

**TWO RIVAL VERSIONS OF HISTORICAL INQUIRY AND THEIR
APPLICATION TO THE STUDY OF THE SIXTEENTH AMENDMENT**

A Dissertation

by

JAMES R. L. NOLAND

Submitted to the Office of Graduate Studies of
Texas A&M University
in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

May 2006

Major Subject: Philosophy

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ABSTRACT

Two Rival Versions of Historical Inquiry
and Their Application to the Study of the Sixteenth Amendment. (May 2006)

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In this dissertation I identify the philosophy of Giambattista Vico and Karl Marx as representing, broadly, two rival versions of historical inquiry. Put simply, these rival versions endorse either reasons or causes, respectively, as the proper objects of study for historians. After introducing the study of the ratification of the Sixteenth Amendment to the U.S. Constitution as an example of the type of historical event towards which these versions of inquiry might be directed, I then outline the arguments Vico and Marx give for these rival versions. Paying special attention to the assumptions about human nature, reason, and freedom at work in these arguments, I propose that comparing the plausibility and feasibility of these assumptions might allow a means of adjudicating between these comprehensive and mutually incompatible methods of historical study. I proceed to draw on the work of John Rawls and Alasdair MacIntyre, among others, to show that Marx's conceptions of human nature, reason, and freedom are ultimately flawed and therefore untenable. I conclude by arguing that Vico's version of historical inquiry relies on an understanding of these concepts that is more plausible than Marx's and withstands the objections to which Marx's understanding succumbs. Finally, I return

my focus to the study of the Sixteenth Amendment and consider how Vico's version of historical inquiry might inform this project.

DEDICATION

To my father

ACKNOWLEDGMENTS

I received much valuable guidance and support during the writing of this dissertation. Though my name is on the by-line, without the help of the following people, this work would not have been possible.

I would like to thank John McDermott for his patience, his careful instruction, his wisdom and his loyalty to me and my project. I am indebted to Ted George for the time he spent helping me read Marx's work and develop as a philosopher. Colleen Murphy's expertise regarding John Rawls' philosophy and her insightful questions aided me in strengthening my arguments. I am grateful to Larry Lynn for his generosity with his time and for his openness to a philosopher's attempt to address the public policy community. His questions and comments helped me frame my project and provided the inspiration for discussing the Sixteenth Amendment.

I also must thank the Texas A&M Philosophy Department for providing me the opportunity to pursue my Ph.D. and for the rigorous and extensive education that made this dissertation possible.

Finally, I am humbled to know that without the support of my family, I would not have reached this stage. I thank my mother for her encouragement and love, my father for his advice on the many drafts he has read over the years and for starting me on philosophy early, and my wife for her comfort and care and for enduring this long process with her characteristic good cheer.

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CHAPTER I

INTRODUCTION

In this dissertation I discuss and explain what I have identified as two rival versions of historical inquiry. I then suggest a means for adjudicating between the two. The ratification of the Sixteenth Amendment to the U.S. Constitution serves as an example of an important historical event towards which we might direct these rival versions of inquiry.

My hope for this project is that it will provide some insight into the factors that led to political events such as the ratification of the Sixteenth Amendment and that these insights might not only help us to understand the past but also improve our ability to shape the present and future. Thus, my interest in the study of history is practical; it is motivated by the conviction that it is possible to apply lessons we find in the study of history to our current endeavors.

I have decided to focus my attention on two particular accounts of the method and object of historical inquiry, those of Giambattista Vico and Karl Marx, because I take them to be broadly representative of the two most basic alternative approaches to studying human history. Put very simply, the first of these approaches seeks to find the *reasons* for human behavior; the second seeks to find the *causes*.

Each approach entails views about human nature, reason, language, and freedom. Therefore, in my attempt to adjudicate between these two approaches, I will direct much of my attention to the coherence and internal consistency of these underlying views.

I begin by offering a summary of the story of the development of interest in, and support for, a national income tax that began shortly after the War of 1812 and culminated nearly a century later with the ratification of the Sixteenth Amendment, which gave the federal government the power to tax income. I chose this particular story for several reasons. First, the ratification of this amendment was clearly of great import for our country. Any change to our Constitution, by definition, changes our identity as a nation, but beyond this fact, this particular change increased the power of the federal government, and ultimately made possible such major policy initiatives such as the New Deal and the Great Society.

The story is also interesting to study because of the length of time it took for the idea of the tax to become reality; during the one hundred or so years from beginning to end the idea's popularity waxed and waned and drew the support and opposition of a variety of factions and interests. The story involves economic, ethical, and political subplots and so many groups and individuals along the way that hope for a perfect explanation is surely in vain. Yet its significance calls for an honest attempt to understand as completely as possible why the federal income tax was ultimately approved and how its enactment affected the populace, for better or worse.

After relaying this story, and discussing competing theories about why the amendment was ratified, it should be apparent to the reader what is at stake in the attempt to adjudicate between the two rival versions of historical inquiry. The version one adopts will determine the type of knowledge one seeks, the way one identifies factors as significant, and the methods of observation and data collection one uses.

Having established the impetus for my project, I set aside the discussion of the Sixteenth Amendment with a promise to revisit it in the last chapter where I will offer some suggestions for how to proceed with its study.

Next, I begin my presentation of Vico's philosophy of history as found in his New Science. Though Vico's style is somewhat peculiar, his explanation of the object and method of historical inquiry is fascinating and instructive. He contends that human history is much more accessible to us than is natural history or the workings of the physical world because human history is made by humans and can therefore be understood in a way these other fields cannot. His original contribution is to name and expound upon a previously unidentified, though not unused, faculty of the intellect. He calls this faculty "*fantasia*," or "imagination" and the knowledge it aspires to is understanding, specifically the sympathetic understanding of "what it must have been like" to live, think and act as did particular persons in the past. To attain this understanding we need to understand the language and interests of the people we are studying. The "master key" that allows us to see the world as others did is the fact that all humans have in common their participation in the three fundamental institutions of religion, marriage, and burial. The fact that we share these institutions, so Vico argues, means that our interests and orientations are similar enough to those of other people that we are able to imagine ourselves in their places and in so doing come to understand their motives and reasons for acting.

Karl Marx also contends that we can know history because history has been made by us, but his justification for why this is so is radically different from Vico's.

Marx holds that we can come to understand the mechanisms that move history because we can discern how consciousness must have arisen and how society must have formed. We accomplish this by shedding all received wisdom, escaping from our given paradigms of consciousness, and pursuing a purely empirical science of history. This will enable us to grasp the ways in which human behavior is shaped and directed by material conditions and corresponding modes of production.

Both Vico and Marx present compelling and persuasive arguments for the proper approach to studying history. Yet, these arguments are built on assumptions about the nature of reason and freedom that are incompatible. Attempting to incorporate both approaches into one large system in the hope that this might allow one to cast one's nets wider and achieve a more complete understanding than either approach might offer alone would simply result in confusion and contradiction because each denies the truth of the other's explanation. A choice must be made. This is more easily said than done because each of these philosophers proposes a comprehensive system of inquiry, neither can be judged according to the standards of the other and there is no third standard against which both could be measured. Appealing to historical accuracy is not helpful because the disagreement between the two concerns the descriptions and explanations of the same events.

The only way to adjudicate between these two rival versions of historical inquiry is to examine their internal consistency and coherence. To do this I first try to identify and describe the accounts of reason and freedom that the two philosophers employ in their own inquiry and which they assume to obtain in those persons they purport to

study. I then look to philosophers such as John Rawls and Alasdair MacIntyre, among others, to illustrate and critique the accounts of reason and freedom found in the work of Vico and Marx. My eventual conclusion is that there are some fatal flaws in Marx's understanding of reason and freedom that call into question the wisdom of accepting his approach. In contrast, we find in Vico's philosophy a more attractive and coherent explanation of these concepts and in my final chapter I endorse the acceptance of Vico's version of historical inquiry, or at least something very much like it. I then offer an example of an historical study consistent with Vico's prescriptions and suggest some possible implications of this particular study for understanding the ratification of the Sixteenth Amendment.

CHAPTER II

THE HISTORY OF THE SIXTEENTH AMENDMENT

The Sixteenth Amendment to the U.S. Constitution was passed by Congress on July 2, 1909; three years and seven months later, on the morning of February 3, 1913, Delaware became the 36th state to approve its ratification thereby making it the law of the land.¹ This amendment, which gave the federal government the power to tax income, was the culmination of almost fifty years of debate about the desirability and legality of such taxation.

A national income tax was first proposed in the United States in 1815 by the Secretary of the Treasury Alexander Dallas.² His proposal was in response to the rising debt caused by the War of 1812. Nothing ever came of this proposal and it was another fifty years before the issue was raised once more. This time debt brought on by war was the impetus again. In 1862 the Union enacted the first national income tax.³ Though the tax was repealed in 1872, seven years after the end of the War Between the States, almost every congressional session for the next twenty years saw proposals to reinstate some form of national income tax. Finally, in 1894, the passage of the Wilson-Gorman Tariff brought about a 2% tax on income over \$4,000.⁴

This tax was short lived, however. Charles Pollock of Massachusetts filed suit in response to a notice from Farmer's Loan and Trust Co. (with whom he was a stockholder) stating that they would be withholding 2% of any income earned over the amount of \$4000 and delivering this money to the Department of the Treasury in

compliance with the requirements of the Wilson-Gorman Tariff of 1894. Pollock contended that this tax was unconstitutional insofar as it was a direct tax.

Direct taxation by the federal government had been expressly prohibited by Article 1, Section 9 of the U.S Constitution.⁵ Although the Constitution does not explicitly define what it means to be a “direct” tax, the precedent set in a 1796 Supreme Court decision established that direct taxes were taxes on property; presumably, indirect taxes are taxes on transactions, such as sales taxes.⁶ Though the two sides disputed the description of the income tax as direct, ultimately the court determined that the description was accurate and the law was found unconstitutional.⁷

The Court’s ruling in the Pollock case led proponents of a national income tax to conclude that for them ever to be successful in instituting such a tax, the Constitution would have to be changed. In 1909, the year the amendment was passed through Congress, there were 46 states. For ratification an amendment needs the approval of three-fourths of the states. This meant that thirty-five states would be needed. Before enough states had voted in favor of the amendment two more states were added to the Union. In 1912 Arizona and New Mexico became states thereby raising the number needed for ratification to thirty-six. Ultimately forty-two of the then forty-eight states would vote for ratification.

The first time a national income tax was proposed was in response to the debt accrued during the War of 1812; the first time a national income tax was enacted was in response to the debt accruing during the War Between the States. However, the final push for, and passage of, the Sixteenth Amendment and a new national income tax was

not in response to any war. There were significant economic factors, but none as urgent or drastic as war.

In the year 1800 public expenditures were just 3% of the national income; by 1900 they had increased to 10%.⁸ These years saw the national expansion westward, the industrial revolution, growth of cities, and, following the War, the freeing of slaves and the subsequent changes in the Southern economy. The agrarian South, already at odds with the industrial and urban North before the War was even more so following its defeat.

In the final years of the 19th Century federal spending increased from \$4.84 per capita in 1889 to \$7.01 per capita in 1913 during which time the population increased by 85%. A depression in the early 1890s helped contribute to a deficit of \$74 million in 1894.⁹ During this time the primary source of income for the federal government were tariffs and excise taxes, both of which raised prices for consumers while enriching businessmen and merchants.¹⁰ These tariffs and taxes increased the prices of basic necessities to such an extent it was estimated the average poor family would spend up to 80% of its savings on taxes compared to just 8 to 10 % of earnings for the wealthy.¹¹

As prices increased, wages did not.¹² From 1895 to 1910, the richest 1.6% of families in the United States increased their share of the national wealth from 10.8% to 19%.¹³ The same tariffs that burdened the poor resulted in even greater wealth for the rich. At the same time as the divide between rich and poor grew, wealth became increasingly concentrated in the North. In the first decade of the 20th Century eighty-five percent of those who earned over \$100,000 a year lived in the Northeast.¹⁴

Reflecting on these conditions and trends one might expect the public to respond with some measure either to draw on this wealth to support the government or to redistribute it. It is not hard to imagine why an income tax on the wealthy might be popular among the general population, as it in fact was.¹⁵ Yet popular support for such a measure does not necessarily translate into a change in policy.

In 1908 Republicans had a 214-75 majority in the House of Representatives and a 60-32 majority in the Senate.¹⁶ Republicans were, generally speaking, supporters of the tariff system. They were the party of business and industry, not the party of the workers or the poor. Furthermore, politicians in general and those in the Senate in particular tended to be wealthy themselves. Life in Washington, DC was expensive, too expensive to be covered comfortably by a senator's salary. Thus, only those who were wealthy enough to maintain a home in DC independently of any government salary were capable of serving.¹⁷ For an income tax bill or amendment to pass through congress it would have to be supported by many whose interests would seem to be, at least prima facie, contrary to its passage or ratification. Yet even given these unfavorable conditions in the legislature, supporters of the amendment faced a still larger battle after it had passed Congress.

Three-fourths of the states would have to approve the amendment for ratification. It was expected that the Southern states could be counted on to approve (although not all Southern states did approve, Virginia voted against the amendment on states' rights grounds), but the Northeast, where much of the wealth was concentrated, was a different story. In addition, the amendment would be brought before the state legislatures, not the

general public; supporters feared that this made the amendment more susceptible to defeat by powerful special interests.¹⁸ State politics were in many cases still controlled by party machines. Gerrymandering was common; often legislatures did not accurately represent the interests of the public. The anti-tax lobby was wealthy and powerful and had support from prominent newspapers such as the New York Times.¹⁹

As it turns out, these concerns were well founded. A number of states, especially in the North, did vote against the amendment. However, an interesting, and in this case crucial, aspect of the ratification process is that there is no time limit and negative votes can be reversed. Alabama, the poorest state in the Union, voted to ratify almost immediately after the amendment passed Congress.²⁰ Yet other states took more time and in several cases first voted against the amendment and later reversed their votes. New York was particularly conspicuous in doing so.²¹ Congressional elections in 1910 and 1912, after the amendment had passed Congress resulted in legislatures more favorably disposed to the income tax.

Any amendment to our Constitution, by definition, changes our national identity; that is, it changes what constitutes us as a nation. The causes and implications of any amendment are therefore important topics for study. The Sixteenth Amendment is particularly interesting for several reasons. As noted, it was the culmination of a process that took almost one hundred years from the first proposal to ratification. The story involves regional rivalries such as that between the defeated South and the Northeast, class conflict (the New York Times considered the income tax to be a “plot of the poor against the rich”²²), powerful personalities such as William Jennings Bryan and Teddy

Roosevelt, and arguments about the nature of justice and the role of government. The institution of the tax, in conjunction with the reductions and removals of tariffs, was a blow to business and a boon to the working class. Having once been unconstitutional, the federal income tax is now an essential part of our national government and is used to gather revenue and influence behavior.

Steven Weisman, from whose narrative history of the Sixteenth Amendment, The Great Tax Wars, I have drawn heavily, writes in his introduction “if there is one overarching theme to my approach, it probably comes from the incomparably wise and acerbic Progressive Era writer Ambrose Bierce and The Devil’s Dictionary he published in 1911. Here is Bierce’s great definition of politics: A strife of interests masquerading as a contest of principles. The conduct of public affairs for private advantage.”

Weisman identifies “the two basic conflicting principles in our argument over taxes.” These principles are “justice” and “virtue.” He explains that some would argue in favor of the tax on the basis of the justice of either income redistribution or payment by ability, or both. Arguments against the tax often rely on the principle that it is a tax on virtue, that is, a tax or penalty on hard work and self-reliance.²³ As he concludes his introduction Weisman is ambiguous as to whether he believes that appeals to these principles are always cover for private advantage or whether they are, or could be, genuine. At times he writes as if forces on either side of the issue were motivated solely by their financial interests. At others he pays close attention to arguments and acknowledges, sometimes with puzzlement, that some of the players seem to be working against their own interests.

This ambiguity highlights a significant question: what is the proper focus of the enquiry into the explanation for historical changes such as the ratification of the Sixteenth Amendment? Should we examine the arguments and ideas in the debate leading to this change, or should we look to gather quantifiable data concerning economic and material conditions, working with the assumption that persons always act to further their economic and material interests? If a change to our constitution is a change in our national identity then the nature and causes of the change will inform our understanding of who we were and who we are. Conversely, our understanding of who we are will inform our inquiry into the causes of such a change. Though Weisman, among others, is ambiguous and at times seems to look at both options, behind these two alternatives are two rival conceptions of human nature and historical change.

These two approaches, the first of which I will associate with Giambattista Vico and the second of which I will associate with Karl Marx, both begin with assumptions about the causes of human action and the nature of human reason. The assumptions of these two methods are incompatible with one another.

To choose to examine arguments and ideas necessitates identifying particular individuals and their roles as opposed to focusing on classes. This method rests on the belief that neither is consciousness simply a manifestation of material conditions nor are ideas and arguments reducible to material interests. Understanding the language and the stories that shape the individuals involved in the process of the historical change will be crucial for reaching an acceptable explanation. Implicit in this approach is that we as historians are unable on our own to either recognize or define the significant factors that

brought about such an event as the ratification of the Sixteenth Amendment. In other words, though we might guess or anticipate those things that might have influenced the political actors involved in the process, we cannot presume to know *a priori* what events or conditions would have been relevant to their decisions nor how they would have interpreted these events and conditions. This method involves studying the customs, practices, and stories of a culture in order to understand the rationality of the culture.

To assume that we as historians can discern the causes of change by examining economic and material conditions is to assume either that these conditions directly determine human behavior or that these conditions determine the language and consciousness of the populace, thereby indirectly determining behavior. This latter approach allows, to some degree, that people act according to reasons, but assumes both that these reasons are always determined by, and according to, the consciousness shaped by these conditions and that all interests, no matter how they are expressed, are ultimately reducible to economic and material interests. At the foundation of this mode of enquiry is a form of scientific realism regarding the identity and nature of events and conditions; that is, at bottom is the premise that there is a way that events and people “really are” that can be perceived and considered independently of their time or place.

Although it is certainly true that arguments can and have been used disingenuously, as a “masquerade” for self-interest, it does not follow that arguments are always so used. Furthermore, while it is possible that an individual might consider both personal financial interest and arguments about principle when considering a course of action, to acknowledge this is not to acknowledge a third, middle option. Explaining

why this is the case should help to illustrate the significance of the differences between the two approaches.

If we suppose that persons make decisions freely, based on rational consideration of their interests, we need not exclude financial or material concerns from the list of possible interests one might consider. In fact, we might find that persons we are studying are concerned only with finances, for example. At issue, however, is how to answer the question of how we can know what a person's interests are and how this person understands them and acts on them. The difference in the two approaches does not amount simply to different conclusions about what motivates action. The difference between the approaches has to do with assumptions about how we can know what motivates a particular action, how we identify a particular action as such, and how we identify actions, events, and conditions as significant units of observation.

Discussing the debate over the income tax that took place during the campaign for the 1896 presidential election, Weisman says, "As always, the debate was about economics but the terms were moralistic." Both sides, he writes, "felt that they – more than their political adversaries- embodied the virtues of hard work and sacrifice that formed the foundation of American society."²⁴ Confronted with such an observation, the historian has a choice to make. This choice is not simply between cynicism and naïve gullibility. Rather, the choice is between rival conceptions of human nature and historical enquiry. One such conception would lead the historian to examine the stories and practices that informed the people and politicians of the day in order to make sense of the terms of the debate. The other conception would lead the historian to discount or

dismiss the language of the debate as the expected manifestation of the false consciousness of the time, the result of the self-interest of the powerful.

It is easy to find data to support either approach. As detailed above, the years leading up to the ratification of the Sixteenth Amendment saw a growing disparity between rich and poor. As early as 1863, in the middle of the war, the Secretary of the Treasury was observed buying a \$3000 shawl for his daughter; at the time one could pay a substitute \$300 to take one's spot in the Union Army. Weisman reports that it was widely noted at the time that the Secretary had paid the equivalent of 10 men's lives for this shawl.²⁵ That one person, a national leader, could not only afford to, but would even consider paying the equivalent of 10 men's lives for a luxury item is a clear sign of a great class division between the rulers and the ruled.

As the turn of the century neared, the ranks of the millionaires grew; businessmen grew rich while the working class paid extra for basic goods to cover the cost of the tariffs that protected these businessmen. During the first decade of the twentieth century custom duties supplied 50% of the federal government's revenue.²⁶ This was a paradigm case of exploitation; the circumstances were right for division and animosity between classes. Buenker notes that it is "hard to find another issue that so united the wealthy" as opposition to an income tax. The fact that the vast majority of the population would pay no income tax makes it seem clear that it would have been in the financial interest of this majority to impose this tax on the wealthy few.

Literature such as Andrew Carnegie's essay "The Gospel of Wealth," in which he advocated "honest poverty,"²⁷ newspapers' condemnation of the tax as "class

legislation,²⁸” and a war of the poor against the rich, along with such apparently devious arguments by politicians such as Bourke Cockran of New York all lend support to the notion that any arguments against the tax were just cover for the self-interested exploitation of the working class by the wealthy. Cockran claimed that the poor would be humiliated if the rich were the only one’s allowed to contribute to the funding of the government.²⁹

Yet despite the ability of the wealthy to influence the policy makers through contributions, their ability to frame the terms of the debate through the media, which they controlled, and the fact that many of the policy makers were themselves wealthy, the income tax finally did become law. Eventually the wealthy passed a tax that only they would have to pay and they removed a tariff of which they were the sole beneficiaries. Why and how did this happen? This is, perhaps, the biggest puzzle in the story of the ratification of the Sixteenth Amendment. It is here, in particular, that the differences between the two methods of inquiry become most striking and clear. In attempting to account for this unprecedented political move, there is one critical point that should be kept in mind. Though it is easy and tempting, especially for those who come from the American tradition, to imagine the wealthy powerful of the period in question as constrained by the laws, customs, and Constitution, this temptation should be avoided. Historical inquiry should be as concerned to recognize and explain what did not happen just as much as what did happen. I will return to this point for exposition later.

Looking back at the conditions and trends of the late 19th and early 20th century one might have predicted an uprising or a clash of some sort between the working poor

and the elite rich. In fact, William Jennings Bryan, in a letter to his wife, predicted eventual conflict between the farmers and workers and the wealthy who benefited from their work.³⁰ In the 1890's there were strikes and uprisings; a depression in 1893 led to 20% unemployment adding fuel to the growing fire.³¹ A move by Senator Aldrich of Rhode Island to increase and expand the tariffs when others were hoping to lower the tariffs and quiet the call for an income tax might be seen as highlighting the exploitation and alienation of the working class.³² However, there never were any widespread or large scale revolts. There were no threats to overthrow the government.

There is evidence that some saw an income tax as a way to placate the poor. Weisman quotes Uriel Hall, congressman from Missouri, describing the tax as “a measure to kill anarchy and keep down socialists.”³³ Similarly, Representative Joseph Bailey of Texas saw the tax as in the interests of the rich as it “would do more to silence the envious voice of anarchy than all the benefactions and the charities which they can do.”³⁴

However, more prominent and common than appeals to the self-interest of the rich in placating the poor were arguments about the injustice of the tariff system and the fairness of an income tax.

There were several general forms of argument offered in favor of an income tax. Some of these arguments were simply financial, that is, they concluded that tariffs were less efficient than an income tax for bringing in revenue. Others had to do with the greater justice of a tax. The first of these Bunker calls the “faculty” argument. This argument is so named because it was based on the premise that the cost of running the

government should be apportioned according to individuals' ability to pay. Related to this argument was the growing sense that "equality" did not demand an equal contribution in terms of dollars, but an equal share of one's wealth or income. It was also widely noted that not only were the poor paying a greater share of their income to the government, but they were also paying a greater dollar amount because of their dependence on basic the commodities that were so expensive because of the tariffs.

The next argument Buenker identifies as the "compensatory" argument. Because the gap between rich and poor had been caused by the government's tax policy, this argument claimed, a new tax policy should compensate the poor for having borne an unfair share of the burden. Interestingly, one of the groups endorsing this argument and advocating the income tax was the National Tax Association [NTA], a group of well-to-do Northern professionals, including "industrialists, financeers, public officials" and more.³⁵ Discerning whether or not the NTA's arguments were genuine, and, if so, making sense of how this might have come to pass is the sort of project that would be approached differently depending on the method of enquiry with which one begins.

A third argument for the justice of an income tax is the "benefit" argument. Since the rich - the merchants - had more for the government and its military and police forces to protect, so the argument goes, they should contribute more to its budget. President Teddy Roosevelt, an important force in the pro-tax movement endorsed this argument.³⁶

Roosevelt is another interesting case study in this process. Weisman talks about the "evolving attitudes toward wealth and fairness at the center of the issue."³⁷ Roosevelt's attitudes certainly changed over the course of his career. He was born into

an upper class family, and as Weisman says, was inculcated with a “distrust of the complaints of the working class.”³⁸ Early in his career as a New York state assemblyman he dismissed a bill to reduce working hours for streetcar employees as “socialist.”³⁹ Yet eventually he became more concerned about the plight of the working class. Apparently first hand observation of the poverty and slums of New York City had a profound effect upon him.⁴⁰ By 1906 he was talking about exploitation in speeches and by 1910 he was heading the Progressive party and arguing for concern for “human welfare over property rights.”⁴¹

It is at least plausible that one’s view about the justice of a matter might be influenced by personal encounters with the parties involved. In addition to his own experience, the late 1800s and early 1900s saw a large number of books, both academic and fiction, exposing the poverty of the working class and corruption of big business.⁴² Perhaps Roosevelt, always known for being independent, was simply persuaded by argument to change his position. Yet a case can also be made that his shift was strategic, especially as he began his bid to regain the presidency beginning in 1910. Similar interpretations might be offered for President Howard Taft’s support, albeit admittedly tepid, for the income tax amendment. Taft came from a wealthy family and his party (Republican) was officially opposed to an income tax.

