was taken independently of steps taken by others but that each step made its own unique contribution by being a step, by moving the process ahead.

Unless one were to give a purely mechanistic account of this process, the irreducible contribution of the individual participants is undeniable. And this is most clearly attested to in the fact that even the most communitarian thinkers engage in criticism. And a criticism presupposes that one who advances arguments or theories adhere, of his or her own will, to certain criteria or standards that secure the value of his or her contribution. If one sociologist or historian or economist or philosopher criticizes another, it assumes that the target of this criticism is a responsible creative agent, accountable for what he or she did.

So the self is attested to inescapably, whenever one begins to explore any intellectual or scientific topic. I am talking about the self as the human individual's essential being, what makes that person who he or she is - the "I" that thinks, recalls, creates, produces, invents, errs, is blameworthy, and so forth. The rationality of a person, the capacity by which discoveries can be made, is not a collective but an individual power. It needs to be started up and sustained by individuals, regardless of how much it draws upon resources supplied by others. One reason there has been so much trouble about accounting for human reasoning - why, for example, following a rule has occupied so much of Wittgenstein's attention and why throughout modern society the problem of criminal responsibility seems to be intractable - is this failure to appreciate the nature of thinking as a kind of self-propelled undertaking. "Our difficulty in understanding how people reason creatively may arise in part from an inclination to insist that this phenomenon must be reducible to some known model of explanation, and that if we could regard people ... simply as a new kind of mechanism, there would either be no problem, or not that problem. It should not after all be so very surprising that people are unlike machines."<sup>7</sup>

The fact that in some periods of human history, in some cultures such individuality is not acknowledged and is even actively denied does not alter but support the above point. That human beings can vary so much as to how they characterize the world is itself testimony of the enormous influence of individuality in their form of life. Other animals differ markedly less from one another in how they view the world and act in it, whereas human beings are everywhere and anytime engaging in ironing out differences, variations, conflicts, etc. Even their most routine activities such as eating or cleaning up involves significant variations. If the group to which they belong has imposed upon itself an anti-individualist mode of life, the next group will stand as testimony against this effort. If anything, the great variety of human groupings - the multicultural character of our human species - underscores just how much a part of human nature is our individuality and how it asserts itself

even against the greatest odds. (The example of dissidents in nearly all types of systems that have attempted to abolish individuality comes to mind here.) Even as children, human beings require a clear period of development within which they demarcate themselves from their parents, even when there seems little substantive reason for doing it other than to become fully human, to mature. The theme of individuality may not be widely articulated in some eras of human existence, although in retrospect we can see evidence of it everywhere where human beings have left some artistic or other creative marks for us to examine.

A prominent attack on this notion would have it that since conceptual knowledge grows only with language, and since language is innately social, human conceptual knowledge testifies to the impossibility of essential individuality. In his Philosophical Investigations Ludwig Wittgenstein advances his famous argument against the privacy of even sensations such as pain. From that argument he seems to conclude: "Instinct comes first, reasoning second. Not until there is a language game are there reasons."<sup>8</sup> Accordingly, the reasoning process I have maintained testifies to individuality appears to be entirely dependent upon the social context.

Yet it is difficult, first of all, to imagine how language came about if we interpret Wittgenstein's account as a denial of the decisive role of the human individual in creative reasoning. Some full blown language would have to have been around from the start. "In the beginning was the Word," only this is not supposed to mean human language! Furthermore, unlike other animals, human beings do not simply use some given set of signals or sounds by which to accomplish communication. Instead, although they draw heavily on what language there already exists, they build on this constantly - via poetry, drama, song, and dialogue in general. And, also, human beings, unlike other animals, make errors and seem clearly to be at fault at times for having done so. There could be no sense to "being at fault" without a decisive role they have in what they are doing as individuals.

As to the development of language, it seems more sensible to think that through a very gradual process of accretion, human beings made halting, barely articulate contributions to a language.<sup>9</sup> Perhaps regarding the first verbal expressions, pertaining to objects or even feelings, it would have been troublesome to try to correct anyone at that point. At this level of language usage, what human beings did was nearly identical to what other noise making animals do, only with the latter it had been instinctual, whereas human beings had to make a concerted effort, had to use their will, as it were. Gradually, in the company of others, individuals built their languages into elaborate conceptual systems. At this stage they had more opportunity for making mistakes, as well, through thoughtlessness or inattention to the degree of detail that may have been demanded for a given task of understanding and explaining. And in retrospect all this could easily be taken for some kind of mindless collective project.

Wittgenstein's own point about the impossibility of private languages may well apply to conceptual knowledge, where one needs to draw on elaborately developed concepts. Pointing and such, although seemingly simple when looked at from the point of view of a highly developed system of communication, could well amount to a highly developed mode of expression. But if we consider such tasks as learning of the existence of some object or a feeling we are experiencing, making note of this need not involve conceptual knowledge. Only upon reflecting on such matters does conceptual knowledge become necessary. After all, other animals know in this sense just as we do - the dog knows where its food can be found, knows that the ball thrown at it is not to be eaten, knows its owners cars, etc. And while mistakes can be made here, even by dogs, there isn't much of a problem about making a correction later, once one had a closer look at things. It isn't necessary that there be others to offer criticism for one to make the discovery of error in one's ways.