Jerold Waltman writes that while the government was primarily guided by the interests of the elite, elected officials also had to keep “an eye on the masses.”⁴³ While Roosevelt, Taft, and most of the elected officials of the time had much to gain from wealthy business interests in the form of campaign contributions, not to mention their

natural sympathy they felt due to their belonging to the same social and economic classes as the businessmen, they nevertheless relied on the general population to elect them. If public opinion was in fact being influenced by the newspaper reports of corruption and popular literature highlighting the conditions of the working class, perhaps the wiser politicians saw a need to break from the position of their peers to preserve their own power. It is difficult to know exactly what to make of this.

Political scientists Thomas Dye and Harmon Ziegler argue that “opinions flow downward from elites to the masses,” and that “public opinion rarely effects elite behavior.”⁴⁴ Dye and Ziegler contend that public policy “reflects the interests and values of elites,” not the general public.⁴⁵ If this is the case then the change in public opinion around the turn of the century must have been orchestrated or at least indirectly prodded by the governing elite. In addition to the question of how they might have managed this are more pressing questions such as why they might have done this and how we might discern that this is, in fact, what happened.

One possible explanation for why the wealthy and powerful elite might have moved to institute a tax on their own wealth is that, strangely enough, an income tax may have actually increased and solidified their power and ability to control and exploit the under class. According to Weisman, the Tammany Hall political machine in New York managed to protect the interests of business while at the same time presenting themselves as a defender of the poor by providing them with jobs and occasional handouts. Tammany managed to keep the working class under control by keeping them poor and dependent on the seemingly generous charity of the party bosses.⁴⁶ It may be

that the federal government saw an opportunity to keep the working class dependent by offering them more services. Such a strategy dates back to ancient Rome.⁴⁷

Weisman says that the “rising expenditures” of the McKinley administration “were the signposts of America becoming a modern social welfare state.”⁴⁸ It appears that one of the factors in New York’s eventual vote in favor of the federal income tax is that their own social welfare programs were becoming so expensive. Greater revenue for the national government would mean more chance of aid for the state’s programs.⁴⁹

Dye and Ziegler write, “when the Sixteenth Amendment gave the national government the power to tax incomes, financial power shifted from the states to Washington.” They note that following this shift in power, the federal government started several grant-in-aid programs. Quickly, individuals and local governments became dependent upon these federal programs. As previously noted, federal spending increased from \$4.84 per capita to \$7.01 per capita between 1890 and 1913, during the same period the population increased 85%. If the politicians endorsed these spending increases they must have understood that a need for greater revenue would follow. One might argue that despite levying a tax that only the wealthy, politicians included, would have to pay, these elites were still acting in their own self-interest. A small percentage of one’s income could be considered a reasonable price to pay to not only gain control over the working class but to also appear generously philanthropic in doing so.

An alternative argument might propose that while the Republican dominated congress passed the amendment and sent it out for ratification, and the Republican President endorsed the proposal, the Republicans had no intention of actually bringing

about an income tax through these actions. Weisman says that supporters were not optimistic as the amendment went to the states.⁵⁰ A motion to allow the states to hold popular votes instead of sending the amendment to the legislatures was denied. It may be that the politicians who did not want the tax but also did not want to be seen as going against public opinion proposed the amendment thinking that it would never pass but that their actions would be appreciated by the public nonetheless. A defeat for the amendment would settle the matter and have the added benefit of transferring blame away from the Republicans.

Both of these arguments rely on interpreting the actions and statements of the agents involved in the promotion of the Sixteenth Amendment as necessarily self-interested; and they do so while considering self-interest to be concerned only with material prosperity. Neither supposes that it is at least possible that the motivations and explanations for the actions of those such as Roosevelt could have actually been truly a function of having been convinced of the justice of the tax. It is at this point that I return to the stipulation that the student of history must be able to interpret not only that which happens, but that which doesn't happen.

If one assumes that individuals are led to act according to their class interests, which, in turn, are understood in terms of material or financial conditions, one must be consistent in considering these interests to be overriding. My point here is that concerns for democracy, or American traditions, or the Constitution must either be seen to further these interests or be trumped by them. What did not happen in this story is striking. The powerful and wealthy leaders of business and industry and their peers in government did

not seek to control the press in order to shape the national consciousness. They did not decide to bring about a new form of government, getting rid of the Constitution. They did not attempt to use force.

It does not appear that any of these options were even recognized as such. Yet, just over a hundred years prior the wealthy elites of the colonies had organized an armed revolt against their leaders. A few years after that they replaced the Articles of Confederation with the Constitution. Less than 50 years before the ratification of the Sixteenth Amendment the nation had been at war with itself. In the context of the history of civilization the American experiment was still new and unproven; other countries that had flirted with democracy had failed and still others would fail and revert to monarchy or some form of totalitarianism throughout the twentieth century.

Why did the powerful work within the system as they did? Why did so many of the wealthy and powerful either endorse the income tax or, even when they did not endorse it, allow it to come to pass and accept it as law? It is in answering specific questions such as these that the differences between the two methods of historical enquiry become clear. Either we interpret the actions of the participants in this event in terms of their classes and self-interest or we allow that perhaps there are other explanations that will not fit this mold.

I will not attempt to prove a particular explanation for the ratification of the Sixteenth Amendment. What I do hope to show, however, are the ways in which Vico and Marx offer two distinct methods of studying and explaining this event that rely on competing theories about how to recognize and interpret the relevant data. I want to

examine the epistemological assumptions of each and suggest a way for adjudicating between the two. Both are powerful and persuasive; both can make sense of the facts and even offer an answer to the other.

The two accounts are incompatible and comprehensive, meaning that there is no external standard of history by which to judge them. Making a choice between the two is not simply about choosing a view of history; it is also about choosing a view of the present and future. Which method one chooses will affect how one anticipates policy developments in the future, and, more importantly, how one seeks to influence and shape public policy now and in the years to come.

¹ AMENDMENT XVI Passed by Congress July 2, 1909. Ratified February 3, 1913. **Note:** Article I, section 9, of the Constitution was modified by amendment 16. *The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.*

² Buenker, John D. The Income Tax and the Progressive Era. New York: Garland Publishing, Inc. 1985 3.

³ Buenker 3.

⁴ Buenker 3.

⁵ Article 1, Section 9: No capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

⁶ Weisman, Steven R. The Great Tax Wars. New York: Simon and Schuster, 2002 150.

⁷ Pollock v. Farmers' Loan & Trust Co., 158 U.S. 601 (1895).

⁸ Buenker 23.

⁹ Buenker 23.

¹⁰ Buenker 26.

¹¹ Weisman 123.

¹² Buenker 34.

- ¹³ Buenker 28.
- ¹⁴ Buenker 240.
- ¹⁵ Buenker 142.
- ¹⁶ Weisman 215.
- ¹⁷ Buenker 61- 62.
- ¹⁸ Weisman 234.
- ¹⁹ Buenker140- 141.
- ²⁰ Buenker 139.
- ²¹ Buenker 150.
- ²² Buenker 141.
- ²³ Weisman 6.
- ²⁴ Weisman 109.
- ²⁵ Weisman 80.
- ²⁶ Buenker 31.
- ²⁷ Weisman 178.
- ²⁸ Buenker 7.
- ²⁹ Weisman 139.
- ³⁰ Weisman 126.
- ³¹ Weisman 115, 117.
- ³² Weisman 220.
- ³³ Weisman 138.
- ³⁴ Weisman 223.
- ³⁵ Buenker 50-51.
- ³⁶ Buenker 43.
- ³⁷ Weisman 136.

³⁸ Weisman 182.

³⁹ Weisman 185.

⁴⁰ Weisman 188.

⁴¹ Weisman 202, 239.

⁴² Weisman 180, 198.

⁴³ Waltman, Jerold L. Political Origins of the U.S. Income Tax. Jackson, MS: University Press of Mississippi, 1985 16.

⁴⁴ Dye, Thomas R. and Harmon Ziegler. The Irony of Democracy 8th Edition. Belmont, CA: Brooks/Cole Publishing Company, 1990 164, 166.

⁴⁵ Dye and Ziegler 5.

⁴⁶ Weisman 134.

⁴⁷ Olasky, Marvin. The Tragedy of American Compassion. Washington, DC: Regnery Publishing Inc., 1992 48.

⁴⁸ Weisman 176.

⁴⁹ Weisman 255.

⁵⁰ Weisman 251

CHAPTER III

GIAMBATTISTA VICO'S NEW SCIENCE

Giambattista Vico's New Science, first published in 1725, was an attempt to offer a scientific approach to the study of human society and history. Following Isaac Newton's Principia (1687), which offered a systematic explanation of the physical world, and established "Rules for Reasoning in Philosophy," there was a demand for a similar accounting of a science of humanity.⁵¹ Although Vico is notoriously obscure -- he is neither as organized or as precise as Newton -- his work is brilliant nonetheless and we can extract from his work something like Newton's "Rules for Reasoning in Philosophy."⁵² In this chapter I will draw out and explain the significant features of his work. What will become clear is that Vico offers an original method of historical inquiry with its own standards for knowledge and understanding. Though it is more accurate to say that his method is asserted rather than defended, it will be useful to examine it and its implications in order to contrast it with the rival method presented by Karl Marx, which will be discussed in the following chapter. Later, I will draw on the work of Alasdair MacIntyre in sustenance of Vico's posited method.

In Section III of Book 1 of the New Science, Vico expresses the foundational premise of his method:

But in the night of thick darkness enveloping the earliest antiquity, so remote from ourselves, there shines the eternal and never failing light of a truth beyond all question: that the world of civil society has certainly been made by men, and that its principles are theretofore to be found within the modifications of our own human mind.⁵³

It is important to note several points in this passage. First, that society has been made by men and that we can therefore understand society, is considered a truth beyond question. This appears dogmatic at first, but I hope to show, given Vico's conception of human reason, such a truth is literally beyond question, that is, this truth is actually the foundation of reason and therefore is not something reason could question. As such it plays a part in Vico's philosophy similar to the part played by the law of causation in Kant's philosophy: it is prerequisite for rendering experience intelligible. A corollary to this point is that the "eternal and never failing light" of reason does not shine beyond the earliest societies. In other words, the world of pre-social humanity, if such a thing exists, is necessarily shrouded in darkness. Observation, even imagined, of the actions of pre-societal individuals, such as we will find in Marx's work is, for Vico, an inconceivable endeavor because society is what provides the context that illumines and makes intelligible the behavior of individuals.

Third, the human mind, its nature and workings, are not fixed. The project of historical inquiry is to examine "the modifications" of the mind. This remains possible because the minds of fellow humans are never altogether different from ours; however, we cannot presume uniformity. As Isaiah Berlin notes, "His [Vico's] revolutionary move is to have denied the doctrine of a timeless natural law, the truths of which could have been known in principle to any man, at any time, anywhere."⁵⁴ This is because there is not, as Berlin explains, "only one structure of reality."⁵⁵ For Vico there are no innate ideas as Descartes had argued, nor are there any categories of experience that we can know *a priori* as Kant would later argue.

The epistemological principle implicit in the above extended quote from Vico is expressed in depth in his earlier work, On the Most Ancient Wisdom of the Italians (1710).⁵⁶ This principle is that the true (*verum*) is the same as what is made (*factum*). The true, or that which is known, is the same as that which is made because the act of knowing is the act of putting together the elements of the thing that is known. It may be easiest to explain this position by contrasting it with other, more familiar, theories.

For example, rationalists such as Plato and Descartes posited that we are able to identify the objects we experience because we recognize these objects as resembling some innate idea of same. Following in this tradition, Kant supposed that the human mind has necessarily various categories and concepts through which and according to which the raw data of experience is ordered and processed.

To the contrary, the empiricist John Locke denied any innate ideas or necessary categories, and instead declared that the mind, beginning as a blank slate, was able to cobble together the basic qualities of experience to form ideas of objects. Though he denied the existence of innate ideas, Locke supposed a common capacity for such composition along with the basic reality of entities in the world as such. In other words, it is for us to discover the structure of the world and the objects in it.

Vico's theory is distinct from each of these theories, though perhaps closest to Locke's. As with Locke, Vico does not appeal to any innate ideas or categories. Unlike Locke, though, Vico did not assume it as given that persons would organize the raw data of experience in a certain way. "Human truth is what man puts together and makes in the act of knowing it."⁵⁷ Humans create concepts, or universals, according to which we

divide up the world, and thereby know the nature of these things. “God knows all things because in Himself He contains the elements with which He puts all things together. Man, on the other hand, strives to know these things by a process of division.”⁵⁸

Whereas Locke assumes that experience comes to us in what he identifies as primary and secondary qualities, and it is for us to know the objects in the world through the correct organization or *composition* of these qualities, Vico argues that knowledge comes through *division* of the raw data of experience. There are no basic units that we all perceive and which are left to us to reassemble.

In describing our formation of knowledge and the true in terms of division, Vico is similar to Aristotle. Aristotle argued that through a process he called “abstraction” we perceive the forms of reality. Yet the difference between Aristotle and Vico on this matter is significant. Whereas for both the methods of apprehension might appropriately be called abstraction, the processes are not the same.

For Aristotle abstraction is done well when one discerns correctly the natures or forms truly present in matter. For Vico, however, such a performance is something we could never actually achieve. Ironically, Vico’s reasoning for this contention rests on a distinction he shares with Aristotle. Aristotle distinguishes between the ability to name something accurately and the ability to explain what makes a given thing the thing that it is. Though experience can give knowledge, he says, “Men of experience know that the thing is so, but do not know why, while the others know the ‘why’ and the cause.” Wisdom “is knowledge about certain causes and principles.”⁵⁹

Vico also associates understanding with grasping causes. For Vico, however, the type of cause one must grasp in order to truly know something is not a material cause but what might be identified with what Aristotle calls a “formal” cause. “For to know is to grasp the genus or the form by which a thing is made.”⁶⁰ When it comes to natural objects this just is not the sort of knowledge we can have. “Of course, the physicist cannot truly define things, that is, he cannot assign to each its own nature and thus truly make it, for that is God’s right but is unlawful for man. So he defines the names themselves, on the model of God.”⁶¹ Since God creates, and creates with intention, only God can truly know the natures and purposes of the things he creates. We can, however, create names, which we can understand because we create them, and then apply them to the world, dividing it up and placing names on the categories we create in so doing.

We can know the world only insofar as we know the categories and concepts we create to name the things in the world, which we perceive through abstraction; abstraction is performed in accordance with the concepts. Thus, our knowledge of the external material world is not certain. Still, and this is the point that is most significant for this study, because we do create human institutions, conventions, and customs, and not through abstraction, we can know them and understand them. These institutions, and not just their names, come to be because we create them. They are the product of human action and intention. Vico writes, “Whoever reflects on this cannot but marvel that the philosophers should have bent all their energies to the study of the world of nature, which since God made it, He alone knows; and that they should have neglected the study

of the world of nations, or civil world, which, since men had made it, men could come to know.”⁶²

As noted above, the epistemological principle at work here is that we can know that which we make. I can know that which I make because I know my own intentions and purposes. We, as a people, can know that which we make because we know our own intentions. Physicists do not make matter, they do not create motion, biologists do not make plants, and zoologists do not invent animals, but people do create institutions and societies and perform actions and therefore can know institutions and societies and actions in a way that other types of scientists cannot know their subjects.

Accepting this, one might nevertheless wonder how we, as historians, can know that which was made many years in the past, by peoples and cultures other than our own. The faculty that assists this endeavor Vico calls *fantasia*, or imagination. Though, as it has famously been argued, we cannot know what it is like to be a bat, we can imagine what it must have been like to be another person in another place and time. As we will see, this ability is neither something innate, nor automatic; it is conditional upon participation in common institutions and practices and may require a good deal of work.

Vico says that his New Science is to “be at once a history of the ideas, the customs, and the deeds of mankind.”⁶³ Imagination is what allows us to understand the ideas, customs, and deeds of others. Vico considers imagination to be “nothing but extended or compounded memory.”⁶⁴ As Berlin explains, a person is able to understand himself because he can “reconstruct imaginatively (in Aristotle’s phrase) what he did and what he suffered, his hopes, wishes, fears, efforts, his acts and his works, both his

own and those of his fellows.”⁶⁵ The means by which we understand ourselves are the same by which we understand others. This is made possible by the nature of language.

History is preserved, however obscurely, in “the memories of the communities of the peoples.”⁶⁶ It is language that unites communities and transmits their memories. Language arises only after the formation of community and it does so because of the “need to explain and be understood.”⁶⁷ Language and community are intimately bound together and neither is possible without the shared memories that make relationships possible and provide standards for appropriate usage; maintenance of meaning is in turn essential for the maintenance of relationships and community.

Vico holds that there are three fundamental institutions that all societies have in common. These institutions are foundational: they tie the community together and provide a framework within which action and intention become intelligible by establishing goods and ends around and towards which the community is oriented.

The first of these institutions, and the first form of community, is marriage, which produces families, which in turn are the “seed-plots” of commonwealths.⁶⁸ The other two institutions are burial and religion.

Burial is a necessary institution for society because without it the bodies of the deceased would “remain unburied on the surface of the earth as food for crows and dogs. Certainly this bestial custom will be accompanied by uncultivated fields and uninhabited cities.”⁶⁹ Burial, then, is necessary for community because without it the community could not maintain cities; the community would have no home.

An implicit premise in support of this conclusion is that the living would not want to encounter the decaying bodies of the dead. This presupposes a felt connection between the living and those who go before them. Burial then serves the practical purpose of removing dead bodies from sight, but it also serves the symbolic, ritual purpose of establishing respect for the past.

Marriage and burial both establish relationships and obligations of service and support between the able and the weak. Because neither children or the dying are able to care for themselves, nor can the dead bury themselves, these institutions are necessary for maintaining and sustaining society for any period of time. Vico's insight that these institutions are essential for society is a sign that he recognized a basic fact about human life that seems to have gone overlooked in the many and various social – contract theories. This fact is that society is made up of many more than able-bodied adult men. Children, the elderly, the sick, the disabled, these make up a greater portion of any society than do the able-bodied adult men. Radical dependence and inequality of ability are inescapable features of any society and, more importantly, every individual life, and for society to survive institutions must be in place to provide for the care of those who have nothing to offer in return.

Because the nature of such institutions is that they cannot be formed through an agreement between equals, Vico surmises that a third institution is necessary for bringing into being the former two. Religion is essential and universal because it is the recognition of God “which imposed form and measure on the bestial passions of these lost men and thus transformed them into human passions.”⁷⁰ Vico supposes that religion,

providing both a source of goodness and fear of God, is the impetus for self-control and prompts vows of fidelity and responsibility, both to one's offspring and one's ancestors. Certainly, pre-societal persons were not completely solitary; the sex-drive did not appear only after marriage. Yet, sex and procreation are neither sufficient for, nor equivalent to, marriage. Without the custom of marriage, "parents, since they are held together by no necessary bond of law, will proceed to cast off their natural children. Since parents may separate at any time, the children, abandoned by both, must lie exposed to be devoured by dogs."⁷¹ Religion is the initial impetus behind both marriage and burial and it is also what sustains them in the face of diversions and distractions.

A fourth condition, in addition to these three institutions, is necessary for community. With the formation of community comes the need, as noted above, to explain and be understood. Language satisfies this need. More specifically, the ability to name satisfies this need and naming requires abstraction. To explain and to be understood, to be able to think, one must be able to use general names, not only for objects but also for concepts, actions and intentions, among other things.

Because, according to Vico, there are no innate ideas or necessary structures of thought, and because we are not God, the creator of all things, these names, or universals, had to be created; thus, Vico concludes, the first language speakers were poets – creators of names and meanings. This is the "master key of this Science."⁷² The first language speakers must have created "imaginative genera" with which to categorize the objects in the world. They were poets insofar as they used metaphor to create a world of intelligible particulars.

This is the master key for historical inquiry because it lets us know both the general strategy and the specific tactic for discovery of the past. The strategy it points to is not one of introspection nor of the opposite error, which is a quest for materialistic explanations. Instead, the strategy is one of recreation; the specific tactic for accomplishing this is imagination.

We can make sense of what people did and why they did so because, as Vico stipulates, “of the indefinite nature of the human mind, wherever it is lost in ignorance man makes himself the measure of all things.” Furthermore, “It is another property of the human mind that whenever men can form no idea of distant and unknown things, they judge them by what is familiar and at hand.”⁷³

All human societies share the three necessary institutions of religion, marriage, and burial; it follows that all humans share “the common sense of the human race.”⁷⁴ Therefore, we can relate to, or understand, at least in part, how these first poets created their world. With the formation of these institutions people “began to think humanly,” and our imagination therefore is able to extend to them.⁷⁵

Having been formed through participation in these three common institutions, we are able to understand the basic framework, and orientation within this framework, of those who came before us. Archaeologists and anthropologists are able to conclude that ancient structures such as Stonehenge and various pyramids served as calendars and astrological devices because the moon, the Sun, and the stars still hold their places in relation to these structures. If the orbit of the moon around the earth or that of the earth around the Sun had changed significantly, insight into the purposes of these devices

would be impossible for us. It is only because we can place ourselves in the same positions in which the builders of Stonehenge stood, and look to the same sky to which they looked that we can discern their intentions. Similarly, it is only because we can place ourselves in the familial relationships and societal frameworks as ancient people, and appreciate the same ends they pursued, that we can begin to see the world as they saw it and imagine their projects and pursuits.

Grasping this point is essential for understanding Vico's science. Human thought, or, more truly, humanity, begins with these institutions. Biologically, the human race existed before these institutions, but these people are inaccessible to us because "their minds were not in the least abstract, refined, or spiritualized."⁷⁶ These institutions, because they shape our communities from which our language springs, provide us with what Vico calls a "mental dictionary," common to all.⁷⁷ Again, abstraction follows the creation of concepts; our key to understanding the world as these people saw it is that their abstraction was not random, it proceeded from a model with which we have intimate familiarity because it is the basis for our own thought and self-understanding.

What Vico has offered here is something truly brilliant. He has offered a non-foundationalist foundation for knowledge. Though Vico preceded both Hume and Kant, it will help to illustrate the significance of Vico's move if contrasted with these two prominent, later philosophers.

Hume had challenged both rationalists and empiricists who sought to offer support for certainty. He offered powerful arguments that our descriptions of experience, and our judgments about causation and morality, are simply matters of convention. In

response, Kant proposed a transcendental foundation for knowledge. He argued that the structure of our minds necessarily orders experience in certain ways. He thereby tried to establish criteria for judgment and the uniformity of human reason. His masterful work, the Critique of Pure Reason, was, at least in part, an attempt to provide a justification for certainty in mathematics and science.

Hume famously said, “reason is and ought only to be the slave of the passions.” Hume argued this because he believed that the concepts through which we view the world and according to which reason makes judgments are neither correspondent to objects in the world nor necessarily applied to them. Therefore, our description of the world, and the judgments that follow from these descriptions must be products of passion, not reason. Though Kant conceded the point that we at least cannot know the true nature of the things in the world, our minds necessarily and universally interpret experience through specific categories and concepts and therefore our judgments can follow strictly from reason.

For the historian, neither position is attractive. The Humean position limits drastically the potential field of study for the historian. If there is no necessary, universal structure of reality or experience, and all descriptions of the world and all judgments made in the world are matters of custom or taste, the historian is limited to studying the history of his or her own culture. He or she would have no access, no way to grasp the conventions of other, distant cultures because there is no rule or key by which we can understand these conventions. The beginnings or foundations of

conventions would be untraceable as they would be random, not admitting of scientific study.⁷⁸

The Kantian position is different but no better for the historian. This is because the Kantian rational being, insofar as he or she is rational, and therefore free, is stripped of those characteristics that identify him or her as a particular individual. Judgments made by pure reason, that is, reason untainted by passions or contingent factors such as experience or location, are made by a person acting according to his or her essential nature, and therefore uninfluenced by the vagaries of particularity. Much like the self of Descartes' *cogito ergo sum*, the person as thinker, as rational being, is essentially (in the literal sense of the word) a bare particular. When the self is identified as such without any relation to the world or others around him or her, and therefore without any reference to duties, roles, or ends, the historian's task of interpreting actions, or even identifying actions as such is either impossible or must be redefined (which is one way of understanding Marx's work).

With the Kantian understanding there is no way for an observer to determine the nature or proper description of the action because all that the observer can see are the physical aspects, or, for the historian, the consequences. But for the Kantian the action is defined, and thereby judged morally, based on the intention of the actor, not the consequences, which may have nothing really to do with the intention. In the classic case Kant considers of the possible duty to lie to protect another, the act of truth telling could be identified in multiple ways depending on one's perspective. Given that in this case the actor expects consequences that he neither desires nor intends, the historian's task of

identifying the action properly is impossible. He or she cannot know the intentions of the actor and would presumably be examining the consequences to determine the actor's intentions and character. Thus the historian would either have to study consequences, and not actions per se, or would have to study overt behavior and its material causes. The former is unappealing because it does not provide lessons upon which one might draw for guiding future action, which is a large part of the motivation for studying history; the latter has its difficulties as well, these will be addressed at length in the following chapters.

Vico rejects philosophies that seek to identify some necessary essence of humanity which is possessed universally and which particularity only serves to obscure. He is critical, for example, of Descartes for the knowledge of his own existence upon which Descartes builds his epistemology is not knowledge of one's self, nor is it self-understanding. Certainly it could not be used to explain or even describe one's own history. Michael Polanyi expresses this point clearly when he writes that the Cartesian and Kantian endeavor reflects, "a passion for achieving absolutely impersonal knowledge which, being unable to recognize any persons, presents us with a picture of the universe in which we ourselves are absent."⁷⁹ The "I" of "I think therefore I am," does not name any full person who has actually lived in this world, it simply refers to some plain locus of thought.

What Vico's work does is provide a way to understand humanity as a universal without losing the ability to appreciate humans as particulars. Because all human thought is shaped by the universal practices of marriage, burial and religion, there are

some things about reason and experience that are necessary and hold universally. Yet, the identity of individual persons is incomplete apart from their membership in a particular community in a particular time and place. Much about judgment and experience is conventional, but because of the universal basis for human thought and the necessary conditions for conventions to form, we can through imagination come to understand the actions of persons in other times and cultures.

According to this view, the particular participates fully in the universal while at the same time remaining unique. Those features that mark the individual's particularity are neither extra nor unessential to the identity of the individual. There is difference within the unity of individuals participating in the universal because it is part of the nature of these individuals that they are embodied in particular times and places, formed by and through their experiences that, because of their embodiment, are all necessarily unique. Thus, those experiences that are contingent contribute to the identity of the individual. This difference and particularity does not, then, conflict with, nor do violence to, that which is universal in the individual. Instead it provides the individual with an identity. Rather than obscuring that which is universal and essential in humanity, the particular features of an individual are the means by which the universal is presented.

These universals that form and are formed by communities and cultures, which enable communication, expression and understanding, are neither necessary and transcendental, as Kant would argue, nor are they arbitrary or random or inaccessible. These universals are of the sort described by Colin Gunton as "avowedly mediated

through finite experience whose shape is in part determined by the historical and cultural contexts in which it takes place.”⁸⁰

This is an unusual understanding of the nature of universals. They are not static, independent ideas; they are not known innately nor through contemplation, but through practice. They are only intelligible given familiarity with, and participation in, certain practices. We can grasp those foreign to us through imagination because despite their being foreign they are nonetheless formed in communities that share the most basic formative practices of marriage, burial, and religion.

I have noted above, briefly, how and why these three practices are taken to be the foundations of human thought and community. At this point further explanation is in order. The three foundational institutions serve two purposes in this context. The first is that by bringing about and maintaining community they bring about language. Language allows for reason and judgment thereby providing an impetus for action other than bodily needs and desires. The second service that these institutions perform is to provide for individual identity in relation to others; with these institutions come ordered relationships with duties, roles, and purposes, thereby providing a context within which one can make judgments and rendering the actions of others intelligible as such.

Prefacing his explanation of the necessity of these institutions for the historian’s project, Vico writes, “men, because of their corrupted nature, are under the tyranny of self-love, which compels them to make private utility their chief guide.”⁸¹ Pre-societal persons, with no language, and therefore no ability to reason using universals, are unable to recognize any imperatives for themselves other than physical gratification and

preservation. They have no duties to others; they can recognize no way they “ought” to act because they lack the necessary framework within which to make categorical judgments. The pre-societal person is essentially an animal and cannot be considered free in any historically or morally significant sense.

According to Vico, the necessary first step toward becoming recognizably human, and, as such, free, is recognition of God. Vico is not as helpful as he might be in explaining why this must be the case, yet what he does offer is enough. He posits that the “first men... must have done their thinking under the strong impulsion of violent passions, as beasts do.”⁸² As such, these men were not free, and we cannot accurately consider their behavior to be action. Yet, by examining the earliest poets and the theology present in their poems, songs, and myths, we find a clue that points us to an explanation of their ability to break the causal chain of the passions. Here we can see that their imputing the motions of nature (such as thunder and lightning) to some “frightful” deity gave them a model from which “must have sprung the conatus proper to the human will.”⁸³ It was, for example, the impression that thunder expressed the displeasure of god that gave the earliest people cause to “hold in check the motions impressed on the mind by the body.” These people would have already been disposed to look for God because “man, fallen into despair of all the succors of nature, desires something superior to save him.”⁸⁴ Contrary to Hobbes who supposed that persons in the state of nature would join together in a federation to alleviate their nasty and brutish life, Vico holds that prior to being able to make any such decision, people must have turned to God. He says, “Without religion no commonwealths can be born.”⁸⁵ Fearing that God

was angry with them led them to consider their own actions and control their passions. This was the birth of the will, so to speak, a prerequisite for making pacts and forming alliances.⁸⁶

The recognition of God brought about the birth of the human will that sought to transform the “bestial passions” into human passions. The emergence of this will and the resulting human passions led to the institution of marriage. As Vico describes it, “bestial lust” brought men and women to seek each other’s company, and “the stern restraints of frightful religions” kept them together and established the family.⁸⁷

The family is important for several reasons. First it establishes for individuals an identification of one’s own interests with those of others. That is, the man who marries and has children, for example, now identifies the interests of his wife and children with his own interests. As families expand and communities are formed, the man now identifies the interests of the community with his as well. With this institution and the accompanying expansion of interests, come family and community roles that provide individuals with an identity and make the actions of others intelligible as in pursuit of some commonly recognized end. Persons thus never act as persons *simpliciter*, but as husband, son, brother, father, friend, and so forth.

Families, because they produce and care for children, are also important for maintaining and preserving the language and reason of the community. In a sense, burial performs a similar role because, in addition to removing dead bodies, thereby making cities inhabitable, the burial ritual helps to instill a respect for the traditions and customs of the past, strengthens the relationship between generations, and encourages the

identification of self-interest with the interests of the community. Burying the dead shows respect for one's elders and, because burial is something one cannot do for oneself but for which one must rely on others, with no possibility of holding them to their commitment, it necessitates trust and respect between generations and depends for its perpetuation on a sense of duty to others.

Participation in these three institutions is what forms community, allows for language and reason, and makes persons human. It is because all persons are formed through these institutions that we, despite our differences, can understand the actions of others in the past. We can make sense of their actions because, with the aid of the faculty of imagination, we can understand their intentions and obligations and how they saw the world. Still, one might ask how, if as Vico says, it is "beyond our power to enter into the vast imagination of those first men" who lived before these institutions were formed, we can truly understand the significance and nature of these institutions. Explicit in Vico's story is the premise that we cannot understand the behavior of people prior to their participation in these institutions. Therefore, it looks as if the formation of these institutions cannot be understood as intentional activity; at the very least it seems that we could not claim to be able to recreate imaginatively their birth. How, then, can we understand these institutions and the role they play in our lives if we did not intentionally make them?

This is a serious objection to Vico's theory. As Bruce Mazlish asks, "how can we really claim that man consciously 'makes' his history?"⁸⁸ In addition to Vico's recognition that the mind of pre-societal man is inaccessible to us, he repeatedly

acknowledges that the objects of history are often the unintended consequences of human action. He says his *New Science* is a “history of the institutions by which, without human discernment or counsel, and often against the designs of men, providence has ordered this great city of the human race.”⁸⁹ If what is made is made accidentally, can we still know that which is made?

A parallel and potentially more damaging objection is, allowing that we can know that which we make, how can we know ourselves if we are not responsible for making ourselves? Vico says in *On the Most Ancient Wisdom of the Italians*, “For the mind does not make itself as it gets to know itself, and since it does not make itself, it does not know the genus or the mode by which it knows itself.”⁹⁰ This is potentially more damaging because this calls into question the reliability of the faculty necessary for historical knowledge, imagination. If we do not make ourselves, it is not immediately clear how can know ourselves; and if we cannot know ourselves, how can we really know our intentions and thereby know that which we make?

This last question is fundamental for historical inquiry and is logically prior to any endeavor in this field. I contend that there are two general paths one can take from this point. In other words, there are two basic ways of answering this question. These two ways are the ways of Vico and Marx and their versions of historical inquiry are the two referenced in the title of this present work. I say that this question is fundamental for historical inquiry because how it is answered will determine the units of observation, the method of study, and the types of conclusions one draws. I say that there are two basic ways of answering this question because one either posits that humans act freely and

thus seeks to understand their intentions, as Vico does, or one posits that human actions are not free and therefore seeks determining material factors to explain behavior, as Marx does. I shall try to make clear in what follows that this question is the point of divergence for these two philosophers.

Marx writes in Capital that he agrees with Vico that “the essence of the distinction between human history and natural history is that the former is made by man and the latter is not.”⁹¹ He therefore agrees that human history should be more accessible to us than natural history. But how and why this is the case is much different for Vico and Marx.

The preliminary premises for the study of human history are quite similar for these two philosophers. In fact, one can cite passages from the two that are strikingly alike. Vico stipulates that, “Men first feel necessity, then look for utility, next attend to comfort.”⁹² Later he explains, “In search of these natures of human institutions our Science proceeds by a severe analysis of human thoughts about the human necessities or utilities of social life.”⁹³ Marx argues in The German Ideology, “The premises from which we begin are not arbitrary ones, not dogmas, but real premises from which abstraction can only be made in the imagination. They are the real individuals, their activity and the material conditions under which they live.”⁹⁴ And again, “life involves before everything else eating and drinking, a habitation, clothing and many other things. The first historical act is thus the production of the means to satisfy these needs, the production of material life itself.”⁹⁵

However, the similarities end here because Marx does not trust Vico's method of historical inquiry. Whereas Vico is undaunted by the objection that the faculty of imagination might not be trustworthy because we do not make ourselves and our actions often have unintended consequences, Marx seeks different units of observation and a different faculty for making judgments about history. Marx thinks that the language and consciousness that emerge from the foundational institutions obscure rather than illuminate human history. Despite this objection, Vico maintains that, "history cannot be more certain than when he who creates the things also narrates them."⁹⁶ Marx could not be more certain that this is not the case, writing, "Whilst in ordinary life every shopkeeper is very well able to distinguish between what somebody professes to be and what he really is, our historians have not yet won even this trivial insight."⁹⁷

Marx proceeds to describe language, consciousness, and human institutions as following from the quest of individuals, in the settings in which they find themselves, to meet their physical necessities. For Marx, human nature is observed, or assumed to obtain, in these pre-societal individuals; human history is the story of this nature being obscured and hindered by society and its institutions. Vico, however, holds that human nature only emerges after the formation of society following the appearance of the three primary institutions. Whereas Marx does not consider the individual in society to be truly free and therefore looks for material causes to explain behavior, for Vico, individuals can only be considered free once they are members of society. It is then, and only then, that reason can be understood as guiding the movements of persons and only then that there is a framework within which the historian can identify these movements

as actions and render them intelligible. The following chapter is devoted to describing and explaining Marx's method; the remainder of this chapter will focus on the reasons for Vico's persistence in the face of this objection.

There are two strains of argument that we can find in Vico's writings that help us understand why he is untroubled by the role of chance, or divine providence, in the formation of human institutions and society. The first has to do with his understanding of the nature of freedom. He thinks freedom is only possible in the context of a society. The second reason has to do with his conception of the nature of reason and scientific inquiry. Vico contends that historians are bound necessarily by their own particularity; there are no concepts available to the historian that are intelligible independently of place and time.⁹⁸ There is no way to view the past through a lens wiped clean of the framework of tradition. Furthermore, apart from tradition, the concept of "law" that is necessary for scientific thought is absent. Thus, as imperfect as imagination may be, it is our only hope for historical insight.

For Vico freedom is more accurately described as autonomy; a person is free when he or she truly governs him or herself. Persons become truly human when they "hold in check the motions impressed on the mind by the body."⁹⁹ There are several necessary conditions for autonomy. First, there has to be a self; before there can be self-governance, there must be a self to be governed. Second, there must be a law according to which the self is governed. Third, this law must be chosen or accepted; a body that behaves in a law-like manner that could not behave otherwise is not autonomous. Fourth, following from the third, this law must have authority; in other words, the individual

choosing the law must have some reason to do so. Independently of society, none of these conditions obtain.

The pre-societal person is governed by “bestial passions.” He or she has no concept of will, no concept of choice, movement follows pursuit of the fulfillment of these passions. As detailed above, it is only with the sense of a displeased divinity, a displeased, powerful other, that the concept of self begins to emerge along with the concept of law. In fact, Vico traces the concept of law to the first concept of God, or “Jove.” He notes that the Latin “ius,” meaning “law” was a “contraction of the ancient Ious (Jove).”¹⁰⁰ The awareness of self as self is only possible when defined against something over and above the self. Without an other, there is no impetus for defining or examining the self. Without something not only distinct, but also different and greater than the self, there is no impetus to recognize the self as limited or to understand others that are distinct but not different as such. In other words, for Vico, without the concept of God, an individual person would not have the necessary framework for recognizing other persons as the same as oneself. Prior to this awareness of the divine, then, persons were not self-conscious and could not, therefore, be self-governing.

This initial concept of law is necessary for the ability to think using universals. Universals are names. Names are types of signs that operate in a law-like way, always used to designate the same thing, or the same property in distinct things. The word “name” derives from “nomos,” the Latin word for “law.” The ability to use names and think with universals is necessary for judgment. Judgment is necessary for obedience to a law. Without judgment and law, movements would be driven by passion and impulse

and would not be free. The transition Vico describes here is the transition from mythos to logos as the guiding principle according to which the world is perceived and understood. His argument is that prior to any perception of order and assumption of coherence or non-random conformity or regularity in nature, one must first have a primitive conception of law. This, he thinks, is necessarily subsequent to an awareness of divinity and the properties of persistent power and constant will.

When, with the formation of society, persons begin to “think humanly,” they do not lose their bodily urges and “bestial passions.” Obedience to the law, then, is always a choice no matter how much it may also be a matter of custom. Persons looking back in time at the actions of other humans, or at the actions of their peers, can recognize actions as the result of obedience to a law because they know of their own capacity for choice and for obedience or disobedience.

Finally the choice to obey law and control one’s passions must follow from some recognition of the authority of the law. Persons cannot create the law for themselves for two reasons. First, to do so would nonetheless require acceptance of concepts, which are laws in themselves, according to which judgments are made, and which emerge from the practices of society. Without concepts with which to legislate and without some sense of justice to guide legislation, any law legislated by the self could only have its origins in the natural passions of the individual and therefore would neither be truly human nor freely chosen.

In order for something to be an object of choice it must exist before the choice is made; it must be given. As Iris Murdoch writes, “I can only choose within the world I

can see.”¹⁰¹ The world within which we see is created through the concepts following from practice. Furthermore, to be chosen an object must be recognized as being good. Vico says, “When a truth owes its existence to the mind that knows it, then the true coincides with the good.”¹⁰² The authority of God comes from His being the “author” of the concept; God is authoritative concerning marriage, for example, because He is the creator of the concept and its goodness.

It is important to appreciate Vico’s conception of human freedom in order to understand his reliance on imagination and his remaining unperturbed by the obscurity of the exact nature of the origins of society. For Vico, as for Kant, freedom and reason are necessarily tied to each other. Humans are only free insofar as their actions follow from the use of reason. Yet for Vico, unlike Kant, the use of reason does not preclude the use of emotion; actions from reason and actions from emotion are not necessarily distinct. In this sense, Vico is again similar to Aristotle. In fact, looking at some of Aristotle’s writings can help elucidate and support Vico’s position.

Aristotle explains in the Nicomachean Ethics¹⁰³ that moral excellence has to do with pleasure and pain, and that moral education is education in feeling pleasure and pain at the “proper things.” Such moral excellence requires, then, among other things, self-control. Self-control is a virtue and allows us to be free from the “bestial and slavish” passions that humans share with the animals.¹⁰⁴ The person who has self-control can abstain from bodily pleasures and enjoy doing so; self-control and exercise of the virtues lead to specifically human pleasures and are pursued for this reason.

The exercise of these virtues requires wisdom, the ability to judge properly and to recognize the good. The good for a particular thing is determined by its function. Humans only have discernible and definable functions within the context of a society and its institutions. So, freedom requires self-control, and self-control is only possible when the person in question has some good towards which to orient himself, some means of judging properly with the goal of feeling properly. Reason is made possible only in society because society provides the framework for naming and the context for making judgments. Reason is used both in the choice to cultivate the individual's enjoyment of the right things and in the actual pursuit of this enjoyment. Thus, reason is not a slave of the passions, as Hume said, but, one might say, the chooser and cultivator of the passions.

In "The Iliad or The Poem of Force," Simone Weil defines "force" as "that x that turns anybody who is subjected to it into a *thing*."¹⁰⁵ A person who becomes a thing is no longer free; his or her movements are no longer intelligible as actions with intentions, but movements caused by force. We are moved by forces outside of us and by the force of our natural, animal passions; self-love can also be an overwhelming force. "A moderate use of force, which alone would enable man to escape being enmeshed in its machinery, would require superhuman virtue."¹⁰⁶ This virtue is what Aristotle calls self-control, and what Vico considers to be what makes us human, that is, what allows us to rise above the level of animals.

Freedom from the force of our passions, the ability to choose and control them, is only possible within the context of a society that provides institutional roles and,

thereby, an orientation to the good. A free action is one chosen in accordance with reason, but this does not entail for Vico, as it does for Kant, the absence of emotion. Actions motivated by emotions properly felt at the proper occasions are the product of reason and virtue. Virtue allows for a choice between animal and human passions.

Imagination is a reliable faculty, allowing us to understand our own past actions as well as those of others, because the three institutions, which in their original form were not made by men, are nevertheless the foundation, or basis, for all choice and thought. They are the prerequisites for human thinking. We cannot understand pre-social humans, and we did not create the three institutions in their original form. Still, because there is no human thought before or apart from these institutions, there is no human nature for them to obscure or distort. Admittedly, accessibility to the distant past may admit of degrees, with more remote times being less clear to us, but the initial opacity does not block inquiry because as soon as humans participate in these institutions and practices, they begin to shape them to their particular circumstances and basic needs, and in so doing become the authors of the particular incarnations of these institutions. Though the initial making of these institutions may not be understood as intentional, these institutions are forever being remade and each subsequent creation can be recognized and understood as intentional. Because families play a foundational role in society, children are raised with the customs and concepts of the society. Each person is shaped by the stories, customs and concepts of their community. Thus, as Charles Wood describes them, “concepts... are creatures of history: they come into being, are molded

and occasionally transformed through their complex and flexible relationships to other concepts and to the particularities of human existence.”¹⁰⁷

So, the object of study for the historian can be the actions of individuals and societies as they understood them and reported them. These actions can rightly be understood as being free and, therefore, the historian need not seek elsewhere for causal explanation. Because, and only because, the actions were free can we truly call them actions; this gives us a means for naming properly and restricts us from renaming according to some perceived universal or eternal standard. Furthermore, because these actions are free and can be understood in themselves, as they are, and need not and could not be explained more accurately with other concepts, the faculty the historian must use to grasp the framework within which these actions took place is imagination. Failure to appreciate the necessity of employing imagination will lead to the anachronistic application of concepts and assumption of intentions.

The ability to call action following from emotion or passion “free” is essential to Vico’s project. Without it, there is no way for the historian to understand what “it must have been like” to be those persons in the past the historian is studying. If freedom is understood only in the Kantian sense, or if the possibility of freedom is denied completely, the historian has no need to study particular individuals, for they are all just role players and interchangeable, and the project of history now becomes much more like the reconstruction of some past physical event than an attempt to know “what it must have been like.” “Without some ability to get into the skin of others, the human

condition, history, what characterizes one period or culture as against others cannot be understood.”¹⁰⁸

This conception of freedom is radically different from the one we will find in Marx’s writings and which is expressed with illuminating clarity by Hegel. Hegel writes, “When I will what is rational, I act not as a particular individual, but in accordance with the concepts of ethics in general, in an ethical act I vindicate not myself but the thing. But a person who does something perverse gives the greatest prominence to his particularity.”¹⁰⁹ Working with this understanding of freedom and particularity, and operating from the observation that persons are blinded by their particularity and as such are not free, Marx seeks the causal determinants of human activity. That is, he seeks to understand the perversions of the universal essence of humanity and their causal efficacy. Marx declines to attend to thoughts and ideas in themselves in seeking explanations for historical events because he follows Hegel who held that “this process whereby the particular is superseded and raised to the universal is what is called the activity of *thought*.” And, “here is the *point at which it becomes clear* that it is only as *thinking* intelligence that the will is truly itself and free.”¹¹⁰ In other words, a person qua particular is not really free; his or her action does not proceed exclusively from his or her essence as a person but is influenced, perverted, by this particularity.

To the contrary, Vico argues that it is only insofar as one is a particular that one is fully a person. Both sides presented here hold that reason, the ability to think, is the essential identifying feature of personhood; the question at the bottom of our quest to

adjudicate between these two rival versions of historical inquiry is whether particularity is necessary for this feature to obtain or an obstacle to its exercise.

Vico's philosophy directs us to identify events and individuals as unique, as particulars, and therefore as the proper objects of study. Yet it also allows us a way to compare these unique individuals and events and to apply the knowledge we gain about them to our own endeavors in shaping current and future events. His historical method is, therefore, a method for a science of particulars, which is really a remarkable feat.

By proposing a way to study human history that does not deny human freedom in particularity he enables historians to tell stories about persons whose lives are familiar to us and with whom we can identify. This recognition of freedom, though, does not prevent the historian from making generalizations or finding lessons applicable to the present and future. This science may not generate laws and it may not produce predictive certainty, but it does offer a uniform method for finding understanding. Its goal is a different type of knowledge than is sought after in the physical sciences and its method is therefore appropriately distinct.

⁵¹ Randall, John Herman. The Career of Philosophy: Volume 1 From the Middle Ages to the Enlightenment. New York: Columbia University Press, 1970. 921.

⁵² Newton, Isaac. "The Principia." 18th Century Philosophy. ed. Lewis White Beck. New York: The Free Press, 1966.

⁵³ Vico, Giambattista. The New Science of Giambattista Vico: Revised Translation of the Third Edition (1744). Trans. Thomas Goddard Bergin and Max Harold Fisch. Ithaca, NY: Cornell University Press, 1968. 96.

⁵⁴ Berlin, Isaiah. Against the Current: Essays in the History of Ideas. Ed. Henry Hardy. Princeton, NJ: Princeton University Press, 2001. 5.

⁵⁵ Berlin Against 6.

- ⁵⁶ Vico, Giambattista. On the Most Ancient Wisdom of the Italians. Trans. L. M. Palmer. Ithaca, NY: Cornell University Press, 1988.
- ⁵⁷ Vico On the Most 46.
- ⁵⁸ Vico On the Most 48.
- ⁵⁹ Aristotle. "Metaphysics." Book 1 Chapter 1. A New Aristotle Reader. Ed. J.L. Ackrill. Princeton, NJ: Princeton University Press, 1989.
- ⁶⁰ Vico On the Most 55.
- ⁶¹ Vico On the Most 51.
- ⁶² Vico The New Science 96.
- ⁶³ Vico The New Science 112.
- ⁶⁴ Vico The New Science 75.
- ⁶⁵ Berlin Against 114.
- ⁶⁶ Vico The New Science 313.
- ⁶⁷ Vico The New Science 22.
- ⁶⁸ Vico The New Science 8.
- ⁶⁹ Vico The New Science 99.
- ⁷⁰ Vico The New Science 101.
- ⁷¹ Vico The New Science 98.
- ⁷² Vico The New Science 22.
- ⁷³ Vico The New Science 60.
- ⁷⁴ Vico The New Science 104.
- ⁷⁵ Vico The New Science 100.
- ⁷⁶ Vico The New Science 118.
- ⁷⁷ Vico The New Science 64.
- ⁷⁸ It must be acknowledged that Hume does, at places, refer to some common human sense that leads accounts for similarities in cultures and morality. However, he gives no explanation of this sense or how

we could identify it or its workings. Furthermore, given his story about naming and judgment, he leaves no grounds for supposing that this sense is necessary or immutable.

⁷⁹ Polanyi, Michael. Personal Knowledge: Towards a Post-Critical Philosophy. Chicago: The University of Chicago Press, 1974. 142.

⁸⁰ Gunton, Colin E. The One, The Three and the Many: God, Creation and the Culture of Modernity. New York: Cambridge University Press, 2000. 132.

⁸¹ Vico The New Science 101.

⁸² Vico The New Science 101.

⁸³ “Conatus” is defined in On the Most Ancient Wisdom of the Italians as “the power of motion.” Thus, the conatus of the will is the power to move the will.

⁸⁴ Vico The New Science 100.

⁸⁵ Vico The New Science 70.

⁸⁶ Proverbs 1:7 states, “Fear of the Lord is the beginning of wisdom,” though Vico echoes this he makes no reference or allusion to this passage.

⁸⁷ Vico The New Science 196.

⁸⁸ Mazlish, Bruce. The Riddle of History: The Great Speculators from Vico to Freud. New York: Harper & Row Publishers, 1966. 29.

⁸⁹ Vico The New Science 102.

⁹⁰ Vico On the Most 52.

⁹¹ Mazlisch 21.

⁹² Vico The New Science 78.

⁹³ Vico The New Science 103.

⁹⁴ Marx, Karl. “The German Ideology.” The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 149.

⁹⁴ Marx “The German Ideology” 160.

⁹⁵ Marx “The German Ideology” 156.

⁹⁶ Vico The New Science 104.

⁹⁷ Marx, Karl “The German Ideology” 175.