It seems, then, that the role of the individual self is irreducible in a cogent account of human thinking and concept formation. It does not matter that human beings flourish far better in social settings than in isolation - nothing about the fundamental individuality of a human being precludes this from being the case. Just as in team sports the tasks are largely accomplished by means of the participation of several members, the individual, especially his or her initiative, is indispensable. (I like to illustrate the individualistic form of social cooperation by the image of a very large sheet spread across a large territory, with individual steeples pressing upward and giving the enfolding of the entire canvass its decisive shape. Yet, of course, the individuals are linked among themselves, as the spans between them indicate, somewhat as mountain peaks are linked by the valleys and slopes that connect them.) In short, we are not talking about some caricature of individualism, such as the atomistic sort most often ascribed to the classical liberal tradition of political philosophy. But it is a false alternative to propose that by rejecting such atomistic, neo-Hobbesian individualism, one must move to the collectivist alternatives of socialism or communitarianism.<sup>10</sup>

Prerequisites for Individualist Dialogue

It is notable that within the framework of collectivist discourse ethics, such as those of Jurgen Habermas, the socialist or communitarian features of politics are smuggled in at the outset, prior to any dialogue having actually taken place. This is to be explained by the absence of the individualist component of human life. To wit, if individuals are seen as powerless in and of themselves, if no potency can be justifiably ascribed to them, then on their own they will not be able to initiate a dialogue. They must, then, have various props provided for them prior to the discourse taking place, regardless of any outcome of the discourse itself.

Basic needs, in short, must be satisfied so as to get the discourse started. So Habermas and others postulate a substantially socialist system so as to accommodate the requirement of dialogue.

If, however, we ascribe to individuals the power of creative reasoning, of beginning a process of thought and of discovering various ways in which their needs might be satisfied independently of welfare provisions by political means, the prerequisites for dialogue will change. What seems required is not the welfare aspects of the political community but its crime prevention aspects.

John Locke's way of thinking this matter through can offer a starting point here. Locke saw us as capable of a great deal of self-sustenance or progress outside of civil society. Only in such a state we would constantly be hampered by criminal intrusiveness. Because men and women could do the wrong thing, including invade one another when they should not - when there was no just cause - the state of nature is unsafe or, at any rate, not as safe as civil society would be where by common consent special care would be taken to restrain criminality. How would we know of the limits of individual liberty so we may correctly identify what criminal conduct would consist of? This is where Locke's natural rights perspective provides us with an individualist conception of the prerequisites of a functioning political or civil society.

Individual citizens must have their sovereignty guarded so that their participation in life, including politics, not be subjected to coercion or forcible constraint. This applies even to democratic decision making. Indeed, it is one of the preconditions of effective democracy. If the individual participants in the democratic process lacked such basic protection, they could not contribute their independent judgment, their true convictions, to the process since they would have to be second guessing which faction would win elections and might retaliate against those who failed to vote for them. If one did not have the security of one's person and possessions following a democratic decision making process, that process would not be assured of being genuinely democratic in the first place.<sup>11</sup> The threat of retaliation from the winners

would corrupt democracy, especially if that threat could be disguised as a public policy outcome reached by democratic means.

It seems, then, that a politics of dialogue, in order for it to do adequate justice to the human condition, must rest on individualist prerequisites, not collectivist ones. The familiar constitutional provisions of individual sovereignty - freedom of thought, speech, trade, religion, etc. - would have to be included in order to facilitate the democratic discourse.

#### Limits of Discourse Politics

Of course, we can see right away that the scope of authority of discourse politics in this framework would be limited from the outset. And why should this not be expected? Unless one were to expect discourse politics to amount merely to a substitute for totalitarian tyranny, whereby democracy rules everything and no realm of life outside of politics may be found, this is to be expected. Human beings have a political dimension to their lives, of course. In earlier times, when political communities had been smaller, this meant that ideally a good deal of attention would be paid to political matters, ergo, to possible democratic discourse. However, as legal systems grew in their scope - for a great variety of reasons, not the least of which is the desire for efficiency and power - it became less and less plausible to envision citizens devoting much of their time to political matters. This is what, in part, accounts for representative democracy in the first place - no one but a fanatic or specialist could be expected to be a full time public servant. And in the bloated democracies of our time, it is probably impossible for anyone to be an effective, successful public servant - such a role is plainly a superhuman one, given its requirement of a multitude of tasks, obligations, restrictions, skills, commitments, aspirations, technical information, etc.

The individualist discourse politics I am defending restrains democracy, keeps it within a manageable scope of influence in society. Only bona fide public matters would be subjected to democratic dialogue and decision making. The rest of what human beings are concerned with would have to be dealt with outside politics. And there are innumerable communities outside politics. We are members of several of them at one and the same time, entering and exiting them in the ebb and flow of our lives. To even pretend that these might all be brought under the rubric of just one discussion, reigning throughout the political community, is unimaginable. Most of all, such a vision demeans our human nature as individuals and members of innumerable and diverse social groups. It would do so no less than does a totalitarian regime, only with the mirage of participation to blunt its cruelty.