⁹⁸ Though Marx makes similar contentions, we will see below that he does not find himself bound by this restriction but, to the contrary, appeals to an ability to step outside of the consciousness of his age as he makes his historical observations.

⁹⁹ Vico The New Science 101.

¹⁰⁰ Vico The New Science 125.

¹⁰¹ Murdoch, Iris. Existentialists and Mystics: Writings on Philosophy and Literature. New York: Penguin Books, 1999. 329.

¹⁰² Vico On the Most 52.

¹⁰³ Aristotle. Nicomachean Ethics. Trans. Martin Oswald. New York: MacMillan Publishing Company, 1986.

¹⁰⁴ Aristotle Nicomachen Ethics 78.

¹⁰⁵ Weil, Simone. "The Iliad or The Poem of Force." Revisions. Eds. Stanley Hauerwas and Alasdair MacIntyre. Indiana: Notre Dame University Press, 1983.

¹⁰⁶ Weil 235.

¹⁰⁷ Wood, Charles M. The Formation of Christian Understanding. Valley Forge: Trinity Press, International, 1993. 76.

¹⁰⁸ Berlin Against 107.

¹⁰⁹ Hegel, G. W. F. Elements of the Philosophy of Right. Ed. Allen W. Wood, Trans. H.B. Nisbet. New York: Cambridge University Press, 2000. 49.

¹¹⁰ Hegel 53.

CHAPTER IV

KARL MARX'S PURE EMPIRICISM

Karl Marx never devoted an entire work, or even an extended portion of a work, to explaining his philosophy of science or exactly how history could be studied scientifically. In order to grasp the nature of Marx's method one has to extract his thoughts on the matter from his various works and piece them together, drawing further on his practice of this science to form a coherent picture.¹¹¹ This piecing together is the project of this chapter. I will not be concerned to explain in detail the results of Marx's observations, but rather the approach he takes to his study.

Marx is especially interesting as a philosopher of science because he is an empiricist who does not trust appearances. As Adrienne Fulco writes, "For Marx... it is reality and illusion that are the true opponents in history."¹¹² Marx's unique contribution is to offer a system of inquiry into the essences behind appearances without appealing to gnostic insights, rationalist premises, or extensive metaphysical commitments. Such appeals are not necessary for Marx because the problem to be overcome is not the fallibility of our senses, nor the incomplete reality of the things we encounter in the world, but rather the given framework through which we perceive the world. Thus, Fulco's characterization is apt; illusion and reality really are opponents in Marx's view and the illusion is man-made. The competition is for acceptance; in this competition illusion actively obscures reality. The problem is not that all we have access to is illusion and it is not that our senses necessarily distort reality; reality is always present

and perceivable but perception of reality requires discernment. The term Marx uses for this discernment is “unmasking,” the procedure for unmasking is “critique.”

Marx’s skepticism results from a distrust of the authority of tradition and he therefore calls for a “ruthless criticism of everything existing.”¹¹³ Previous accounts of history have been built on metaphysical, that is, religious, assumptions and attempted to fit historical data into an assumed framework. Instead, “In direct contrast to German philosophy which descends from heaven to earth, here we ascend from earth to heaven.”¹¹⁴ Marx will begin with observable, concrete data and build his theory from the data, not interpret his data according to an assumed theory.

Criticism of existing thought or explanations consists of refusing to take historical explanations on authority, instead questioning them, putting them to the test by performing one’s own observations. To do so one must strip away the given framework and begin with the raw data of unfiltered observation. Marx writes, “the reader who on the whole desires to follow me must be resolved to ascend from the particular to the general.”¹¹⁵ The given framework that must be stripped away is that of ideology and received assumptions about social reality. It is the story that is told about society and its members that obscures or denies reality and thereby keeps individuals from freedom.

In order to explain the nature and origin of ideology it will help first to begin where Marx does, with the first premises of the study of history.

Marx strives for a purely empirical approach to the study of human history. “Where speculation ends—in real life—there real, positive science begins.”¹¹⁶ This study must begin with the observation of individual persons rather than ideas or

institutions because individual persons are both ontologically and temporally prior to ideas and institutions. This notion is repeated throughout Marx's writings. "It is not the consciousness of men that determines their being, but, on the contrary, their social being that determines their consciousness."¹¹⁷ This is echoed in "The German Ideology" where Marx discusses this at greater length. "We do not set out from what men say, imagine, conceive, nor from men as narrated, thought of, imagined, conceived, in order to arrive at men in the flesh." This is because these thoughts and conceptions are produced by men; they are the "efflux of their material behavior." In the same way, institutions are also the product of "the life process of definite individuals."¹¹⁸ Persons produce ideas, not the other way around, and institutions are only abstractions, persons are concrete.¹¹⁹ Ironically, these very abstractions ultimately serve to shape consciousness. Individuals then end up being bound and constrained by the concepts that were in the first place produced to serve them. Therefore,

The premises from which we begin are not arbitrary ones, not dogmas, but real premises from which abstraction can only be made in the imagination. They are the real individuals, their activity and the material conditions under which they live, both those which they find already existing and those produced by their activity. These premises can thus be verified in a *purely empirical way* (emphasis added).¹²⁰

Historical inquiry must begin with the observation of individual humans and the material conditions in which they find themselves. There are two reasons for this. The first is that only such observation can be purely empirical and, therefore, trustworthy. To study ideas and institutions in the hope of understanding human behavior would be to bestow upon them an independent ontological status that is just not empirically warranted. The second has to do with the implicit Aristotelian notion that one can only

understand something if one knows its cause. Ideas and institutions cannot be understood in abstraction from their causes which are individuals and their interaction with the material world in which they find themselves.

This initial interaction with the world in which they find themselves is intelligible because of the basic, empirically verifiable fact that “men must be in a position to live in order to be able to ‘make history.’ But life involves before everything else eating and drinking, a habitation, clothing and many other things.”¹²¹ Thus, a critique of the prevailing story of humanity and society begins with a stripping away of all that is theory-laden, all that is given, and builds a new story starting with those basic premises that are purely empirical.

Through this stripping away Marx finds the key to understanding the nature of society and consciousness. Whereas Vico understood the project of history to be understanding the free actions of men and women in the past and found the key to this to be the faculty of imagination, Marx understands the project of historical inquiry to be possible only because men and women are not truly free. It is through the recognition and appreciation of life’s necessities that the historian can trace the story of history. Were it the case that nature provided all that people needed, removing the need for labor, there would be no history.¹²² For Marx, then, human history begins with labor, not consciousness; labor is Marx’s master key.

“The first historical act,” that is, the first act that we as historians can identify, recognize, and explain, “is thus the production of the means to satisfy these needs [eating, drinking, habitation and so forth] and the production of material life itself.”¹²³

This initial production of the means of survival simultaneously produces new needs. Then, “men, who daily remake their own life, begin to make other men, to propagate their kind.” Thereby the family is created. The production of the means of survival, the production of new needs, and the family, all “have existed since the dawn of history and the first men.”¹²⁴

As Terrence Ball notes, once the historian begins with the Marx’s first premise of human history, “everything else follows from the need to produce means of subsistence.”¹²⁵ These definite human individuals whose existence is the starting point for the study of history immediately begin to organize themselves in cooperative ventures for survival. Labor is the master key for deciphering history because these individuals have to labor to survive. A purely empirical approach must begin with just human individuals and their physical surroundings. Theory must follow from observation so it cannot be used to explain observations of the first actions of these individuals. The recognition of the necessity of labor provides a way to interpret and explain these initial observations without using non-empirical theories of motivation and intention.

The form of labor and the way the first individuals organize themselves is determined by the material conditions in which they find themselves. This organization requires language. According to Marx, “Language, like consciousness, only arises from the need, the necessity, of intercourse with other men.”¹²⁶ The form or nature of this consciousness will be the result of the nature of this intercourse; it will follow from the structure of the organization, or society, that forms around labor.

If labor and labor relations determine consciousness and language then the actions of individuals and societies can be explained and predicted with empirical data and without appeal to metaphysical entities such as universals and concepts such as justice or goodness or spirit.

The causal relationship between labor and consciousness is not perfectly law – like; consciousness is not merely an epiphenomenon of labor. As Franz Jakubowski describes it, the relationship is that of base to superstructure and though the superstructure is dependent upon the base, it also influences the base.¹²⁷

It has already been noted above that Marx distrusts consciousness, he considers his project to be aiming at a reform of consciousness. In fact, he says that consciousness presents the world to us as does a *camera obscura*, that is, upside down.¹²⁸ At this point it remains to be explained both how labor produces this deceptive consciousness and how the careful observer, i.e. Marx, could become aware of this.

The first task is to explain how consciousness develops in such a way as to obscure reality. Consciousness begins as “merely consciousness concerning the *immediate* sensuous environment and consciousness of the limited connection with other persons and things outside the individual who is growing self-conscious.”¹²⁹ Quickly, as individuals organize themselves and work together to produce their means of survival, labor roles are divided. This is seen initially in the natural and necessary division of labor in sex and childbearing. Later, labor is divided according to such accidents of individual difference such as strengths and needs. The critical division is the division between mental and physical labor. This is critical because “From this moment

consciousness can flatter itself that it *really* is something other than consciousness of existing practice, that it *really* represents something real.”¹³⁰ This is the beginning of theology and philosophy, the beginning of theoretical thought in general.¹³¹ Jakubowski explains that it is this “separation of mental from physical labor that permits the existence of a consciousness which believes itself to be independent of material factors. Ideology, i.e., false consciousness, originates from this circumstance.”¹³²

Not only does this division of labor result in the illusion that consciousness is something distinct from actual being and practice, it also results in what Marx calls “the contradiction between the interest of the separate individual or the individual family and the communal interest of all individuals.”¹³³ So, there are two ways in which consciousness becomes false or illusory and the second way builds upon the first. The mistaken belief, which follows from the division of mental and physical labor, that consciousness is independent of material factors, or as Marx might put it, independent of being, leads individuals and societies to look for the *true* meanings of words and concepts. People begin to ask, for example, what “goodness” really is, or begin to assume that, because thought is distinct from practice or being, the aspect of persons that does the thinking must be distinct from the physical body. In other words, moral philosophy, metaphysics, and religion arise from this mistaken notion, namely, that consciousness is independent of material factors.

Once one recognizes this phenomenon, it is easy to anticipate the second way in which consciousness is falsified. Following the advent of questions about the *true* meanings of moral concepts and the *true* nature of the self are those who offer

authoritative answers to these questions. Because mental labor is already divided from physical labor, those involved in mental labor become the authorities. This class already rules over the physical laborers, now the answers they give to these questions serve to strengthen and perpetuate their rule.

Marx writes, “The ideas of the ruling class are in every epoch the ruling ideas,” and “The ruling ideas are nothing more than the ideal expression of the dominant material relationships.”¹³⁴ What this means, as Terrence Ball explains, is that the ruling class does not rule by force alone, rather, another factor is even greater, “its ability to influence, if not control, the thoughts, the beliefs and ideas – the ‘consciousness’ – of the working class.”¹³⁵ It is not necessarily the case that the ruling class plots and purposefully puts forward a false consciousness, though this may indeed happen in some cases. Instead, following Marx’s explanation for how consciousness develops, those whose lives are dedicated to thought and are not actively involved in physical labor will not only have the time to engage in abstract thought, but will have their consciousness shaped by their own practices and conditions. The ideology that develops will confirm and affirm the lives of those producing the ideology. The working class will tend to accept the illusions put forward by the ruling class because the working class is simply too busy to devote time to thought and will accept the authority of those already designated as thinkers.

“Once the ruling ideas have been separated from the ruling individuals and, above all, from the relationships which result from a given stage of the mode of production,...it is very easy to abstract from these various ideas ‘the idea,’ the notion,

etc., as the dominant force in history.”¹³⁶ Ideas are taken to have an existence of their own, philosophy develops to study these ideas, and history becomes understood to be driven by these illusory entities. The historian who attempts to explain historical eras and events by examining the leading ideas of the time, perceiving them as causally efficacious, will actually have mistaken cause for effect. Again, “It is not the consciousness of men that determine their social being, but, on the contrary, their social being that determines their consciousness.”(See above, page 3.)

It is out of these conflicts of interests between the individual and the community and between the thinking/ruling class and the working class that the State emerges.¹³⁷ Marx explains that, “the State is the form in which the individuals of a ruling class assert their common interests.”¹³⁸ Although “The state is an abstraction. The people alone is what is concrete,” because the state is granted an independent existence through abstraction, the good of the state is set in opposition to the good of the individual.¹³⁹ In fact, as Jakubowski notes, “the emergence of the state presupposes that there is already an opposition between individual and social interests.”¹⁴⁰

Marx’s explanation of political thought and discourse follows the same pattern explained above. Although it is truly nothing more than the form society takes on according to its material conditions and methods of production, because of the divorce of being and consciousness, it comes to be seen as an abstract entity. Theories about the origin and nature of the state arise, as do arguments about sovereignty and legitimacy.

The division of labor that begat the separation of practice and thought and the granting of independent existence to predicates sets individuals at odds with one another

and makes these individuals beholden and subject to illusory entities like the state. People, and peoples, become bound by laws and political systems. Therefore the lesson for the historian is that the state is just the superstructure, “the form in which class struggles occur.”¹⁴¹ If the state is “the form in which the individuals of a ruling class assert their common interests,” all of the institutions within the state are the means by which this class creates the ideology, that is, the false consciousness that binds the working class.

Concepts such as “law” and “justice” are merely abstractions, part of the ideology that allows the state to suppress its subjects. The ideological superstructure is “the form in which men become conscious” of the class struggles that are manifested in the political and legal superstructures. Once again, if the historian attempts to explain political events by reporting on the dominant or emerging ideas about law and justice, he or she will fail to recognize the true forces of change in human society, for “The history of all hitherto existing society is the history of class struggles.”¹⁴² Changes in society do not follow from changes in ideas, instead, changes in ideas, or consciousness, follow from, and are expressions of, changes in material conditions and in social relations.¹⁴³ The historian should not study what men have said and written about themselves and their time but should instead study the economic conditions and changes. The latter can be studied “with the precision of natural science,” while religious, moral, and philosophical conflicts are just the “ideological forms in which men become conscious of this conflict and fight it out.”¹⁴⁴

These ideological forms are necessary for the state's existence and survival. As Jeffrey Reiman says, "Ideology refers to ideas that represent society in its best light, as if it were the highest expression of universal ideas."¹⁴⁵ These ideas are perpetuated by the state and become institutionalized and entrenched. The citizens or subjects of a state, then, necessarily live in a condition of false consciousness. This false consciousness is not simply a state of error or misunderstanding about the nature of the world and state, it is more than this. This false consciousness is also false self-consciousness. The stories or traditions that inform the self-understanding of the citizens and the conditions in which they live and work distort or obscure their true essence. This condition of false self-consciousness is called alienation.

Alienation, or estrangement, results from labor, and, in turn, ideology, and is a condition of separation of an individual from his or her essence. Erich Fromm explains that "the concept of alienation is based on the distinction between existence and essence."¹⁴⁶ The division of labor results in the alienation of being and thought. Labor in general results in the alienation of an individual's body from himself. A man's body becomes an object, a tool, and his life becomes something he "has," and something he works to preserve, leaving the man in opposition to himself.¹⁴⁷ "The alienation of self-consciousness establishes thing hood."¹⁴⁸ Man's essence as subject is estranged from his existence as object.

Alienation is an important concept in Marx's theory of history and not just in the sense that it is a diagnosis of a pervasive condition. It plays two additional significant roles. The first is eventual catalyst for the communist revolution that will bring about the

end of history. When alienation reaches its highest stage, when man as subject is completely separated from man as object, this alienation will become recognizable, the alienated man will become conscious of his essence and his situation and this will lead to revolution.¹⁴⁹

If the first role is mechanistic, the second is explanatory. The condition of alienation helps to explain why, as Marx claims, “History must... always be written according to an extraneous standard.”¹⁵⁰ The apparent and felt motivations of historical agents are not reliable because these individuals are alienated from themselves; their own essences are hidden from them. Alienation is the key to understanding why, despite the “illusion of free will,” history can still be studied with scientific precision.¹⁵¹ For Marx, if historical changes were truly the results of free will, they could not be explained by empirical observation. The end of alienation, then, will mean the end of history. It will also mean the end of philosophy.

Marx understands his role as helping to bring about this end. One of the most often quoted passages in all of Marx’s writings is the eleventh, and final, of his “Theses on Feuerbach.” This thesis states, “The philosophers have only *interpreted the world*, in various ways; the point, however, is to *change* it.”¹⁵² Philosophers have only interpreted, and reinterpreted ideology, consciousness alienated from reality, and therefore have neither changed nor improved the world. Heretofore philosophy has just been “empty talk about consciousness.”¹⁵³ Philosophical problems only arise because of the divorce of being and essence that causes and perpetuates false consciousness. “When reality is depicted, philosophy as an independent branch of knowledge loses its medium of

existence.”¹⁵⁴ Philosophy is in the service of history, when philosophy depicts reality, when it unmask the truth, its job will be done and the progression of history will be complete. The aforementioned revolution that will follow from the proletariat’s recognition of their alienation as such will “bring their ‘existence’ into harmony with their ‘essence’ in a practical way.”¹⁵⁵

The concept of alienation is the linchpin in Marx’s science of history. Without this concept there is nothing to move history and, more importantly for the purposes of the present project, no way to account for the historian’s ability to trace and explain the movement of history. Therefore, at this point I will begin a closer examination of alienation.

There are several reasons alienation allows the historian to trace and explain the movement of history. One reason is that the alienated individual is not free. Though this individual has the illusion of free will, the individual’s actions are determined by his or her consciousness, which is a function of the class to which the individual belongs. The fact that the alienated individual is a member of a class allows the historian to identify and understand the actions of a given individual without having to observe the individual directly. The nature of the historian’s endeavor is such that he or she cannot actually observe the actions of his or her objects of study (because they happen in the past and are only recognized as objects of interest after the fact). Identifying a person as a member of a class allows the historian to treat this person as an instance of a universal and not as an indeterminate particular. Thus the historian can maintain an empirical

approach to the science without direct observation and without having to rely on the reporting of untrustworthy witnesses (such as the historical actor himself).

There are some implicit premises that are necessary for these conclusions about alienation to be warranted. These premises have to do with the nature of freedom and human essence. We can discern the presence of these implicit premises if we look closely at what is stated explicitly. First, if only alienated actors are potential objects of historical study (because these actors are not free), it must be the case that free actions are not possible objects of scientific explanation. Second, if persons can be recognized as alienated from their essence, it must be the case that there is a human essence and that this can be known. Third, if empirical observation is the only reliable method for gaining knowledge, then this knowledge of the human essence must have been gained empirically. These three implicit premises need to be discussed because none of them are obviously true.

G. A. Cohen writes that for Marx, “history is a substitute for nature.”¹⁵⁶ What this means is that human history, the story of labor and labor relations, introduces necessity into human behavior and thought. Because men have to work to survive and their consciousness is determined by the particularities of this necessity, their lives and actions become determined and predictable, though not necessarily in a perfectly law-like way. The physical and mental development of an individual is not determined by the individual but by the vagaries of his or her particular circumstances. Nature, or the natural world, is a possible object of scientific study because natural things do not move with intention, rather they are moved; they do not have free will and therefore their

movements can explained by the scientist through empirical observation alone. Free actions, because they cannot be explained through empirical observation alone, are not proper objects of scientific study.

This position is plausible, but on closer examination one finds that it entails positions that are less so. To begin to explain why this is the case I refer briefly to Vico's position. Recall that Vico held that only free human actions are possible objects of scientific knowledge. This is because the faculty of *fantasia* allows us to recognize and understand the actions of others. Events in the natural world are beyond our complete understanding because there is just too much about them and the rest of the world that we do not know and cannot perceive empirically. But, contrary to Marx, Vico held that it is only when persons act as particular persons that their actions are free and are therefore intelligible to us. Yet Marx considers such persons, acting according to their given societal roles, as not free. In "The Eighteenth Brumaire of Louis Bonaparte" he writes, "The tradition of all the dead generations weights like a nightmare on the brain of the living."¹⁵⁷ Because any actions that are intelligible only within a given tradition are by definition products of the consciousness of this tradition, these actions are not free.

Again, this may seem plausible and simply a restating of the position. But formulated in this way it becomes clear that any action that could qualify as free would be unintelligible to the observing historian. A free actor would be one who existed independently of any particular tradition, whose mode of existence was not dependent on any received consciousness or on the circumstances of the individual's place and time. Marx says, "A *being* only considers himself independent when he stands on his own

feet; and he only stands on his own feet when he owes his *existence* to himself.”¹⁵⁸ Of course, this sort of independent existence is just what Marx sees as the end of history, following the revolution of the proletariat. However, because free actions, under this conception of freedom, are necessarily unintelligible to those of us who stand within a tradition, and because such free actions are never intelligible through empirical observation, two conclusions seem to follow. The first is that this understanding of freedom could not be the result of empirical observation, thus making its admissibility questionable given Marx’s stipulations about scientific rigor. The second, a corollary of the first, is that freedom is really an empty concept, defined apophatically, its referent is unknown. Because it is not something we can experience or observe, it cannot be known. Neither is it something that we can understand through imagination because it is unlike anything we can experience. It differs from anything we might experience not in degree but in kind. Therefore, we literally cannot imagine what would motivate free action or how a free individual might choose to act.

Two further points seem to follow from this last conclusion. Lack of freedom, or unfreedom, can no longer be explained simply in contrast to freedom. If a concept is empty, explaining a second concept as being the opposite of the first is unhelpful. This is a difficulty for Marx’s theory because of the centrality of the concept of alienation.

If alienation is explained, at least in part, in terms of lack of freedom, and freedom is an empty concept, then alienation becomes unintelligible. If the essence from which the individual trapped in the prison of particularity is alienated is one that is unintelligible, one must question not only how the historian could properly describe the

condition of the individual as one of alienation, but also how the proletariat could be expected to recognize his own condition as one of alienation and dependence. It just is not clear how one could understand what the true essence of humanity is.

Marx considers activity to be free activity when it is creative, productive activity done for its own sake, and not for the satisfaction of some other need.¹⁵⁹ Yet the ability to recognize free activity as such seems impossible based on empirical data alone because this judgment is a judgment about intention and state of mind. The activities of free individuals will not necessarily be different from the activities of alienated individuals, what will be different is the motivation for the action. In *The German Ideology*, Marx says that in the communist society it will be “possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticize after dinner, just as I have a mind, without ever becoming hunter, fisherman, shepherd or critic.”¹⁶⁰ Hunting, fishing, and shepherding are neither free nor alienated types of labor in themselves. It is the intention and consciousness of the actor that makes these actions free or alienated.

Is it the case, then, that Marx’s science of history relies on an empty concept and premises that by their nature cannot be known through empirical observation? If so this would present a devastating blow to his theory. I suggest, though, that the situation might not be so dire for Marx. By reexamining his starting point, and by supplementing our analysis of his system with an appreciation for the way in which he understands reason to work, we see that Marx’s conclusions about freedom and human essence are not without foundation.

We begin again with the “first premise of all human history,” namely, “the existence of living human individuals.” If we take Marx at his word and suppose that his science builds from this first premise using only empirical observation, we must pay attention to what Marx says about the distinguishing characteristics of humans. The observer of human history can determine that humans “begin to distinguish themselves from animals as soon as they begin to *produce* their means of subsistence, a step which is conditioned by their physical organization.”¹⁶¹ This production is not the same thing as crude labor. As Marx tells us in *Capital, Volume One*, “Labour is, in the first place, a process in which both man and Nature participate.”¹⁶² Other animals build things, for example, spiders build webs and bees build hives, “But what distinguishes the worst architect from the best of bees is this, that the architect raises his structure in imagination before he erects it in reality. At the end of every labour-process, we get a result that already existed in the imagination of the labourer at its commencement.”¹⁶³

Marx builds his conception of human nature from observation of the behavior of individual persons. He does not develop a definition or theory about human nature and then name as human all entities he encounters who fall under this definition or theory. Nor does he abstract an essence from the actual being and practice of individual humans. In other words, he does not choose some aspect of human existence, such as thought, and, having separated it from the physical practice of production to which it is naturally wedded, deem it the essence of humanity. Instead, Marx finds that what distinguishes humans, what can be called their essence in the sense that it is the characteristic that

must be present for an entity to be called human, is intentional productivity. This is derived plausibly from empirical observation.

Still, the determination of the essential property of humans, intentional productivity, which might also be called creativity, is not enough as stated to develop the concept of alienation. This is the point at which we need to examine Marx's understanding of reason. Marx recognizes in each individual this property of creativity. Yet he also recognizes that each individual he observes is located in a particular place and time and faced with particular material conditions. These particular conditions account for the differences in ends pursued by these individuals and in the means and methods of their pursuits. This observation of difference is evidence of the potential latent in each individual. The fact that each individual's particular circumstances are not the result of his or her choice shows Marx that the particular potentialities that a particular individual makes actual cannot be the result of that individual's essence alone, but also of the given particularities of his or her existence. If the actions of each individual truly were the result of the individuals' essences alone, this would mean that each individual was a species in him or herself, thereby making scientific study of them impossible. Science requires both universals and particulars.

Because the potential actualized by each individual does not emerge from his or her human essence alone, that is, because it does not follow from the individual qua universal, but from the individual qua particular, it must be that the ability of each individual to actualize his or her potential is restricted or modified in some way. The level of restriction or modification may be different for different individuals or groups of

individuals (classes) but all are affected nonetheless. Furthermore, this affectation results from, and contributes to, the opposition of these individuals to one another. The interests of one individual or group conflict with the interests of another individual or group. That this is the case cannot follow from human essence itself because this would mean that human essence conflicted with itself. It is illogical that an object qua universal could have interests opposed to another object of the same kind because this would entail that a single universal could have two opposite and exclusive properties (the interests) at the same time. It must be, then, that the opposing interests follow not from human essence but from those particularities that distort or obscure this essence. The existence of real, observable people is thereby recognized as alienated existence because the true, pure essence of humanity is alien, foreign, to these individuals. In none of these individuals does the full human essence exist.

Thus, the concerns raised above about the content of the concept of freedom are assuaged somewhat. The state of unfreedom that Marx recognizes does not require for its recognition an understanding of what freedom entails exactly. It is not known simply in contrast to freedom. Rather, the existence that Marx considers to be lacking in freedom is the condition of being limited in one's expression of, or participation in, one's essence. Freedom is understood in contrast to the lack of freedom, instead of the other way around. Freedom is the ability to exercise one's full, pure humanity.

The person whose existence coincides with his essence Marx calls a "species-being." A species-being lives "as a *universal* and therefore a free being."¹⁶⁴ The state of freedom that will ensue with the emergence of communism "will only be complete when

the real, individual man has absorbed himself in to the abstract citizen, when as an individual man, in his everyday life, in his work, and in his relationships, he has become a *species-being*.”¹⁶⁵ The species-being is an individual whose thoughts and actions and interactions are not determined or limited by his existing in a particular time and place or by his being defined by particular roles.

As Fromm tells us, the important freedom of the species-being is not just being “free *from*, but also free *to*.”¹⁶⁶ The “freedom to” is creative freedom. A person, as opposed to an animal, produces even when “free from physical need and only truly produces in freedom therefrom.”¹⁶⁷ Marx also describes this production in the absence of physical need as “human energy which is an end in itself, the true realm of freedom.”¹⁶⁸

Particularity, then, is truly a barrier to human existence and it is particularity that Marx thinks history will eventually overcome. Though Marx says of the individual person that it is “precisely his particularity which makes him an individual, and a real *individual* social being” what Marx means by particularity is quite different than that which plays such an important role in Vico’s science of history. This is made clear by the way Marx finishes the preceding quote. It “is just as much the *totality*— the ideal totality” that “makes him an individual.”¹⁶⁹ Each individual human, as species-being, possesses and expresses the “totality” of human essence. Each person is truly a person insofar as he or she embodies the universal essence. Thus, it may be more accurate and helpful for purposes of further discussion to refer to Marxian free persons as individuals and Viconian free persons as particulars.

This distinction helps to capture the nature of the difference between the two philosophers' theories of the science of human history. The Marxian individual is a distinct, independent person, but he represents and possesses the "totality" of what it means to be human with all of the potential for creativity that goes with it. This person has no commitments, obligations, burdens or ends that are not specifically and freely chosen by the individual himself; all possible paths are open for this individual.

The Viconian particular enters into the world with specific roles, commitments, obligations and ends already given in virtue of his place within a family and community. He depends on the education and nurturing provided by his family and community to develop the self-control necessary to act freely. The ends he discovers waiting for him, as it were, are made intelligible by his particularity and it is within the framework provided by this particularity that he exercises his freedom.

It remains for us, in the attempt to adjudicate between these two rival versions of historical enquiry, to examine closely these two conceptions of human freedom and their underlying assumptions about the nature of reason. This chapter now ends with the beginning of this examination of the conception of freedom found in Marx.

The Marxian free individual chooses and acts having awakened from the "nightmare" of tradition and his exertion of energy is an "end in itself." We might ask, as hinted above, how this individual makes his choices. That is, how does such an individual determine his own ends or assign value in the absence of any value that is given? We might also ask how an observer could properly or accurately name such free actions. Without a known framework or context, how might an observer recognize the

end of any particular action and thereby name it? Even the naming of a simple action such as shaking hands requires knowledge of context and intention on the part of the observer. If energy is an “end in itself,” can any action have a more specific name than just “free”? Can any action that is truly an end in itself be named accurately with reference to some typical end? Actions are often named according to their function in a pursuit of an end. In the case of shaking hands, an ostensibly neutral description becomes applicable only to a certain type of action in a given context with a given function.

These questions are of interest not only in making sense of the freedom of the Marxian individual in the communist state, they are also of interest in assessing the success of Marx’s attempt to begin his science of history with purely empirical premises. The reason this is the case is that Marx describes himself as ascending from the particular to the general, beginning with individual men and their actions, not with any theories about their actions. Surely some such purely empirical observation is possible. The observation that these individuals would need to eat in order to survive, for example, can be discerned empirically without unwarranted theory. An interpretation, then, of an action as pursuit of food would be empirically pure.

An action that might not so qualify is the formation of the family. One of the “three aspects of social activity” that are primary and “have existed simultaneously since the dawn of history and the first men” is the family.¹⁷⁰ Marx’s observation that men begin to propagate is certainly straightforward and not theory-laden. His observation that men and women and their children form families is not so obviously possible without

some non-empirical justification for this appellation. It is possible to propagate or procreate without forming a family.

Although an interpretation of an action as pursuit of food might be empirically pure, an interpretation of an action as a wedding, or of a relationship between individuals as a family, is not possible using empirical data alone. These designations entail recognition of context, imputation of ends, and the prior existence of societal norms to provide some criteria of correctness.

Similarly, Marx's assumption, much like Hobbes', that individuals must have come together to cooperate for mutual advantage prior to a mutually conceived consciousness or language is not clearly coherent. That pre-societal individuals might understand the concept of cooperation or commitment to cooperation without any societal norms or practices to provide such a concept is questionable as is the possibility of an observer recognizing such co-operation as such absent any theoretical framework. Membership in a family might be thought to provide an individual with such concepts or at least analogous ones on which to build, but if the possibility of family commitments without such concepts is also problematic, this appeal will not help.

What these criticisms amount to is a questioning of the possibility and plausibility of reason divorced from tradition and theory. These criticisms challenge Marx's contention that consciousness freed from any tradition can perceive reality as it "really is." Assessing the force of these criticisms is the task of the following chapters.

G. A. Cohen suggests that to Marx's famous last thesis on Feuerbach that says the point of philosophy is to change history, we should add, "to change it so that

interpretation of it is no longer necessary.”¹⁷¹ Interpretation is no longer necessary when pure empirical observation is sufficient for naming objects and actions as they “really are.” Were such conditions to obtain, individuals could freely and rationally choose their ends free of any unchosen tradition or framework. John Rawls imagines and defends the possibility of emancipated and unencumbered reason and choice. His work is the subject of the following chapter.

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¹¹² Fulco, Adrienne. “Vico and Marx: Human Consciousness and the Structure of Reality.” Vico and Marx: Affinities and Contrasts. Ed. Giorgio Tagliacozzo. NJ: Humanities Press, Inc., 1983. 137.

¹¹³ Marx, Karl. “For a Ruthless Criticism of Everything Existing.” The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 13.

¹¹⁴ Marx, Karl. “The German Ideology.” The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 154.

¹¹⁵ Marx, Karl. “Preface to A Contribution to the Critique of Political Economy.” The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 3.

¹¹⁶ Marx “The German Ideology” 155.

¹¹⁷ Marx “Preface to A Contribution to the Critique of Political Economy” 4.

¹¹⁸ Marx “The German Ideology” 154.

¹¹⁹ Marx, Karl. “Contribution to the Critique of Hegel’s *Philosophy of Right*.” The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 18.

¹²⁰ Marx “The German Ideology” 149.

¹²¹ Marx “The German Ideology” 155-156.

¹²² Cohen, G. A. Karl Marx’s Theory of History: A Defence. Princeton: Princeton University Press, 1978. 23.

¹²³ Cohen 156.

¹²⁴ Cohen 157.

- ¹²⁵ Ball, Terrence. "History: Critique and Irony." Cambridge Companion to Marx. Ed. Terrell Carver. New York: Cambridge University Press, 1991. 128.
- ¹²⁶ Marx "The German Ideology" 158.
- ¹²⁷ Jakubowski, Franz. Ideology and Superstructure in Historical Materialism. Trans. Anne Booth. Winchester, MA: Pluto Press, 1990. 57.
- ¹²⁸ Marx "The German Ideology" 154.
- ¹²⁹ Marx "The German Ideology" 158.
- ¹³⁰ Marx "The German Ideology" 159.
- ¹³¹ Though Marx does not mention this, he may have in mind the conditions in ancient Greece that made Socrates possible.
- ¹³² Jakubowski 83.
- ¹³³ Marx "The German Ideology" 160.
- ¹³⁴ Marx "The German Ideology" 171.
- ¹³⁵ Ball 130.
- ¹³⁶ Marx "The German Ideology" 174.
- ¹³⁷ Marx "The German Ideology" 160.
- ¹³⁸ Marx "The German Ideology" 187.
- ¹³⁹ Marx "Contribution to the Critique" 18.
- ¹⁴⁰ Jakubowski 41.
- ¹⁴¹ Jakubowski 50.
- ¹⁴² Marx, Karl. "Manifesto of the Communist Party." The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 473.
- ¹⁴³ Marx "Manifesto" 489.
- ¹⁴⁴ Tucker, Robert C. "Marx on the History of His Opinions." The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 5.
- ¹⁴⁵ Reiman, Jeffrey. "Moral Philosophy: The Critique of Capitalism and the Problem of Ideology." Cambridge Companion to Marx. Ed. Terrell Carver. New York: Cambridge University Press, 1991. 158.
- ¹⁴⁶ Fromm, Erich. Marx's Concept of Man. New York: Frederick Ungar Publishing Co., 1969. 47.

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- ¹⁴⁸ Marx "Economic" 114.
- ¹⁴⁹ Jakubowski 114.
- ¹⁵⁰ Marx "The German Ideology" 165.
- ¹⁵¹ Marx "The German Ideology" 187.
- ¹⁵² Marx, Karl. "Theses on Feuerbach." The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 145.
- ¹⁵³ Marx "The German Ideology" 155.
- ¹⁵⁴ Marx "The German Ideology" 155.
- ¹⁵⁵ Marx "The German Ideology" 168.
- ¹⁵⁶ Cohen 24.
- ¹⁵⁷ Marx, Karl. "The Eighteenth Brumaire of Louis Bonaparte." The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 595.
- ¹⁵⁸ Marx "Economic" 91.
- ¹⁵⁹ Marx "Economic" 76.
- ¹⁶⁰ Marx "The German Ideology" 160.
- ¹⁶¹ Marx "The German Ideology" 150.
- ¹⁶² Marx, Karl. "Capital, Volume One." The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 344.
- ¹⁶³ Marx "Capital, Volume One" 344-345.
- ¹⁶⁴ Marx "Economic" 75.
- ¹⁶⁵ Marx, Karl. "On the Jewish Question." The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 46.
- ¹⁶⁶ Fromm 38.
- ¹⁶⁷ Marx "Economic" 76.
- ¹⁶⁸ Marx, Karl. "Capital, Volume Three." The Marx-Engels Reader. Second Edition. Ed. Robert C. Tucker. New York: W. W. Norton and Company, Inc., 1978. 441.
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¹⁷⁰ Marx “The German Ideology” 156-157.

¹⁷¹ Cohen 339.

CHAPTER V

MARX'S CONCEPTION OF REASON

In this chapter I will introduce an argument that will culminate in the next chapter. With this extended argument I hope to make a case for preferring Vico's version of historical inquiry over that of Marx. Ultimately, and put simply, the basis for this contention is that the conception of reason found in Vico is more plausible than that found in Marx. I begin my argument by pointing out some significant weaknesses in Marx's account of the faculty of reason. To illustrate and highlight these weaknesses I compare the understanding of reason at work in Marx with that found in John Rawls' A Theory of Justice.¹⁷² In this chapter I am primarily concerned with Rawls' theory as presented A Theory of Justice. I understand that his position changes in later works but I am concerned with his arguments in this work, not with Rawls himself as a philosopher of historical interest.

If we were to construe the model of moral reasoning Rawls presents in A Theory of Justice more broadly as a general model of the conditions for, and process of, free reasoning, we would find a model strikingly similar to that assumed and employed in Marx's historical inquiry. The primary difference between the two models is simply that the Rawlsian model is much more explicit and robust. Thus, the purpose of drawing the parallel between Marx's account of reason and what I will refer to as a Rawlsian account of reason (which is not necessarily the same as Rawl's account of reason) is to provide a means of introducing a critique of Marx by proxy. Examining the Rawlsian model will allow us to consider Marx's model as magnified for closer inspection. After discussing

the implications of such accounts of reason, I raise several objections and proceed in the next chapter to explain their significance in greater detail. I conclude the following chapter by showing how Vico's explanation of reason meets the objections raised against Marx's account.

Because my approach in this chapter may strike some readers as unusual, a careful introduction is warranted. Marx's version of historical inquiry involves assumptions about the way the faculty of reason is exercised both in those persons who are the objects of the historian's study and in the historian himself. By "faculty of reason" I mean that faculty of the intellect that makes judgments, both in the sense of choosing actions and in the sense of subsuming a particular unit of observation under a universal concept or name. In my discussion of Marx and Rawls I will be concerned with this faculty as it is at work in their theories rather than the specific conclusions they draw or ends their theories pursue.

The pairing of Karl Marx and John Rawls will seem strange to many readers, and rightly so. Their projects are vastly different and their conclusions seem to be at odds.¹⁷³ Allan Bloom suggests that Marx's historicist arguments cast doubt on the very possibility of Rawls' project.¹⁷⁴ It does seem as if Marx's claims about false consciousness and the dependence of history on material conditions and class relations call in to question the plausibility of deriving principles of justice through the use of reason. Yet in this chapter we will see that there are some striking similarities between the conceptions of reason and freedom discernible in Marx's historical method and remarks Rawls makes about reason in his experiment involving the original position.

Taking what Rawls says about reason in the context of his moral argument, and construing it as an account of reason in general, the reader will notice some assumptions about human nature, freedom, and reason that sound much like those found in Marx's philosophy that was discussed in the previous chapter.

Examining Rawls' work will be helpful because much of that which is implicit in Marx is detailed directly by Rawls and is therefore more easily assessed. Furthermore, there is a body of literature discussing Rawls' original position from which we can draw in our critique of Marx. Though their projects are vastly different and their conclusions at odds, we can find in both an assumption that the faculty of reason can be exercised ahistorically and apart from any consciousness of the particular reasoner's place within a tradition. It is this similarity that I will describe and critique.

In A Theory of Justice, John Rawls defends two primary principles of justice. The nature of these two principles is not of concern for my project. I am not interested in assessing the specific normative content of Rawls' philosophy, though that is certainly a worthwhile endeavor. What is of interest to me here is the thought experiment he employs to derive his two principles of justice. Rawls imagines that individuals situated in what he calls the "original position," behind a "veil of ignorance," would agree to the aforementioned principles of justice. It is my contention that the conception of reason assumed in this thought experiment is relevantly similar to the conception of reason employed by Marx in his historical observations. Rawls believes that the faculty of reason can be exercised by persons in this original position. This belief, and its implications are what are of concern to me; my intent is to show that if we construe

Rawls' claims about moral reasoning as applying to reason in general we will find a fleshed out description of the faculty of reason as found in Marx's work.

Before I begin my exposition of the relevant parts of Rawls' philosophy I think it is important to respond to an objection I anticipate will be brought against my project. As I noted above, Rawls' work is a work of moral philosophy, specifically it is a work of moral philosophy that proposes a method for reaching moral agreement by avoiding contentious metaphysical and religious arguments. It is his goal, and many think he is largely successful in this goal, to reason about moral guidelines without venturing into these other areas of philosophy. Whether or not Rawls is successful in his project, my aim here is to argue that were his project meant to prescribe a method of reasoning generally, it would entail certain propositions about personhood and freedom that are questionable.

I anticipate that despite my acknowledgement that I am construing Rawls work more broadly than he intends, some will still take me to be misunderstanding the goal of his proposed method, or failing to notice the limits he places on the scope of his experiment. Such an objection is expressed nicely by Stephen Mulhall when he writes, "the structure of the original position... does not embody a general empirical claim that persons can (phenomenologically) detach themselves from all their roles, character traits and ends at any one time, or a general metaphysical claim that one's identity as a person is not bound up with such matters. The veil of ignorance is a morally driven epistemic limit in politics, not the manifestation of a phenomenological or ontological hypothesis."¹⁷⁵ I present this objection at this point in my argument simply to ask the

reader to bear with me and allow me to make my case. It is precisely this goal of presenting an account of reason without committing oneself to any metaphysical or epistemological entailments that I aim to address.

Though it is true that this story about the nature of reason does not include the claim to be presenting phenomenological or ontological hypotheses, it nevertheless does. Specifically, it is the ontological hypothesis that the faculty of reason can function independently of, or unconnected to, any particular embodied existence that I will be addressing in this chapter. What I intend to show is that what the Rawlsian account takes to be metaphysically neutral in fact is not and that the manner in which he suggests reason can be employed necessarily commits him to certain conclusions about personhood and freedom.

Rawls' original position is

a purely hypothetical situation characterized so as to lead to a certain conception of justice. Among the essential features of this situation is that no one knows his place in society, his class position or social status, nor does any one know his fortune in the distribution of natural assets and abilities, his strength, and the like... the parties do not know their conceptions of the good or their special psychological propensities.¹⁷⁶

The Rawlsian denies, as would Marx, that assuming an ability to exercise the faculty of reason under these conditions entails “any claims to universal truth, or claims about the essential nature and identity of persons.”¹⁷⁷ The point of reasoning in such a position is not to arrive at something that might be called “the truth,” instead it is simply to provide the necessary conditions for truly free decision-making. This latter point is understood and I do not suggest otherwise. Still, though it does not claim to achieve

what might be called metaphysical truth, I will show that this thought experiment does entail some assumptions about reason and the essential nature of persons, if not about the essential identity of a person. The key similarity between the Rawlsian version and Marx's that I hope will become clear is that both assume that reason is a faculty whose exercise is not only not dependent upon the particular identity of the person exercising it but is actually hindered or distorted by the particularity of this individual.

Rawls says that persons are by nature free and equal rational beings.¹⁷⁸ The role of the original position is to facilitate the derivation of principles of justice that are true to this nature by isolating that which is essential and preventing all non-essential features from playing any role in this process. This is necessary for "To express one's nature as a being of a particular kind is to act on the principles that would be chosen if this nature were the decisive determining element."¹⁷⁹ Following Kant, a free action is understood to be that which an individual would choose as "the most adequate expression of his nature as a free and equal rational being."¹⁸⁰ Thus, it is important that the principles of justice be derived by persons situated in the original position because, "If a knowledge of particulars is allowed, then the outcome is biased by arbitrary contingencies."¹⁸¹ An important distinction between one's nature as a human being and one's identity is implicit in this formulation. Though there is no attempt to address what is essential to a person in the sense having to do with personal identity through time, he is clearly operating on specific assumptions about what is essential to a person qua human being. One way of putting this would be to say that all persons possess the universal property

“humanness” and that which is essential to the specific identity of an individual is some further property.

The faculty of reason is something that is included in the essence of persons qua human beings and when exercised by persons acting as such its conclusions can be expected to be uniform. That the preceding is an apt characterization of the Rawlsian view follows from the contention that a person can reason from within the original position and in so doing choose principles of justice that would express his or her nature as a human being, yet not be contingent upon his or her identity as a particular human being. In other words, if I can reason as a human being, without at the same time reasoning as Jake Noland, that which makes me Jake Noland must be some property I possess in addition to the property of being human. I say “in addition to” because when the knowledge of that which makes me Jake Noland is excluded, that which remains is my awareness of my nature as a human being, according to which I choose the principles of justice.

Because knowledge of that which makes persons the particular persons they are is excluded, the original position is a position of freedom in which persons express their true, essential nature. “Men exhibit their freedom, their independence from the contingencies of nature and society, by acting in ways they would acknowledge in the original position.”¹⁸² On this view, contingent or accidental qualities distort that which is universal and thereby impair the ability of an individual to act freely.

In this context, then, freedom is not understood simply as the ability to do otherwise. Instead, freedom is autonomy- self-governance- and the law that one

legislates for oneself must emerge purely from oneself; it may not be the product of accidental, and therefore non-essential, qualities or characteristics.

Principles of justice chosen by individuals not divested of their particularity would be, and have been historically, heteronomous. In other words, the principles chosen would be and have been varied. As such it must not be the case that they are the products of freely made choices. If freely made choices are those which express the true nature of the chooser, and the principles of justice chosen by individuals throughout history are so different from each other, it must either be the case that these principles have not been chosen freely or the individuals making these choices have all had different essential natures. The latter conclusion is dismissed implicitly and *a priori* as it would render the project moot. It follows, therefore, that the original position is necessary for rendering truly free choices.

Because individuals in the original position are ignorant of any distinguishing characteristics, which means they can choose autonomously, the original position is not truly a place where deliberation between persons takes place. There is no disagreement behind the veil of ignorance because the knowledge and interests of all parties are the same. The conclusions reached in the original position are not affected by the number of individuals imagined to be in this position. Any and all rational persons in the original position would produce the same principles of justice because the nature that is expressed in the choice of these principles is the same for all. This illustrates the critical point that particularity is not necessary for the exercise of reason.

Rawls imagines not only that persons in such a position could use reason to determine the principles of justice, but that we, who are not actually in such a position, can know what these imagined persons would conclude.¹⁸³ He proposes that we may “simulate the deliberations of this hypothetical situation, simply by reasoning in accordance with the appropriate restrictions.”¹⁸⁴ It is possible for anyone at anytime to reason as from behind the veil of ignorance.¹⁸⁵ Note here that Rawls does not say that everyone does reason as such all of the time or even ever. As mentioned above, because people have not reasoned this way the principles of justice that have emerged in the past have been as varied as the philosophers and institutions from which they have emerged.

Interestingly, no explanation is offered for why people are not, in general, inclined to reason in this fashion. Nor is there an explanation of how one might come to recognize that reasoning while still encumbered with the accidents of time and place is not an exercise of freedom. Nevertheless, it is supposed that it is possible for anyone at anytime to escape his or her particularity and reason freely. Each of us is able, given sufficient reflection, to recognize the conclusions of autonomous reason as such, as well as to appreciate the fact that reason as usually practiced is enslaved to contingency.

The original position is a “point of view removed from and not distorted by the particular features and circumstances of the all-encompassing background framework” of a particular individual.¹⁸⁶ This device is a “device of representation” but its use “does not imply that the self is ontologically prior to the facts about persons that the parties are excluded from knowing.”¹⁸⁷ That both of these conditions could be true entails that that

which is represented in the original position is not any particular self, but rather something like a universal human essence.

The reader can begin to see now that the claim that, “To express one’s nature as a being of a particular kind is to act on the principles that would be chosen if this nature were the decisive determining element” captures perfectly the type of expressive freedom possessed by Marx’s species-being (see endnote 6 below). In addition, the ability, which is necessarily assumed to obtain, to reason *as if* one were in the original position is the same ability Marx must exercise in order to recognize the condition of alienation and false consciousness in which the masses live. Marx’s method of inquiry into history requires this ability to free oneself from tradition-bound consciousness and reason freely. Without this ability his attempt at a purely empirical science of history is doomed to failure. Marx the historian must be freed from any particular paradigm of consciousness for him to describe the world as it “really is.”

For the Rawlsian, the agreement reached through this experiment is “hypothetical and nonhistorical.” Allan Bloom echoes this point, albeit with critical intentions, when he says, “there is nothing in the original position that corresponds to any man’s real experience.”¹⁸⁸ The conflicting intuitions about the felicity of such a formulation match the fundamental disagreement between Vico and Marx. Vico would deny the possibility of the nonhistorical exercise of reason; Marx would hold that only when reason is exercised nonhistorically is it exercised purely and freely. For Vico the device of the original position would be representative of “No-man,” whereas for Marx it would be representative of “Every-man.” Thus, though the Rawlsian would be right to protest that

his theory does not pretend to offer a metaphysical account of justice, and would be right to deny that his theory entails that the self is ontologically prior to any particular facts about it, this theory does, nonetheless, entail that reason can be exercised nonhistorically and that the property of being human is ontologically prior to, and distinct from, any particular person's identity.

The idea of a universal, free self with the ability to create and enjoy a course of life must be coherent and intelligible for Marx's conclusions about persons' alienation from their essence to be convincing. Without the strength of these conclusions, his contentions about the proper objects of historical study are unsupported.¹⁸⁹ Furthermore, such freedom must be possible and conceivable if his thesis about the end of history is to be plausible. If my proposed similarities hold, then we can use the more explicit and elaborate Rawlsian explanations of these accounts of reason and freedom as well as the substantial commentary on Rawls' original position to aid our appraisal of Marx's position.

A brief review of Marx's writings on freedom and essence, when presented alongside Rawls', broadly construed, serves to highlight the important parallels. Marx writes in Capital, Volume Three, "the realm of freedom actually begins where labour which is determined by necessity and mundane considerations ceases."¹⁹⁰ Necessity does not come only in the form of immediate physical need, but also in the form of tradition and false-consciousness. Certainly a person might, for example, be bound by necessity to patch a roof to provide shelter from the elements. But a person might also experience the yoke of necessity as the obligation that comes with an inherited

institutional role or the duty one has as a member of society to honor the ideal of patriotism.