#### The Distinctiveness of Individualist Discourse Politics

As noted at the beginning of this paper, there have been efforts at arriving at similar results via a method of analysis that may appear similar to ours. Thus Herman Hoppe, Frank van Dun and N. Stephan Kinsella seem to have reached similar results by exploring the implications of human discourse.<sup>12</sup>

Yet this is a different approach altogether. First, no priority is given here to discourse per se. What is crucial is individual creativity. Human individuals do things on their own - they are rational agents, thinking beings whose actions are directed by ideas. But the relationship between ideas and actions is not one of cause and effect, so that there is first some spiritual thing called an idea which then causes behavior. And when human beings use language, when they discuss various topics, this, too, is a creative process, a form of action. It is, in short, acting qua rational animal - a biological entity that has a highly developed brain and, thus, mentality - that is central to this analysis, not talking or even just reasoning, as it were, as a pure mental being.

Second, there is no contention involved here to the effect, spelled out by Kinsella, that the division between "coercive ... and non-coercive" conduct is "purely descriptive." Indeed, volitional or freely chosen human action is thoroughly normative, subject to moral evaluation. In particular, coercive conduct is identifiable only from the normative framework, as involving the violation of rights. (So that what is involved in such conduct is not only force or violence, but rights-violating force and violence.)

Accordingly, when we look at the logic of discourse we are simply looking at a species of human action. It is the general fact of the creative nature of such action, one requiring individual initiative, that requires the kind of basic provisions spelled out in a roughly Lockean form of government. It is because human beings do things of their own initiative, because they have the responsibility to do what they do correctly, that they must be treated as sovereign. And their sovereignty is secured via respect for their rights to life, liberty and property. That they take the initiative also when they speak is, of course, true. But the logic, as it were, of their political order emerges not from the speaking out but from their nature as creative agents through and through.<sup>13</sup>

Endnotes:

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1 Karl Marx, *Selected Works*, ed., David McLellan (London: Oxford University Press, 1977), p.126.

2 (Boston: Kluwer Academic Publishers, 1989)

3 See, Richard Rorty, *Objectivity, Relativism, and Truth* (Cambridge: Cambridge University Press, 1991), p. 31. Unfortunately, Rorty characterizes the human rights thesis in a way that nearly makes it nonsense. For him the thesis is "the thought that membership in our biological species carries with it certain 'rights,' a notion which does not seem to make sense unless the biological similarities entail the possession of something non biological, something which links our species to a non human reality and thus gives the species moral dignity. This picture of rights as biologically transmitted is so basic to the political discourse of the Western democracies that we are troubled by any suggestion that 'human nature' is not a useful moral concept." See, however, Roger Trigg, "Wittgenstein and Social Science," in A. Phillips Griffiths, ed., *Wittgenstein Centenary Essays* (Cambridge, England: Cambridge University Press, 1991), pp. 209-222.

4 Op. cit., Rorty, p. 189n.

5 Ibid. p. 177.

6 Richard Rorty, "The Seer of Prague," *The New Republic*, July 1, 1991, pp. 35-40. Here is how Rorty put it in his review of Jan Patock's philosophical works: "Non-metaphysicians [of whom Rorty and, by his account, all other wise men are members] cannot say that democratic institutions reflect a moral reality and that tyrannical regimes do not reflect one, that tyrannies get something wrong that democratic societies get right." (p. 37)

7 J. F. M. Hunter, "Logical Compulsion," in *Essays After Wittgenstein* (Toronto: University of Toronto Press, 1973), p. 189.

8 Ludwig Wittgenstein, *Philosophical Investigations* (Oxford, England: Blackwell, 1953), #689.

9 Vitaly Shevoroshkin, "The Mother Tongue," *The Sciences*, May/June 1990, pp. 20-27.

10 Tibor R. Machan, *The Virtue of Liberty* (Irvington-on-Hudson, NY: The Foundation for Economic Education, 1994), Chapter 7.

11 Tibor R. Machan, *Private Rights and Public Illusions* (New Brunswick, NJ: Transaction Books, 1995), Chapter 2.

12 *Op. cit.*, Hoppe, *A Theory of Socialism and Capitalism*, Frank Van Dun, "The Philosophy of Argument and the Logic of Common Morality," in E. M. Barth and J. L. Martens, eds., *Argumentation: Approaches to Theory Formation* (Amsterdam, Holland: John Benjamins, 1982), pp. 281-86, and N. Stephan Kinsella, "Estoppel: A New Justification for Individual Rights," *Reason Papers*, No. 17 (Fall, 1992), pp. 61-74.

13. One final thought about discourse ethics or public reasoning is the unfair preference it hands to articulate members of the public. If democracy means, largely, public reasoning, it could well mean that democracy favors those who have the special skill of articulate speech, as against those whose intelligence may lie in their hands or visual acuity.