Until there is a “sphere of society which claims no *traditional* status but only a human status,” freedom is not possible.¹⁹¹ Tradition limits the individual’s ability to express his or her true nature by determining the individual’s roles and ends independently of, and prior to, the individual’s choice. When men make their history, Marx explains, they do so not “under the circumstances chosen by themselves, but under circumstances directly found, given, and transmitted from the past. The tradition of all the dead generations weighs like a nightmare on the brain of the living.”¹⁹² A sphere of society that claims a “human status” as opposed to a “traditional status” would be one in which the individuals live as “species-beings,” that is, as humans qua humans, with each expressing the full, universal essence of the species as opposed to that of a limited, or encumbered tradition-given role. As such, these individuals choose their ends and projects for themselves freely, unburdened by necessity. Their existence, their way of *being*, is therefore free because it is chosen independently of anything external to the individual.¹⁹³

Marx believes that this mode of existence will be made possible when existence is “brought into harmony” with essence “by means of a revolution.”¹⁹⁴ He also believes that this freedom from tradition and false-consciousness is practiced in his scientific method that allows him to observe and describe how individuals “really are.”¹⁹⁵

Marx’s species-being, his universal free person, is much like the Rawlsian “noumenal self”¹⁹⁶ who has “complete freedom to choose whatever principles [he or

she] wish[es],” and thereby exhibits “what it means to be a free and equal rational being.”¹⁹⁷ Marx’s professed ability, despite his being situated in a time and place before the revolution of the proletariat, to observe and think independently of tradition and any given consciousness, closely resembles the Rawlsian technique of shedding his particularity to reason as if he were in the original position.

The question before us now is whether this shared conception of reason, removed from the context of tradition and history, is truly intelligible. Is it possible to exercise reason independently of awareness of context and place and time? Marx and Rawls both offer compelling reasons to distrust inherited consciousness and unchosen principles and ends. Yet, when given close attention, the idea of persons reasoning free of any tradition and choosing their own principles and ends is also seen to be problematic.

At the heart of the problem is the task of making sense of the way these unencumbered selves might make choices. There are at least two reasons this is difficult. The first has to do with explaining how this individual might recognize and acknowledge reasons for action as such. That is, if the self exists prior to any ends it affirms, as Rawls says it does, then the initial choice of an end cannot itself be a strategic choice. In other words, the reason for choosing cannot be the recognition of a hypothetical imperative because for such an imperative to obtain implies some other end, the accomplishment of which this imperative advances. Neither can there be any unchosen obligations or designations of value making a claim on this individual. Duties and norms cannot carry the weight of reasons unless they are themselves freely chosen or accepted. For the Rawlsian, free individuals are “self-originating sources of valid claims.”¹⁹⁸ Given what

Marx has to say about the “nightmare of tradition,” it seems this quote reflects Marx’s position as well. Being subject to a claim is compatible with freedom only when the claim is itself freely chosen.

The second difficulty has to do with the way the noumenal self in the original position could identify activities and ends, not in the sense just mentioned, but in the sense of recognizing them for what they are. How, for example, could an individual, lacking all knowledge of his distinguishing features, properly recognize the celebration of the Eucharist, or a child’s first birthday party, or the writing of a dissertation, or a baseball game? None of these activities can be described as such without an awareness of context, tradition, and history that can only truly be gained through participation, in one form or another, in a particular way of life. All of these activities are practices that are constitutive parts of courses of life and ways of being, each of which are potential choices for the individual in the original position.

This second difficulty is precisely that which must be confronted in the attempt to offer purely empirical historical observation. In Marx’s case the historian is not called to choose one of these ways of life, but he must still be able to identify and describe them properly and he must do so from outside of any particular tradition in order to recognize their connection to labor and the manner in which they are manifestations of false consciousness. These two difficulties are closely related; a close look at the first will make this relatedness apparent.

For insight into the nature of this first difficulty, the work of Michael Sandel is instructive. In his work Liberalism and the Limits of Justice, Sandel discusses Rawls’

thought experiment and examines its implications.¹⁹⁹ Whether or not they are truly fair to Rawls actual views, Sandel's comments articulate succinctly the nature of the problem posed above and are thus applicable to that to which I have been referring as the "Rawlsian" account of reason in general. He writes that on the Rawlsian view, "what is most essential to our personhood is not the ends we choose but our capacity to choose them."²⁰⁰ If all contingent, particular features must be removed in order to provide for the expression of a person's essential nature, and this nature is to be free and rational, it follows that what best expresses this nature is the act of choosing. The greater the potential for choice, the greater the freedom of the chooser. As Milton Fisk puts it, the nature of the Rawlsian free individual is to have "unrestricted antecedent choice."²⁰¹

For the Rawlsian, "the self is prior to the ends which are affirmed by it; even a dominant end must be chosen from among numerous possibilities."²⁰² Because the self is prior to any ends affirmed by it, its freedom is complete. This also entails that the self's identity is fully distinct from that of others; any association with others that might provide the self with identity, such as a family or community, must also be the product of choice. Though the self may simply find himself with associations, they must ultimately be accepted freely in order for any ends or obligations following from this association to be binding. Sandel calls this the "priority of plurality over unity."²⁰³

Given that the essence of the individual person is the capacity to choose, and even dominant ends must be chosen, Sandel says, "it remains to be seen what exactly this choice consists in and how I come to make it."²⁰⁴ He acknowledges that Rawls says that this choice "often rests on our self-knowledge," but contends that this self-

knowledge can really only be an awareness of wants and desires. “Such a ‘choice’ would involve less a voluntary act than a factual accounting of what these wants and desires really are.”²⁰⁵ This act of choosing is not voluntary because these wants and desires are simply given, not chosen. Rawls does not envision persons in the original position choosing specific, immediate ends, but because Marx’s free persons are not participating in a thought experiment, but actually living freely, Sandel’s criticisms of the intelligibility of such acts of choosing are relevant and applicable to Marx’s conception as well. Keeping in mind that the purpose of establishing a parallel between the accounts of reason in the work of Marx and Rawls is to allow us to bring objections to a Rawlsian view to bear on Marx’s, a further exposition of Sandel’s argument help to make clear my concerns about Marx’s position.

According to the stipulations of the original position, the individual chooser has no knowledge of his status, affiliations, history, or conception of the good. Therefore, any wants and desires the individual has in this position must, if they are not themselves products of choice, be simply given. They must be dispositions or inclinations specific to the individual. If this is the case, Sandel says, the individual’s act of choosing an end “amounts to nothing more than an estimate or psychic inventory of the wants and preferences he already has, not a choice of the values he would profess or the aims he would pursue.”²⁰⁶ Thus, “deliberation about ends can only be an exercise in arbitrariness.”²⁰⁷ Whatever end is eventually chosen will be so chosen due to the given mental and physiological make-up of the individual. The choice, then, is either an expression of some particular characteristics that are not themselves part of the essence

of the person, or, if they are essential, they are part of the essence of an individual who is a species unto himself. For this reason Sandel concludes, “While the notion of constitutive attachments may at first seem an obstacle to agency- the self, now encumbered, is no longer strictly prior- some relative fixity of character appears essential to prevent the lapse into arbitrariness which the deontological self is unable to avoid.”²⁰⁸

To understand how and why a Rawlsian would take this position on the priority of the self over the ends affirmed by it, we must examine Rawls’ reading of Kant. Rawls is a self-described Kantian and considers himself to be adopting and building upon Kant’s conception of autonomy.²⁰⁹ He writes, “Kant held, I believe, that a person is acting autonomously when the principles of his action are chosen by him as the most adequate possible expression of his nature as a free and equal rational being.”²¹⁰ This is an accurate paraphrase of Kant. Yet, the interpretation of this position is flawed. We see a hint of his misreading of Kant when he says he cannot understand why for Kant the “scoundrel does not express in a bad life his characteristic and freely chosen selfhood in the same way that a saint expresses his characteristic and freely chosen selfhood in a good one.”²¹¹ That one would ask such a question shows that one is not working with the same conception of freedom as Kant. That one would describe the individual’s selfhood as “freely chosen” also suggests a mistaken understanding of Kant’s view of human nature.

Rawls thinks that what is missing in Kant’s work is an “argument showing which principles, if any, free and equal rational persons would choose.”²¹² This shows that Rawls’ free chooser is, unlike Kant’s, free of any framework within which to choose,

unaided by the metaphysical moorings that in Kant's philosophy prevent the individual from being swept along by the apparent determinism of the phenomenal world.

Below I will show that Rawls' reading of Kant is mistaken, or at least incomplete. Contrasting Kant's conception of autonomy with Rawls' shows that Rawls' is ultimately empty. It will become clear that, as Allan Bloom has said, "a true Kantian interpretation of Rawls' man in the 'original position' is that he is neither free nor rational."²¹³ The choices of an individual in the original position are not free but arbitrary; the Rawlsian individual is not an agent but a vessel. This will require a brief exposition of Kant's philosophy, but this excursion is necessary. It is necessary in order to show that an account of reason operating independently of any particular tradition must offer some explanation of judgment, or, in other words, an explanation of how we name things. Such an explanation must necessarily make some metaphysical commitments of the sort both Marx and our Rawlsian would hope to avoid. An explanation of judgment is necessary not just for an account of freedom but also for the possibility of the sort of scientific observation that Marx attempts in his purely empirical recounting of history.

Kant explains that judgment is necessary for experience, assumption of uniformity is necessary for judgment, and laws are necessary for the assumption of uniformity. As he writes in the Critique of Judgment, "We find in the grounds of the possibility of experience in the very first place something necessary, viz. the universal laws without which nature in general (as an object of sense) cannot be thought."²¹⁴ Laws, such as the law of causation, are necessary for judgment, as are certain other

concepts that allow us to order the phenomena of experience. One has to understand this in order to understand why it is that for Kant a free will is one that is nonetheless law governed. All actions, as objects of experience, must be understood as subject to some law. This is why autonomy for Kant cannot mean legislating a different law for oneself in different circumstances. Free actions can only be judged as such if they are all understood as following, or issuing from, some cause.

How is it, then, that freedom is considered at all possible in Kant's view? It is Kant's contention that appearances do not give us knowledge about things in themselves that allows him to posit freedom of the will. The "principle of the causal connection of appearances" is what allows for the possibility of experience. But all this does is allow us to make judgments about appearances. It does not allow us to make judgments about things in themselves.²¹⁵ What we might call the external world is known only through the senses and therefore everything in the external world is considered to be subject to the principle of causation. However, we know ourselves not only through our senses, but also through what Kant calls "apperception." We are perceptible, or sensible, to ourselves but we are also intelligible. "In its intelligible character (though we can only have a general concept of that character) this same subject must be considered to be free from all influence of sensibility and from all determination from appearances."²¹⁶ The intelligible character of the subject is not sensible and can be understood independently of sensible causes and therefore can be considered free from the influence of sensible causes. The intelligible character has only to do with concepts, ideas and ideals.²¹⁷

Marx and Rawls are both in concert with Kant in his attempt to render the individual self intelligible independently of any particular sensible context. Where the later two diverge from Kant is in their attempt to define the individual self independently of all concepts, ideas, and ideals, all except freedom and reason, that is.

For Kant, a free action is one that is free from the causal influence of sensible objects or events, but not one that is uncaused. As Kant writes in the Grounding, “Everything in nature works according to laws. Only a rational being has the power to act according to his conception of laws, i.e., according to principles, and thereby he has a will.”²¹⁸ An action free from the causal influence of sensible objects or events will still be subject to a law, but it will be the law of reason, otherwise known as the moral law. “Thus a free will and a will subject to moral laws are one and the same.”²¹⁹

For Kant there is only one way to be free, only one way to be moral. A free action is one caused by a will acting in accordance with reason, that is, one that does not will contradictions or make false judgments. This is why Kant believes that the formulation of the Categorical Imperative in terms of willing a universal law is equivalent to the formulation in terms of treating persons as ends in themselves. For it to be possible to will that a maxim become a universal law the maxim must be such that when universalized no contradictions ensue. Treating persons as ends in themselves is a matter of making a proper judgment about persons, i.e. subsuming them under the proper concept. Treating persons as means only involves a false judgment about persons, which, if re-worded the right way could be expressed in the form of a contradictory maxim.²²⁰

Autonomy truly is self-legislation for Kant. The moral self must follow a law, otherwise its actions would be unintelligible, but it cannot follow the law of causation of the sensible world because then it would not be free and it cannot follow a law imposed in some other way. This autonomy is self-legislation in the sense that the self adopts the law as binding for itself, yet the self does not create the law *ex nihilo*, as it seems it must in Rawls' story. It must choose to follow the moral law, but if it does so it will follow the same law as all other rational moral beings. What Kant's metaphysical story provides, and which is lacking in the work of Marx, is an account of a potential object of choice, the moral law in this case, and categorically applicable reasons, neither of which are accidental or contingent upon custom or coercion.

Rawls foregoes making appeals to a metaphysical framework because, he says, reasonable people will disagree about such frameworks and there is no way to establish such a framework by reasons and standards accepted by all. Marx rejects any metaphysical claims on the grounds that they necessarily result from alienated consciousness and cannot be discovered empirically. Both reasons are *prima facie* reasonable, yet because they both also reject reasons derived from inherited or received customs and standards as incompatible with freedom, neither has a way to explain free actions.

It appears Sandel's criticism of Rawls' notion of freedom, when construed to apply generally, as really being an exercise in arbitrariness is apt. When Rawls wonders why the scoundrel does not express his freedom through his actions in the same way the saint does through his actions, the significance of the absence of any metaphysical story

becomes clear. Because Rawlsian freedom requires “unrestricted antecedent choice” and the free individual is a “self-originating source of valid claims,” a truly free act is one in which the agent gives value to the object of choice merely through the act of choosing rather than choosing according to this value. This means that any attempt to give reasons for a choice, or to understand how a choice was made, must necessarily result in an infinite regress. Ultimately, there can be no explanation for a free action. If the individual self is the original source of value it becomes unintelligible to speak of reasons why a particular value is chosen or attributed.²²¹ The Rawlsian is subject to this criticism because of his failure to provide any explanation of judgment. This criticism is equally applicable to Marx. His description of the “realm of freedom” and the “development of human energy which is an end in itself” is subject to the same accusations of arbitrariness leveled against the Rawlsian view.²²² His story about the freedom of the species-being and the lack of freedom of historically situated individuals, which is understood in contrast to the freedom of the species being, is now shown to be incomplete.

To be charitable, one can imagine that a defender of the conceptions of reason and freedom found in Marx and Rawls might respond that the Kantian notion that actions following from basic desires and inclinations are not free is simply too strict. Certainly, this defender might say, holding Marx and Rawls to such strict standards does result in rendering free actions unintelligible. However, the Marxian and Rawlsian conception of freedom is one in which basic desires and inclinations, rather than being obstacles to freedom, are instead constituent qualities of the human nature to which

freedom is intended to give expression. After all, both Marx and Rawls consider the provision of certain staples, Rawls calls them primary goods, to be valuable to all persons regardless of specific interests and concerns. Perhaps it is fair to allow that there might be a range of potential objects of choice, or, for Marx, inspirations for creativity, which range is the same for all persons given the universal dispositions of human nature. Thus one might, it could be argued, make sense of reasons for ascribing value in these systems despite their rejection of tradition or metaphysics. Maybe, just as saltiness and sweetness are universally appreciated qualities of food, and softness a universally appreciated quality of places to rest, desires for companionship or creative expressions of love, for example, are part of human nature and acting on such desires is not only compatible with acting freely, but is what gives freedom its high value.

Such a response might be a plausible defense to the objections of arbitrariness and unintelligibility of freedom, though it must be admitted that drives and impulses are not the same things as reasons. Granting the initial plausibility of this defense, further examination reveals that this, too, is susceptible to a serious objection. This objection was identified above as the second difficulty for Marx and our Rawlsian, namely, the difficulty of accounting for the ability to recognize given activities or practices for what they are.

Ronald Dworkin explains that, “parties to the original position certainly have, and know that they have, an interest in general liberty, because general liberty will, *pro tanto*, improve their power to achieve any particular goals they later discover themselves to have.”²²³ What I will now argue is that individuals who are truly free in the Rawlsian

sense cannot discover themselves to have particular goals, only general goals. T. M. Scanlon defends the Rawlsian original position as providing “an Archimedean Point partly in virtue of the fact that this conception of a person is taken to be prior to any particular *independently-determined* conception of his good”(emphasis added).²²⁴

Scanlon’s characterization of the person’s identity as being prior to any independently-determined conception of the good highlights the reason that such a person can have no particular, or specific goals. This is because any particular, specific practice which might be a good for an individual will only be intelligible from within a particular context. This is true for several reasons that I will first list and then explain in detail below. All of these reasons have to do with the prohibition of any received conception of the good.

First, to be able to recognize any particular activity, such as marriage, for what it is requires membership in the community in which the activity is practiced and an identification of the individual with this community for participation in this activity to be a living option for the individual. Second, it is necessary to name properly one’s desires and passions before one can choose activities and practices that would satisfy these desires and passions. To do this one must be formed by the common stories and practices of a given community. Third, participation in the sorts of practices constituent of a full life of the sort Rawls describes requires certain character traits, or virtues, that can only be developed by an individual who trusts a received conception of the good. This is true because these character traits require discipline and denial of natural appetites and desires. They cannot be known except by witnessing their embodiment and they cannot be chosen except on trust.

I choose marriage as a paradigmatic example of a particular good because of its central role in the philosophies of Vico and Marx and because it is such a common practice, frequently considered to be a part of a good life or at least a legitimate option in the quest for a good life.

In order for something to be an object of rational choice, it must first be identified by the chooser. My contention is that it is only possible to recognize marriage as such from within a specific tradition. To identify two persons as being married one must understand them to be in certain relation to each other, having made a certain commitment with specific intentions, and relating to each other in a certain way. But more than this, one must also understand these persons to be living and acting within a specific community with specific norms. This is because marriage, while it is a relationship between two people, is also a public institution. There is no such thing as marriage *simpliciter*. There is only marriage as it is practiced and understood within certain communities. The couple, in deciding to wed, decides to engage in a practice already extant in and endorsed by the community and, though they make a promise to each other, they do so in a ceremony in front of the community or representatives of the community, thereby receiving sanction from the community.

This sort of understanding and recognition of intention is only possible for someone within a tradition. Just as one might observe a group of people running alongside a larger group of people yelling, while at the same time be unable to identify the scene as the 100-Meter dash at the Olympics without knowledge of context, one cannot observe the relationship between two people and describe it as marriage without

the requisite familiarity with context. Because intention cannot be observed, only inferred, familiarity with context and appropriateness is necessary for proper identification of intentional activities and practices. Unlike our ability to discover the properties of saltiness or sweetness in the foods we encounter, our recognition of specific practices as goods depends on abilities we cannot have prior to communal experience.

In addition, in order to have the particular desire for marriage one must have the general desires which marriage might fulfill. For example, one must first have the general desires for companionship, love, and family, before one could decide on marriage as a way to satisfy this desire. Yet, being able to recognize these desires as such, that is, to name them as desires for companionship, love, and family, requires an awareness of, and sympathy with, the narratives of others.²²⁵ I have to see these desires felt and named in the stories of others with whom I can identify to be able to name them and plot a course for satisfying them. This sympathy, this fellow-feeling, depends upon imagination that comes with familiarity, and, more importantly, education. Neither this fellow feeling nor the faculty of imagination which makes it possible are necessary for one to be conscious of a desire for saltiness or sweetness.

Furthermore, the recognition of certain desires as good and healthy and worth pursuing, and others as inappropriate and wrong to pursue or insignificant no matter their momentary strength, also depends upon an acceptance of the received wisdom and norms of the community. The choice to participate in a practice such as marriage is a choice to sacrifice certain desires for the sake of others. It is a choice to change one's

identity and sense of self. One must have developed certain character traits, such as perseverance and selflessness, self-denial and integrity, to even be in a position to consider marriage a live option.

The development of such character traits is possible only within a community and through acceptance of communal norms because by their very nature they result from stifling and denying other, more basic, desires and traits. The willingness to develop such traits follows from trust in commonality with others and in their wisdom. I have to believe that what has been good for another will be good for me because we are relevantly similar, and I have to trust that this will be so even though as in the case of the development of character traits necessary for marriage, it seems contrary to my own inclinations and basic desires. An individual in the original position is by definition unable to rely on this trust.

Finally, the independent self would have no grounds for choosing between particular goods or of participating in them in a rational purposeful way because apart from a received tradition there would be no way of recognizing excellence or correctness in participation. Even allowing that this individual might have, and understand himself to have, a desire for a particular good such as marriage, because such a good requires participation, it is, in other words, a practice, the individual must have some criterion for directing his performance. He must have some standard of excellence. Once again, such a standard relies upon communal norms and established ends for a practice of which this individual must be, by stipulation, unfamiliar.

All of the foregoing is important for the overall problem my project seeks to address, which is to determine if it is possible to adjudicate between the two rival versions of historical inquiry of Vico and Marx. The reason the foregoing is important is because if the similarities that I suggest between Marx's philosophy and the Rawlsian position hold true, then the criticisms just brought against the intelligibility of the conceptions of freedom and reason found in the thought experiment of the original position give some direction for an assessment of Marx's science of history.

C. Fred Alford declares that "Rawls' concept of the self is actually remarkably substantial," and says that Rawls' description of the original position comes close to capturing the state of nature.²²⁶ I have argued in this chapter that such a conception of the self is not substantial enough for rational choice on the part of this self to be plausible or intelligible. Yet Alford's claim that the original position represents the state of nature is useful in distilling the essence of the dilemma presented by Vico and Marx. As discussed in previous chapters, the foundation for the differences in the methods of historical inquiry for these two is what they make of the state of nature as an arena for historical observation. The reader will recall from previous chapters that for Vico the state of nature is opaque to the historian; for Marx it is transparent and provides the key to understanding all subsequent human behavior. It is in the state of nature that Marx finds the "real individuals" that are the premises with which historical inquiry begins and in the state of nature that the "first historical act" takes place setting history in motion.

If Alford is accurate in his comparison of the Rawlsian original position with the conditions of choice in the state of nature, then the above critique calls into question the

conceivability of Marx's foundational premises for historical inquiry, not to mention the plausibility of his vantage point that allows him to make his observations from outside any particular paradigm of consciousness.

The next chapter will, through a discussion of the thought of Alasdair MacIntyre, among others, develop more fully the role of particularity and tradition in reason and observation.

¹⁷² Rawls, John. A Theory of Justice, Revised Edition. Cambridge, MA: The Belknap Press of Harvard University Press, 1999.

¹⁷³ Miller, Richard W. "Rawls and Marxism." Reading Rawls. Norman Daniels ed. New York: Basic Books, Inc., Publishers. 206-230.

¹⁷⁴ Bloom, Allan. "Justice: John Rawls Vs. The Tradition of Political Philosophy." American Political Science Review Vol. 69, No. 2. 1975. 648.

¹⁷⁵ Mulhall, Stephen. "Liberalism, Morality and Rationality." After MacIntyre. Ed, John Horton and Susan Mendus. Notre Dame, IN: University of Notre Dame Press, 1994. 208.

¹⁷⁶ Mulhall 11.

¹⁷⁷ Rawls, John. "Justice as Fairness: Political not Metaphysical." Philosophy and Public Affairs. Vol. 14, No. 3. 235.

¹⁷⁸ Rawls Theory 225.

¹⁷⁹ Rawls Theory 222.

¹⁸⁰ Rawls Theory 222.

¹⁸¹ Rawls Theory 122.

¹⁸² Rawls Theory 225.

¹⁸³ This point is important. Though Rawls does not say that the original position is a real position, he nevertheless assumes implicitly that it is possible to think *as if* one were in this position. This assumption runs directly counter to Mulhall's attempt to downplay the boldness of Rawls' project.

¹⁸⁴ Rawls Theory 119.

¹⁸⁵ Rawls Theory 120.

¹⁸⁶ Rawls Theory 120.

¹⁸⁷ Rawls “Justice” 238.

¹⁸⁸ Bloom 652.

¹⁸⁹ This is because it is the supposed insights concerning alienation and false consciousness that establish material conditions as the proper objects of the historian’s attention.

¹⁹⁰ Marx, Karl. “Capital, Volume Three.” Ed. Robert C. Tucker. The Marx-Engels Reader, Second Edition. New York: W. W. London & Company, 1978. 441.

¹⁹¹ Marx, Karl. “Contribution to the Critique of Hegel’s Philosophy of Right: Introduction.” Ed. Robert C. Tucker. The Marx-Engels Reader, Second Edition. New York: W. W. London & Company, 1978. 64.

¹⁹² Marx, Karl. “The Eighteenth Brumaire of Louis Bonaparte.” Ed. Robert C. Tucker. The Marx-Engels Reader, Second Edition. New York: W. W. London & Company, 1978. 595.

¹⁹³ Marx, Karl. “Economic and Philosophic Manuscripts of 1844.” Ed. Robert C. Tucker. The Marx-Engels Reader, Second Edition. New York: W. W. London & Company, 1978. 91.

¹⁹⁴ Marx, Karl. “The German Ideology.” Ed. Robert C. Tucker. The Marx-Engels Reader, Second Edition. New York: W. W. London & Company, 1978. 168.

¹⁹⁵ Marx “German” 154-155.

¹⁹⁶ It is interesting (ironic?) that Rawls uses this terminology, which he borrows from Kant, when Kant believed that noumenal essence was unknowable.

¹⁹⁷ Rawls Theory 225.

¹⁹⁸ Rawls, John. “Kantian Constructivism in Moral Theory.” Journal of Philosophy: Vol. 77, No. 9. 543. 1980.

¹⁹⁹ Sandel, Michael J. Liberalism and the Limits of Justice, Second Edition. New York: Cambridge University Press, 1998.

²⁰⁰ Sandel 19.

²⁰¹ Fisk, Milton. “History and Reason in Rawls’ Moral Theory.” Reading Rawls. Ed. Norman Daniels. New York: Basic Books, Inc., Publishers, 1975. 66.

²⁰² Rawls Theory 491.

²⁰³ Sandel 133.

²⁰⁴ Sandel 162.

²⁰⁵ Sandel 162.

²⁰⁶ Sandel 162.

- ²⁰⁷ Sandel 180.
- ²⁰⁸ Sandel 180.
- ²⁰⁹ Rawls Theory 222.
- ²¹⁰ Rawls Theory 222.
- ²¹¹ Rawls Theory 224.
- ²¹² Rawls Theory 224.
- ²¹³ Bloom 657.
- ²¹⁴ Kant, Immanuel. Critique of Judgment. Trans. J.H. Bernard. New York: Hafner Publishing Company, Inc. 1951, 19.
- ²¹⁵ Kant Critique A536, 537; Kant, Immanuel. Grounding for the Metaphysics of Morals. Trans. James. W. Ellington. Indianapolis, IN: Hackett Publishing Company, Inc., 1992. 421.
- ²¹⁶ Kant, Immanuel. Critique of Pure Reason. Trans. Norman Kemp Smith. Boston/New York: MacMillan and Co. 1965. A540.
- ²¹⁷ Kant Pure Reason A569.
- ²¹⁸ Kant Grounding 412.
- ²¹⁹ Kant Grounding 447.
- ²²⁰ The principle is the same one that explains why one cannot will that a triangle have 4 sides, nor can one treat a triangle like a square.
- ²²¹ Marx tacitly and unabashedly acknowledges this point when he writes that under communism, when individuals are free, history will no longer be possible or necessary.
- ²²² Marx "Capital, Volume Three" 441.
- ²²³ Dworkin, Ronald. "The Original Position." Reading Rawls. Ed. Norman Daniels. New York: Basic Books, Inc., Publishers, 1975. 48.
- ²²⁴ Scanlon, T. M. "Rawls' Theory of Justice." Reading Rawls. Ed. Norman Daniels. New York: Basic Books, Inc., Publishers, 1975. 178.
- ²²⁵ The naming of passions and desires is one of the important roles of good art, literature and music, and is one of the bases of therapy.
- ²²⁶ Alford, C. Fred. The Self in Social Theory: A Psychoanalytic Account of its Construction in Plato, Hobbes, Locke, Rawls, and Rousseau. New Haven, CT: Yale University Press, 1991. 140.

CHAPTER VI

A MACINTYREAN ANALYSIS

In the previous chapter I argued that an important similarity obtains between the philosophies of Karl Marx and John Rawls. Both philosophers rely on a supposed ability to divest oneself of the limitations and lenses of particularity in order to reason freely. This similarity, I noted, might strike readers as odd given that it seems as if Marx would deny the very possibility of Rawls' project due to the obstacle of ideology standing in the way of such reasoning. Yet, it was my contention that this similarity nonetheless holds because it is this same ability to escape the false paradigm of ideology that allows Marx to recognize the existence and nature of ideology and to understand the true forces at work in history. As Alasdair MacIntyre explains, a theorist of ideology such as Marx "is claiming that, in his own case at least, he can separate the ideologically contaminated element from the rest of his theorizing."²²⁷ To be able to recognize that consciousness is false, one must be able to identify the truth. In other words, "to identify ideological distortion one must not be a victim of it oneself."²²⁸

MacIntyre's insights serve to frame the question that the first part of this chapter seeks to address. At issue is whether or not Marx can, as MacIntyre puts it, "separate the ideologically contaminated element from the rest of his theorizing." Above, in my discussion of Rawls' original position, I tried to show that the concept of choice from behind the veil of ignorance is unintelligible. In this chapter I want to continue this line of argument and show that for the same two reasons that choices made in the original position are unintelligible, Marx's "first premises" cannot function as the foundation for

his historical inquiry. His attempt to offer a purely empirical, non-ideological science of history must fail because the characterization of the behavior of pre-historic individuals is impossible. The first of these two reasons is that, given Marx's description of the circumstances in which these individuals live, there is no way to account for intention on their part. This problem is the same as accounting for choice in Rawls' original position. The second reason characterization of the behavior of these individuals must fail is that there is no way the unencumbered observer could recognize the movements of these individuals and render them intelligible as intentional actions.

Selected arguments made by MacIntyre will serve as a springboard to help me begin to build my case, which will proceed to draw on the wisdom of a wide range of philosophers. I will then reconsider Giambattista Vico's method of historical inquiry in light of these criticisms of Marx.

In order to follow my argument, it will be important for the reader to recall the following points. First, Marx declares that his method "starts out from the real premises and does not abandon them for a moment. Its premises are men, not in any fantastic isolation and rigidity, but in their *actual, empirically perceptible* process of development under definite conditions"²²⁹ (emphasis added). He says, "In direct contrast to German philosophy which descends from heaven to earth, here we ascend from earth to heaven." This means that he begins with raw empirical observation of particulars and proceeds from there to build theory. Second, one circumstance of this process is the family, which, Marx explains, "from the very outset, enters into historical development."²³⁰ The family is the "first social relationship," having existed "since the dawn of history."

Third, Marx defines “social” as involving the “*co-operation* of several individuals.”²³¹ Finally, consciousness is “from the beginning a social product;” it is the “direct efflux of their material behaviour.”²³² Together these four points form the foundation for Marx’s historical inquiry. This purely empirical observation of individual men, before they form society and before consciousness arises, provides for Marx the key to understanding consciousness and ideology, and, therefore, human behavior. This foundation is what allows Marx to see past the illusion of speculation and philosophy and depict reality.

These points are important to keep in mind for understanding my argument because what I hope to show is that, given point number four above, cooperation and formation of the family by pre-societal and pre-conscious individuals cannot properly be described as intentional or free actions. Just as significantly, the non-theory-laden observer would not have the necessary tools to be able to describe the behavior of individuals as the formation of a family or as cooperation. In other words, neither the formation of a family nor cooperation between individuals is the sort of event that can be recognized as such through pure empirical observation. The observations upon which Marx builds his theory of history are simply not possible. This does not mean that his insights regarding alienation and exploitation, and even false consciousness, to some degree, are without worth. It does mean, however, that his master key for understanding and interpreting history now lacks support.

The philosophical seed-germs for both lines of my argument are found in the writings of David Hume. In the first instance, Hume criticizes the social contract theory of Thomas Hobbes. Hobbes famously had contended that men in the state of nature were

pre-social and came together to form society through a mutual agreement or contract. Hume's objection is that the societal convention of promising, which is necessary for contract making, cannot itself arise with the contract because, as he says, "The observance of promises is itself one of the most considerable parts of justice, and we are surely not bound to keep our word because we have given our word to keep it."²³³ Language and conventions cannot first emerge from cooperation because they are necessary conditions for entering into cooperation.

In the second instance, Hume's argument that we cannot judge the morality of an action on the basis of observation alone shares with my argument the premise that the bare physical facts of an event do not provide sufficient information by themselves for moral judgment. Though, to use Hume's example, Oedipus killed Laius and Nero killed Agrippina, we only call the latter event criminal because we ascribe certain intention and knowledge to Nero that we do not to Oedipus. As Hume explains, observation of an act of killing, for example, cannot provide the necessary criterion for naming the action murder because, "While we are ignorant whether a man were aggressor or not, how can we determine whether the person who killed him be criminal or innocent?"²³⁴

At the heart of these Humean arguments is the premise that in order to describe events as actions, mere empirical observation is not enough. MacIntyre develops this premise saying, "In order to identify an action as distinct from a bodily movement, the intention embodied in the action and the meaning the agent attaches to what he is doing must be understood."²³⁵ It is not simply that, as Hume noted, we need to know about intention, among other things, to make moral judgments, rather, we need to know, or at

least have grounds for assuming, intention in order to name actions as such. This is because “the same overt behavior may be the expression of quite different beliefs, intentions, attitudes, and emotions.”²³⁶ The task of the observer in rendering this overt behavior intelligible as a given action is to determine the beliefs, intentions, attitudes, and emotions that are, or were, determinative. That is, the goal of the observer is not just to assign any one of a range of possible descriptions to an action, but to assign the one that as accurately as possible captures the agent’s own understanding of the action.

Though the Marxist historian might insist that he can more accurately characterize an individual’s actions than can the agent himself given the agent’s embeddedness in the ideology of his time and place, such insistence is not available for application to Marx’s initial, foundational observations of the actions of pre-societal individuals. Ideology and false consciousness arise from the actions of these individuals; these actions are the key to understanding ideology and false consciousness and therefore cannot themselves be influenced by these distorting factors.

Thus, to describe accurately and appropriately the actions of these first individuals as cooperation and the formation of families, these descriptions must not only be intelligible to the observer as such, they must also be determinative for these individuals.

MacIntyre’s concern in making the above points is to show that in naming certain events as actions we are both assuming something about these events and engaging in a purposive practice ourselves. What we are assuming about these events is that they are directed toward some specific end rather than simply following from a certain cause.

The practice we are engaging in is rendering the action intelligible for ourselves so that we can name it properly and perhaps respond accordingly. As I hope to explain, this practice is different both in content and purpose than basic description.

In arguing for this distinction MacIntyre responds to J.B. Schneewind who had written, “We may adequately explain some movements by saying (e.g.) that the person is dancing a jig and we can explain what a jig is without telling a story.” Schneewind was arguing, in effect, that it is possible to give basic descriptions of actions that are neither evaluative nor dependent on context for intelligibility. Yet, contrary to his intentions, his use of this example actually helps to make MacIntyre’s point that “rendering a particular sequence of actions intelligible always presupposes some degree of assumption about the narrative context of that sequence.”²³⁷ Though we (some of us anyhow) may be able to understand what sort of bodily motions a person means to describe in saying that so-and-so danced a jig, it is nevertheless not at all clear that this would always constitute an adequate explanation of these movements. This description may help to paint a mental picture for someone, but this alone does not make it an adequate explanation of the action. Part of the reason for this is that in naming the event an action we ascribe intention to the actor.

When MacIntyre writes, “Someone’s dancing a jig during a philosophical discussion, for example, is *prima facie* unintelligible,” it may seem as if he has just proved his opponent’s point for him. After all, we (some of us) may be able to picture exactly what this might look like and we might conclude, therefore, that if someone were to say, “Joe danced a jig in the seminar today,” he would have given an adequate

explanation of the day's events. However, given that this sort of behavior is entirely inappropriate for a seminar, and no extenuating circumstances render it temporarily appropriate, and no one dances jigs in this community at any time anymore, naming the behavior as the dancing of a jig may be inaccurate however well it evokes the right image. Let me offer three examples to illustrate why this is so.

It might be that Joe's behavior was the unfortunate result of some sort of seizure that caused his body to convulse in a way resembling the dancing of a jig. In this case, as the behavior was involuntary, it is inaccurate, and inadequate, to ascribe intention to Joe by naming the behavior as the specific act of dancing a jig.

Or, it might be that Joe had a strong dislike for the lecturer and decided to protest the lecture by disrupting the seminar with the most absurd behavior he could imagine. In this case, it would perhaps be accurate to describe Joe as dancing a jig, but it would still be inadequate. A more accurate, and intelligible, description of Joe's behavior would be to say that he protested the speaker by disrupting the seminar with the dancing of a jig. Describing his behavior as the dancing of a jig would be accurate but only secondarily so. Instead, naming his action a protest would be a more accurate and intelligible description because the protesting was the determinative intention for the agent and protest is intelligible in such a context, however unusual it may be to do so by dancing a jig.

Naming an action adequately requires both that the actor intended to so act, in other words, he understood himself to be performing this act, and so naming the action must render it intelligible to others. Thus, in a third example, it might again be the case

that, unbeknownst to all observers, Joe just decided to get up in seminar and dance a jig. It would, therefore, be accurate to name his action as the dancing of a jig. However, it would still be inadequate for an observer to so name his action because given its inappropriateness and the observer's lack of relevant information, it remains unintelligible. A third party, upon hearing of this strange behavior, might be able to picture the scene if it were described as "Joe dancing a jig in seminar," but this third party would not be able to understand this behavior. In fact, if his disruption were to remain unexplained, it might be the sort of thing that would lead us to describe Joe as insane and therefore refrain from considering his behavior as rightly called an action because of his lack of any intelligible intention.²³⁸

As Wittgenstein has written, "a great deal of stage setting in language is presupposed if the mere act of naming is to make sense."²³⁹ Given the inappropriateness of dancing a jig in a seminar setting, without more information than can be obtained through simple observation, naming this odd behavior as the dancing of a jig is premature and cannot accomplish the purpose of the practice of naming, which is to render intelligible the recipient of the name.

Augustine makes a parallel argument in The Teacher, and his approach may help to illuminate the issue. In this section, Augustine is discussing words and signs and how we come to know things. He makes the point that "I do not know that any sound I may hear is a word until I know what it means. Knowledge of words is completed by knowledge of things, and by the hearing of words not even words are learned."²⁴⁰ Words are signs for things and can be used to signify a thing. However, as Augustine notes, "If

I am given a sign and I do not know the thing of which it is a sign, it can teach me nothing.” So, at least two conditions are necessary for the use of a word to signify successfully. The hearer or reader of the word must know that the sound or scribble is a word, and he or she must already be conscious of the thing signified.

Just as words signify, actions can communicate intentions. Naming an action properly is grasping the determinative intention signified by the action. Yet for a perceiver to grasp the intention signified by an action, he or she must recognize the action as such, that is, as intentional behavior, and he or she must be familiar with the particular intention that is signified. So, for example, in order to recognize an eye closing as a wink, I must perceive that this is intentional behavior, and not involuntary blinking, and I must be familiar with the practice of subtly communicating common recognition of some otherwise hidden fact, or of slyly communicating attraction.

Augustine is only concerned with the signifying of objects, which can be perceived as such through simple observation, but following his reasoning can be instructive in thinking about the signifying of actions. Before I can understand “dog” to be a sign of something, I have to have first identified the object that is signified and at least given it a place-holder name such as “that thing.” I do not, however, have to have any special knowledge or experience to pick out a dog as a thing. But as the preceding example shows, recognizing an action as such requires more than simple observation.

Picking out an action as such requires experience and knowledge of context. One fluid movement might encompass several distinct actions. For example, in one motion of my hand I might succeed in waving, smoothing my hair, and scratching my ear. If I am a

third-base coach in a baseball game all of these apparent actions might actually be described more accurately as putting on the hit-and-run. None of these actions can communicate intention to an observer unless the observer recognizes them as distinct actions and is able to place them in the context of normal practices. Naming is, then, a normative practice. The reader will recall that Vico argued that the ability to name follows from an appreciation for the concept of law, that is, from having the concept of regular, determinative behavior, either of things or persons.

If this account of the practice of naming is accurate, it calls into question Marx's attempt to find the key to seeing past ideology by means of a purely empirical examination of pre-social and pre-conscious individuals. Not only is there no way to account for the ability of these individuals to act intentionally given their own freedom from any context giving tradition, there is no way to account for the ability of the ideologically free historical observer (Marx) to recognize the actions of these individuals as such or to name them as cooperation or the formation of families.

MacIntyre writes, "the social scientist will either accept what ordinary agents say about their actions or he will insist that he is able to characterize their actions in ways not available to them, and superior to them."²⁴¹ This captures to some degree the opposing approaches of Vico and Marx. I have argued against the plausibility of Marx's foundational premises that provide Marx with his key to characterizing the actions of historical agents in ways (allegedly) superior to their own. Without his philosophical Rosetta stone, Marx has no grounds for claiming interpretive superiority.

If one accepts this conclusion there are three apparent remaining alternatives for the would-be historian or social scientist. The first is despair. I will address this option briefly below. The second apparent alternative is to supplement empirical observation with an appeal to some sort of metaphysical framework. I will show that such an approach is only apparently an alternative because it remains susceptible to the same criticisms to which Marx's method succumbs. The final alternative is Vico's, or at least something very much like it.

Supplementing empirical observation with a metaphysical framework may, if one finds the framework plausible, be helpful in accounting for the naming of objects, but, unless the metaphysical framework includes a stipulation of hard determinism, will not aid in the recognizing and naming of actions. By "metaphysical framework" I have in mind something like Plato's theory of the forms, Cartesian clear and distinct ideas, or Kant's story of the necessary conditions and means of judgment.

Though such metaphysical frameworks might purport to account for our ability to name objects by judging them to be instantiations of a certain universal, or concept, or form, they cannot provide a criteria for naming actions. This is because, as I have shown above, in order to name an action one must perceive or deduce the determinative intention, observation of overt behavior is not sufficient. Metaphysical frameworks help to account for judgment concerning objects of experience by providing an object of knowledge or a necessary structure of thought our awareness of which explains our ability to recognize and classify these objects of experience. Yet recognition of, or familiarity with, a particular form of overt behavior is insufficient for judging the

behavior to be a particular action because it is the agent's intention that gives the action its name. The same overt behavior may properly be described as the performance of different actions in different circumstances just as the same action may be performed through different manners of overt behavior.

Kant shows awareness of precisely this inefficacy of metaphysical frameworks for enabling the naming of actions in the Grounding for the Metaphysics of Morals.²⁴² In this work Kant argues for a metaphysical foundation for defining good behavior and offers his famous categorical imperative in its various formulations. A morally good action, he says, is one motivated solely by duty. Though he argues with confidence that this is the case, he is less confident in our ability to recognize good actions as such. Even when, in our examination of our own actions, we can find no other motivation than duty, "there cannot with certainty be at all inferred from this that some secret impulse of self-love, merely appearing as the idea of duty, was not the actual determining cause of the will."²⁴³ I might be able to define what it means to be a morally good action with the aid of reason alone, but I cannot recognize a morally good action when I see one, or perform one myself, with the aid of reason alone because such a judgment requires me to perceive intention.²⁴⁴

Though it may not be so hard to identify our intentions when we do not purport to act in accordance with duty, the significance of this passage is to show that even Kant, who offered a justification for naming objects of perception, did not claim that his metaphysical framework could account for the naming of perceived behavior as specific actions. The ability to make these sorts of judgments comes only with experience;

persons do not possess this capacity for judgment of actions qua persons, but only as particular persons situated in particular times and places and, most importantly, context providing communities.

Having dismissed the possibility of supplementing empirical observation with a metaphysical framework to provide for the naming of actions, we return to the remaining two options: despair or Viconian imagination.

One might consider the obstacle of discerning the intentions of others to be insurmountable and despair of ever having confidence in one's interpretation of others' actions. This could take several forms. The first would be a radical skepticism, an acceptance of the impossibility of understanding others. Such a skepticism would mean more than just admission of fallibility. Without any standards or guidelines for even approximate interpretations, there would be no way to judge interpretations as probable, let alone certain.

The second form this despair might take I call epistemological relativism. Because there is no set criteria for interpreting behavior, one might conclude, each person's interpretation is true for them, or at least as good as anyone else's. A less drastic variation of relativism would be what I call epistemological cultural relativism. On this view there is reasonable chance of success in interpreting the actions of others within one's own culture, but no basis for confidence when interpreting the actions of those outside one's culture.

None of the above are truly live, practicable options. Neither radical skepticism nor epistemological relativism is feasible because to adopt either would be to give up all

hope of interacting successfully with others. MacIntyre is surely accurate when he writes, "If we did not constantly impute intentions, purposes, attitudes, and emotions to others, we should be at a loss to know how to frame our own. Agnosticism would paralyze us in many situations where we cannot refuse action."²⁴⁵ Much of what we do is in reaction or response to the actions of others or intended to provoke a reaction or response from them. Without imputing intentions to others we would not know how to react and respond, nor would we know how to express our intentions and provoke responses. Epistemological relativism would be no more helpful than skepticism; if either were actually practiced, the choice of one's means of expression would necessarily be arbitrary.

Cultural epistemological relativism may initially appear more plausible, but because cultures are neither geographically discrete nor is cultural membership exclusive, and because cultural practices fluctuate and change over time, this apparent plausibility is chimerical. Such a position would rule out the possibility of learning from previous cultures or other current cultures and would certainly rule out the ability of members of various cultures to interact with each other.

Each of these ways in which despair might manifest itself share the implicit conclusion that others, whether all others, or just others in different times and places, are dissimilar to us to such a degree that their behavior must remain unintelligible to us. Though this conclusion may seem to correspond to at least some of our experiences and may seem plausible, albeit unfortunate, if the foregoing arguments concerning the requisite conditions for choice and naming hold, it follows that we shall have to forfeit

any claim to finding our own actions intelligible if we despair at the possibility of naming the actions of others.

We are able to characterize our own intentions and we choose the means of expressing our intentions according to the social contexts within which we find ourselves. If the actions of our contemporaries are unintelligible, then we will have no criteria for understanding or framing our intentions. We will have no basis for naming impulses, for choosing which impulses to indulge or curtail, and no model according to which we determine how to give expression to these impulses. Furthermore, the standards and practices of a society that provide a framework for naming and expressing intentions are necessarily historical. In other words, they necessarily are understood properly only when recognized as constituent parts of a larger story of a people. As MacIntyre explains, “Narrative history of a certain kind turns out to be the basic and essential genre for the characterization of human actions.”²⁴⁶

Despair is not practical and espousing it is disingenuous because interpreting actions and imputing intention is unavoidable. Yet, concluding that the alternative is unattractive is insufficient evidence that the actions of others, and ourselves, truly are intelligible. The basis for the method or means for rendering actions intelligible remains to be explained, just as it remains to be shown how this method of inquiry is to work. We must also establish standards for authoritative judgment. Such explanation and demonstration are found in the work of Vico. He offers an explanation of how this form of inquiry works and provides an account of how this skill and efficacy in its pursuit might be developed.

I return now to a second look at Vico's science of history and an assessment of what it allows us to do and how it allows us to do it. What his science allows us to do is precisely what MacIntyre argues a method of inquiry into human action must: it allows us to name actions by interpreting behavior and imputing intention. Secondly, his method allows for consistency. We are not forced, as observers, to exempt ourselves from generalizations and explanations we apply to others; we are not required to alternate between descriptions of persons as agents and objects; we do not have to consider historical inquiry, and the practice of social science in general, to involve a distinct type of knowledge, different from the knowledge we tacitly employ in day to day life. Finally, we are able to engage in ordered conventions of reliable, although admittedly not fool-proof, observation and inquiry that is dependent upon, rather than in conflict with, the premise that individual persons can and do act freely.

What we find in Vico's aptly named *New Science* is a way to study human societies and human behavior that allows us to maintain, to borrow a phrase from Rawls, reflective equilibrium. Rawls uses this description in an entirely different context but I borrow it for use now because it is appropriately evocative. Reflective equilibrium refers to a balance or relative equivalence between one's intuitive conceptions and intentions prior to inquiry and the conclusions one reaches through the inquiry. In this specific context, when I say that Vico's way allows us to maintain reflective equilibrium I mean that it does not present us with a picture of the world in which the very objects which we set out to study are absent. It does not lead us to deny in one setting those things that we know most certainly in another.

Clearly, inquiry should lead to greater knowledge than that with which one begins; it would be neither honest nor helpful if it ruled out *a priori* the possibility of discovering that one had been mistaken. Thus, I am not suggesting that reflective equilibrium require simple confirmation of received truths. What I am suggesting, however, is that if we begin an examination of past events or current practices in the hope of gaining a greater understanding of ourselves, our communities, and the communities of others, and the results of our examination are such that the persons and communities are unrecognizable to us because we find no individuals who are intelligible to us as such, this is a sign of a misstep. We study history, both ancient and recent, to understand our world; if our method presents us with a world in which persons are not free, in which behavior is not named according to intention, where the particularities of place and time and community are obstacles to understanding instead of keys to understanding, then our project has failed because we have not gained any insight into our world: we haven't come to understand the world in which we actually live and think and act. We have, then, in effect described a different world and all that makes our lives intelligible to us and that provides our identity is simply denied in this other world; the name "I" is not intelligible in this other world.

Michael Polanyi writes, "when we comprehend a particular set of items as part of a whole, the focus of our attention is shifted from hitherto uncomprehended particulars to the understanding of their joint meaning." This is one way to describe our goal in studying history, that is, to grasp the connections between various individuals and groups and their influences on each other. However, Polanyi continues, "this shift of

attention does not make us lose sight of the particulars, since one can see a whole only by seeing its parts, but it changes altogether the manner in which we are aware of the particulars. We become aware of them now in terms of the whole on which we have fixed our attention.”²⁴⁷ This change in awareness can be instructive and helpful, but it can also lead us astray if, instead of changing the way we are aware of these particulars, by rendering these particulars intelligible, it renames them as beings other than those we set out to study. If, instead of illuminating the particulars with which we were concerned initially, our shift of attention causes these particulars to disappear, then the shift has not aided one’s project.

Vico’s method maintains reflective equilibrium by starting with a close examination of how it is that we actually do make sense our own history. His inquiry begins with, and is motivated by, the basic assumptions that we can know ourselves and that other persons are similar enough to us to be understood by us. The faculty he employs and the procedure he follows for learning about others are the same as those employed and followed by individuals reconstructing their own pasts. He thereby avoids the potential for creating a new world of objects by treating each unit of observation as a subject. Importantly, this avoidance does not entail that the inquiry is restricted to particulars isolated in their particularity. Such a result would also fail the test of reflective equilibrium because of its failure to appreciate the assumption of commonality that motivates the inquiry.

What allows Vico to navigate between these poles of error is his conception of freedom. Once again, Vico arrives at this conception of freedom through an appreciation

of his own freedom, not as he might abstractly imagine it to be, but by reconstructing how he actually has experienced it. He does not invent an unfamiliar type of freedom; he neither conceives of free behavior as indeterminate, as Marx seems to, nor as necessarily uniform, as does Kant. The self-knowledge upon which he draws in articulating this conception is recognizable and experienced in and for its particularity; the self that is known is not a stripped down, abstract Cartesian ego to which the name “I” has never truly been applied.

The experience of freedom is the experience of choice, but it is not the experience of a bewildering obligation to create objects of choice and assign them value, nor is it the experience of being unencumbered by any particularity. The latter description is not even intelligible because experience is something that happens in time and place to some specific person: I can only have my experiences and I always exist in a given place at a given time. My experience of freedom is always my considering how *I* am to act in the circumstances in which *I* find myself. Colin Gunton articulates this truth about our experience, saying, “our human freedom is in large measure what we make of our particularity; it is what you and I do, or would do, as distinctly ourselves, and not as some one else.”²⁴⁸ This deliberation can only take place within the context of my life and the world that I am able to see. When MacIntyre writes, “I can only answer the question ‘What am I to do’ if I can answer the prior question ‘Of what stories am I a part,’ he makes explicit one of Vico’s fundamental insights.²⁴⁹ My knowledge of myself consists of an understanding of the stories of which I am a part. I can understand my own past actions by reconstructing my own thoughts, intentions, projects, and so forth

according to their place in my story and its connection with the stories of others. The fact that, as MacIntyre notes, in life “we enter upon a stage which we did not design and we find ourselves part of an action that was not of our making,” does not mean that we are not free. Instead it is what makes freedom so valuable and choice intelligible.²⁵⁰

Hamlet’s soliloquy is only so powerful because of both the inescapable and nearly unbearable particularity of his place in a story he did not start and the freedom he must exercise as the co-author of this story. The significance of Vico’s insight is his recognition and designation of the faculty of the intellect that leads to the type of knowledge that we have of “what it must have been like to be Hamlet,” as the appropriate mean of historical inquiry.

Vico’s method presents a third way, an alternative to the false dichotomy presented by Marx. As I have described above, Marx adamantly declared that his science would not proceed from the heavens downward, but from the ground up. The contrast he meant to draw was between his approach and science that begins with abstract reasoning about universals and continues by naming objects in the world according to these universals. The alternative, which he takes and seems to recognize as the only alternative, is to begin with pure empirical observation and form conceptions of universals according to perceived patterns and laws. I have presented arguments against the plausibility of the latter method, as well as explained how the former fails to appreciate sufficiently the significance of particularity. Thus, I want to emphasize that Vico does not accomplish this reflective equilibrium in his science by appealing to some vague concept of reason, a convenient *deus ex machina*. Instead, he identifies and

explains a hitherto unnamed, but not unused, faculty of the intellect, as well as the type of knowledge towards which this faculty is properly directed.

According to Vico, *fantasia* is the faculty that is employed in rendering actions intelligible. The fruit of its exercise is not the equivalent of standard Enlightenment conceptions such as Descartes' "clear and distinct ideas," or Voltaire's *le bons sens*, which are question begging in their simplicity and admit of no standards for authoritative judgment. Rather, the end it pursues is knowledge of "what it must have been like."

Fantasia is essential for human thought, but is not an ontological certainty, necessarily attached to the substance of humanity. Rather, it is something that humanity has gained through participation in community and is something that could be lost; it is also not something that allows for easy, obvious judgment. Possession of the faculty does not entail authority or expertise; *fantasia* admits of degrees. In fact, Vico suggests that this method of inquiry may be quite difficult and criticizes Descartes for seeking to "know everything in the shortest possible time and with the least possible effort."²⁵¹

Vico named and explained a faculty of the intellect and a type of knowledge that had been universally used but not universally recognized. The faculty of *fantasia* is that which we use in remembering our own past, which is essential for understanding who and where we are in the present, and which in turn allows us to name our options and decide on action. It is the faculty upon which we rely in our interaction with others; it is essential for moral judgment.²⁵²

Critically, Vico's contribution goes beyond the mere naming of this faculty. Merely naming this faculty would have left it ungrounded and subject to the same

objections that are so devastating to systems of inquiry that appeal simply to a faculty called “reason.” Specifically, such systems are confronted with questions about how to account for authority, for difference, for error, and about the nature of the objects of knowledge. Platonists have to explain the existence of the forms; Kantians have to explain the anthropological findings that challenge his claims of the necessity of certain categories of thought; enlightenment rationalists have to explain their own disagreements about the nature of reason and philosophers such as Voltaire have to explain why so many people just don’t seem to possess the ability to reason well and how one can tell the difference between those who do and those who do not.

What enables him to avoid these types of objections is that Vico’s explanation of the faculty of *fantasia* depends upon his treatment of personhood as a way of being rather than a property a thing has. Understanding personhood, then, is also a way; it is a way of relating and interacting with persons that is itself an aspect of personhood. In contrast, it is Marx’s quest to identify empirically the property of personhood that leads him to make the same metaphysical mistakes for which he rightly criticizes others. This mistake results in the effort to isolate this property of personhood from its particular embodiment in an attempt to see personhood as it never actually is or could be. This effort in turn results in the neglect of all of the apparently accidental features of personhood that Vico correctly recognizes as necessary for understanding the behavior of any given person.

Additionally, this understanding of personhood as a way of being, as opposed to a property, is what alleviates the formidable problem of establishing through

hypothetical empirical observation the basis for claims about the qualities of personhood. The inevitable question that arises in response to a theory such as Vico's is that of how these practices began in the first place. Vico offers a story about the response of early humans to God's commands. Yet, the plausibility of such a story is not critical for establishing the efficacy of the overall system of inquiry because the plausibility of the system is provided by actual personal experience and not by evidence about the origins of society. Whereas in Marx's philosophy, the premises about the actions of the first individuals provide the key for understanding the subsequent behavior of persons and societies, in Vico's philosophy, his speculation about the first individuals does not function as a necessary premise in his argument for his method.

Because Vico recognizes personhood as a way of being rather than a property, he is able to recognize the dependence of *fantasia* on participation in specific ways of life, or practices. The three specific practices are marriage, burial, and religion. The significance of these practices, which Vico says are common and essential to all communities, is that they provide a system of ends and roles, thereby supplying a basis for naming, for normative judgment, and for identifying individuals according to their relations with others.²⁵³ Participation in these fundamental practices results in a common *orientation* that, despite the admittedly great differences in the particular ways these practices are performed, allows us to see the world that others see; it allows us to see both from where they see and with the same categories.

Developing this ability to see as others do requires first an appreciation of difference, which is necessary for approaching one's inquiry with the appropriate

caution and humility. It also calls for experience and wisdom; the greater the breadth of one's own experience the greater the possibilities one can imagine and the greater vocabulary one will have for naming the projects of others. The desired end is what Isaiah Berlin describes as, "the exercise of judgment, a form of thinking dependent on wide experience, memory, imagination, on the sense of 'reality,' of what goes with what, which may need constant control by, but is not at all identical with, the capacity for logical reasoning and the construction of laws and scientific models."²⁵⁴

The development of this ability is very much akin to the development of Aristotelian intellectual virtues. It is appropriate, then, that in approaching historical inquiry we follow Aristotle and "first agree that any discussion on matters of action cannot be more than an outline, and is bound to lack precision; for as we stated at the outset, one can demand of a discussion only what the subject matter permits, and there are no fixed data in matters concerning actions and questions of what is beneficial any more than there are in matters of health."²⁵⁵ With this in mind, I will proceed in the next and final chapter to consider how an acceptance of Vico's method might inform an approach to sorting through the data and arguments presented in the first chapter with the goal of growing in our understanding of such a momentous event as the ratification of the Sixteenth Amendment.

²²⁷ MacIntyre, Alasdair. "Ideology, Social Science, And Revolution." Comparative Politics, Vol. 5, No. 3, Special Issue on Revolution and Social Change. April 1973, 321.

²²⁸ MacIntyre "Ideology" 322.

²²⁹ Marx, Karl. Marx, Karl. "The German Ideology." Ed. Robert C. Tucker. The Marx-Engels Reader, Second Edition. New York: W. W. London & Company, 1978. 155.

- ²³⁰ Marx “German” 156.
- ²³¹ Marx “German” 157.
- ²³² Marx “German” 158, 154.
- ²³³ Hume, David. An Enquiry Concerning the Principles of Morals. Ed. P.H. Nidditch. New York: Oxford University Press, 1992. 306.
- ²³⁴ Hume 290.
- ²³⁵ MacIntyre “Ideology” 323.
- ²³⁶ MacIntyre “Ideology” 328.
- ²³⁷ MacIntyre, Alasdair. “Intelligibility, Goods, and Rules.” The Journal of Philosophy. Vol 79, No. 11. Nov. 1982. 664.
- ²³⁸ Andy Kaufman’s humor was often like this. Observers did not know how to name his actions even though on a certain level they were quite ordinary; because of lack of context the otherwise ordinary behavior seemed strange and unintelligible.
- ²³⁹ Wittgenstein, Ludwig. Philosophical Investigations. 3rd ed. Trans. G.E.M. Anscombe. New York: The Macmillan Company, 1968. 257.
- ²⁴⁰ Augustine. “The Teacher.” Philosophy in the Middle Ages, Second Edition. Ed. Arthur Hyman and James J. Walsh. Indianapolis, IN: Hackett Publishing Company, 1973. 31.
- ²⁴¹ MacIntyre “Ideology” 335.
- ²⁴² Kant, Immanuel. Grounding for the Metaphysics of Morals. Trans., James W. Ellington. Indianapolis: Hackett Publishing Company, Inc., 1993.
- ²⁴³ Kant 19.
- ²⁴⁴ One might respond that Leibniz, for example, offers a metaphysical framework that would provide for the naming of actions. However, as his system is deterministic and is therefore not concerned with the naming of free actions, I do not consider him to be engaging in a similar project to my own.
- ²⁴⁵ MacIntyre “Ideology” 329.
- ²⁴⁶ MacIntyre, Alasdair. After Virtue. 2nd Edition. Notre Dame, IN: Notre Dame University Press, 1984. 208.
- ²⁴⁷ Polanyi, Michael. The Study of Man. Chicago: The University of Chicago Press, 1965. 29-30.
- ²⁴⁸ Gunton, Colin. The One, The Three And The Many: God, Creation And The Culture Of Modernity. New York: Cambridge University Press, 2000. 62.

²⁴⁹ MacIntyre After 216.

²⁵⁰ MacIntyre After 213.

²⁵¹ Brehier, Emile. The History of Philosophy Volume V: The Eighteenth Century. Trans. Wade Baskin. Chicago: The University of Chicago Press, 1971. 54.

²⁵² *Fantasia* is what Graham Greene's whisky priest is talking about when he says that "hate is just a failure of imagination." Greene, Graham. The Power and the Glory. New York: Penguin Books, 1990. 131.

²⁵³ See Chapter 2 for an account of how this works.

²⁵⁴ Berlin, Isaiah. "The Concept of Scientific History." Concepts and Categories. Ed. Henry Hardy. New Jersey: Princeton University Press, 1999.

²⁵⁵ Aristotle. Nichomachean Ethics. Martin Ostwald, Trans. New York: MacMillan Publishing Company, 1986. 35 (1104a).

CHAPTER VII

CONCLUSION

After beginning this dissertation with a discussion of a concrete historical development of considerable import, namely the ratification of the Sixteenth amendment to the Constitution, and the circumstances surrounding this development, I proceeded to offer arguments that have been largely technical and theoretical. I want now to display some of the practical implications of these technical and theoretical arguments for the study of this historical event as well as for framing current public policy debates. I shall begin by returning briefly to the history of the Sixteenth Amendment and reframe the basic challenges before us in our attempt to understand how and why it came about as it did and then suggest some ways in which Vico's approach illuminates this story. Finally, I will end by presenting an example to show how Vico's approach to historical inquiry might actually be practiced.

As discussed at length in the opening chapter, the story of the national income tax in the United States begins many years before the ratification of the Sixteenth Amendment. The process was a long one, involving many people, ideas and factors. Even a modicum of humility would lead a historian to deny any hope of providing a definitive, comprehensive explanation. As Isaiah Berlin writes in *The Hedgehog and the Fox*, such an explanation is for us impossible

because the number of causes upon which events turn is too great for human knowledge or calculation. We know too few facts and we select them at random and in accordance with our subjective inclinations...The more we know about the circumstances of an act, the farther away the act is from us in time, the more difficult it is to think away its consequences; the more solidly embedded a fact is in the actual world in which we live,

the less we can imagine how things might have turned out if something different had happened. For by now it seems inevitable: to think otherwise would upset too much of our world order.²⁵⁶

On first reflection, that an event such as the ratification of the Sixteenth Amendment would come to pass when and how it did seems almost necessary, as if it clearly follows from those selected factors that we know preceded it. Still, if we are honest, we know that there must be innumerable unknown events and circumstances and persons that were critical in the process, many of which might seem banal and which, if their significance were fully appreciated, might remove some of the luster from the event and some of the glory from those players we have identified as influential. Seemingly inconsequential events such as someone catching a cold, or a letter being lost in the mail may have had more to do with the way our story played out than some grand speech which we would like to think was of crucial importance.

Pessimism is certainly warranted if we understand the task of the historian to be that of discovering the exact causes of not only the eventual occurrence of some great event, but the occurrence in the precise manner, place and time that it actually happened. If we want to know why the Sixteenth Amendment was ratified on the day it was, and exactly why each voter in each state voted the way he did, we shall search in vain and without end.

But what if we are less ambitious and seek merely to identify the decisive factors that made the difference between the event happening and not happening? Though such an endeavor might not satisfy fully the curiosity of the professional historian, perhaps it would suffice to aid current political actors and observers by providing lessons

applicable to current and future policy initiatives. This sort of approach to history, seeking to discern parallels between the past and present that would inform decision making today is what Hegel calls “pragmatic history.” He is dubious about the potential of even this less ambitious approach. He writes

Rulers, Statesmen, Nations, are wont to be emphatically commended to the teaching which experience offers in history. But what experience and history teach is this—that peoples and governments never have learned anything from history, or acted on principles deduced from it. Each period is involved in such peculiar circumstances, exhibits a condition of things so strictly idiosyncratic, that its conduct must be regulated by considerations connected with itself, and itself alone. Amid the pressure of great events, a general principle gives no help. *It is useless to revert to similar circumstances in the Past.* The Pallid shades of memory struggle in vain with this life and freedom of the Present. Looked at in this light, nothing can be shallower than the oft-repeated appeal to Greek and Roman examples during the French Revolution. Nothing is more diverse than the genius of those nations and that of our times (emphasis added).²⁵⁷

If each period truly is involved in circumstances peculiar to the time and if conditions of things are so idiosyncratic as Hegel claims, then perhaps it is a fool’s errand to look for lessons in history. Searching for a general principle to follow and apply must be a wasted effort if Hegel’s description of the difference between periods is accurate. Even if we could discern a principle from study of the past, it would be principle only applicable to the unique situation from which it was drawn.

I want to suggest, however, that the study of history is not in vain, and that a pragmatic approach to history is worthwhile and can be fruitful. Although we may not be able to find a general principle to follow when trying to reproduce events of a certain kind, there may be other important things we can learn from history to help us today.

Applying lessons we find in the work of Vico can help us salvage such a project, though to appreciate how this might be we will have to change the questions we ask as well as the method we follow in pursuit of answers to these questions. In what follows I offer a sketch of the nature of, and means for, study of the Sixteenth Amendment, informed by my understanding of what Vico has to teach us.

A critical point to make in this sketch is that our object of study should shift from the event of ratification itself, to the people surrounding the event. We should remember that the type of knowledge we are to seek in historical inquiry is not precise knowledge of cause and effect, but understanding, specifically understanding of “what it must have been like” for the people we are studying. Rather than viewing the ratification of the Sixteenth Amendment as a discrete event whose exact causes we hope to uncover, it may be more useful to see it as a sign of a change in the attitudes and thought of the American people. Ratification of an amendment to the Constitution is a vote of approval of change. Our project, then, will be to come to understand the change as they saw it, to understand why they made the change, and how the change affected these people in the years following. We will want to know the changes that made such an amendment possible, and why they happened, not necessarily the precise factors that led to its ratification on February 13, 1913.

Our first step, and part of avoiding the pitfalls of which Berlin warns, is to see the ways in which our object of study was not inevitable, not to be expected, and somewhat peculiar. For example, income taxes had been levied in other countries at other times, but never before in a democracy. It might be unremarkable that a dictator

would impose a tax on the incomes of his people; but it is a different matter for people to impose such a tax on themselves. We should also ask how it is that something that was apparently unthinkable, and evidently unthought, at the time of the country's founding, and which gained little popular traction the first few times it was proposed, came to be something that was accepted and desired by most of the country. When Secretary Dallas suggested a national income tax in 1815 the response was silence. Less than a century later Congress approved an amendment to the Constitution and over 80% of the states supported this change that would allow for a federal income tax.

What changed in the way people thought about themselves and their government that made them first consider and then approve taxation according to one's ability to pay rather than according to one's purchases or behavior? As both Buenker and Weisman tell us, an important factor influencing the acceptance of this tax was the newly popular view that fairness in taxation did not demand precisely equal contribution of dollars but contribution of an equal share of one's income. In fact, prominent advocates of this amendment such as William Jennings Bryan and Theodore Roosevelt appealed to the fairness of the income tax and their overall concern for social justice, which itself was a relatively new concept. Thus, understanding the ultimate change in the method of taxation will entail explaining the shift in the use and understanding of words like "fairness" and "justice" that made previously unsuccessful arguments into convincing, persuasive cases for change.

A further observation that seems readily apparent, yet is not so easily explained, is that there seems to have been a change in the general population's sense that a federal

income tax was in their best interest, in addition to its being the fair way to raise money. It is not hard to see why the average, non-wealthy person would find the income tax financially preferable to the tariff system; the income tax would be much easier on the pocketbooks of the working class. This fact about the tax was not new, however, and therefore cannot alone explain their change in attitude. A federal income tax would give greater power to the government in Washington. Though one can understand why the lawmakers and executives in Washington might favor the tax for this reason, it is not immediately clear why the people in the state legislatures would determine that this tax was in their interests as well when for so long they had felt differently.

One factor that we know did change in the years immediately prior to the ratification of the Sixteenth amendment was the federal government's per capita spending. This spending increased sharply as the nation's population did the same. That this was a factor is intuitive, but the way in which it was a factor is less certain. An equally conceivable response to the increases in spending would have been a demand to cut back rather than a call for new taxes. It seems as if a change in the way people viewed the role of government in their lives had something to do with their acceptance of the government's greater spending and corresponding need for revenue.

If we can come to understand the changes in the way people thought about fairness, self-interest, and government we might begin to understand those factors that made the Sixteenth amendment possible. What we discover might also guide us in our look at how the income tax affected the populace. If, for instance, we find that changes in the three fundamental institutions led to changes in the way people thought, this will

direct us to examine how the result of these changes, namely the ratification of the Sixteenth amendment, in turn affected these institutions, with one possible outcome being a better understanding of other events and changes in the past century.

Having framed our project of understanding the ratification of the Sixteenth amendment as, fundamentally, an attempt to understand why people changed their minds about certain basic concepts, a quick look at alternative approaches to this attempt will illustrate the attractiveness of Vico's method. One of our choices for explaining these changes in thinking is that the people's ability to reason changed: for better or worse, their ability to reason using the basic concepts of fairness, self-interest, and government, changed. Perhaps they came to recognize the true meanings of the concepts of fairness and self-interest and finally understood the correct role of government. Or, perhaps their previous understanding was more accurate and they forgot what they had known. Maybe the true meanings of these concepts, previously obscured in one fashion, came to be obscured differently because of changes in the modes of production. On any of these accounts, one proposing such a story would have to provide some explanation for the independent ontological status of these concepts as well as claim some privileged understanding of these concepts unavailable to those persons who are the objects of our study. Difficulties with and objections to these sorts of positions have been detailed in previous chapters.

Vico's method has in its favor fewer ontological commitments and more humble estimations of the observer's intellectual prowess and perspective. This method seeks

explanations for changes in ways of thinking by examining changes in the contexts and settings in which the concepts in question were used and understood.

The faculty we must employ in our application of Vico's method is imagination; we must try to see the world as our subjects saw it. We must search for those factors that altered their vision and with it their thought about fairness, taxation, and the role of government, among other things.

The key to exercising our imagination, that condition which provides a window into the minds and lives of the people we are studying, is our participation in the three fundamental institutions of human society. The fact that we share with the citizens of the late 19th and early 20th centuries a similar framework of consciousness and moral orientation shaped by our participation in the institutions of marriage, burial, and religion allows us a starting point for understanding the world as they experienced it. This also gives us some guidance in our search for understanding differences between their vision and ours insofar as it directs us to look into changes in the practices constitutive of these institutions as bellwethers for changes in ways of thinking.

What I must make clear at this stage is that this call for using our imagination is not a suggestion that historians retire to the armchair to daydream or speculate about the Sixteenth amendment. History is unquestionably an empirical endeavor. The role of the imagination is to guide empirical investigation and to inform our understanding of the significance of empirical findings.

I suspect that many of the items identified by historians as significant factors in the ratification of the Sixteenth amendment have been identified accurately. Where I

think Vico's insights can help is in our ability to grasp the ways in which these factors were influential. When scientists came to understand the process of photosynthesis, their discovery was not that sunlight was a factor in the growth of plants. That plants need sunlight had been known for ages; what was new about the discovery of photosynthesis was the appreciation for the *way* in which sunlight helped plants grow. I propose that what we can learn from Vico about studying history is analogous to what scientists learned about plants in their discovery of photosynthesis. It is likely that historians have been exactly right in identifying industrialization, economic developments, and population shifts, among other things, as major factors leading to the eventual acceptance of the federal income tax. The contribution I hope to make with this dissertation is to describe a way of understanding the connections between such factors and the thoughts and reasons that move people to choose and act.

Once we recognize and appreciate the relationship between reason and practice, and we grasp the significance of the role of our participation in basic human institutions such as the family in shaping our thoughts and concepts, we can begin to see the manner in which those factors that our intuition identifies as significant actually influence change. Rather than being forced to choose between an assumption of determinism and study of material conditions on the one hand and a commitment to human agency and the study of reasons on the other, the arguments I have made in the preceding chapters provide the basis for a method of historical inquiry that traces the development of reasons to changes in the structure and practices of fundamental human institutions. Because we too are shaped and formed by our participation in these institutions, we can,

through the exercise of the faculty of imagination, understand how factors such as urbanization, for example, might affect the family structure and its practices. With some effort we can also imagine how changes in family structure and practices might, in turn, change the nature of relationships and familial roles that inform people's concepts of duty, obligation, fairness, responsibility, and self-interest, for example. The insights we gain through such inquiry may not always, or ever, supply neat explanations for the events we study; we cannot hope our conclusions will rise to the level of certainty attained in some other fields. Still, as we develop our method and improve our imagination, perhaps our capacity to devise effective policy, influence change, and anticipate the consequences of particular policies will also improve.

Improving our ability to anticipate the consequences of policy may be the most valuable result of adopting this approach to historical inquiry. Directing our attention to changes in the practices of the basic institutions in search of an explanation for political or moral change may condition us to consider the influence of potential policies on these same institutions, thereby giving us a key for anticipating unintended consequences of said policies.

As I conclude this dissertation I want to present the reader with an example of how the principles of historical inquiry I have advanced might look in actual practice. In what follows I will summarize some findings detailed in a demographic report titled *Theory of Fertility Decline* by John C. Caldwell.²⁵⁸ I have two purposes for highlighting this particular study. The first is that it demonstrates how changes in policy can bring about changes in family practices and family roles thereby changing people's

understanding of self-interest, the family, and the government. The second purpose is to suggest a possible connection the types of changes described in this study and the changes in American society that set the stage for the ratification of the Sixteenth Amendment.

Caldwell's book is long and full of empirical data and sophisticated arguments; I cannot do justice to his entire thesis in my space here. However, I do think that even a brief exposition of some of his main points will help to explain the practical import of this dissertation.

Caldwell's topic is fertility decline; specifically he is interested in explaining the regular occurrence of falling birth rates in societies as they become modernized. "The mainstream arguments," explaining declining fertility arguments, he says, "are that fertility is high in poor, traditional societies because of high mortality, the lack of opportunities for individual advancement, and the economic value of children." There are some reasons to question these arguments, though. Of these, "the most fundamental issue is whether the theory actually deals with reactions and accommodations to material circumstances. There is a persistent strain in demographic transition theory writings that claims that rationality comes only with industrial, urban society."²⁵⁹ Caldwell quotes the United Nations *Population Studies* to support his characterization, "' The entire process of economic and social development... itself changes people's outlooks from traditions and fatalism towards modern concepts and rationalism.' "²⁶⁰ This approach is inadequate, he thinks, and he attempts to show why.

Caldwell identifies one of the sources for this mistaken approach as a failure to appreciate the rationality of the community prior to the change that these theorists are seeking to explain. A criticism he repeats throughout the book is that too often these observers have studied only the change itself and the resulting conditions and not the conditions prior to the change. The result is a failure to appreciate that certain concepts form and new options emerge as objects for consideration only after certain other changes happen. Let me give an example. Discussing popular theories about the transition from family-based communities to the emergence of a State, Caldwell says, “It sounds as if an interest within the traditional family in national and international affairs produces a new economy and new state apparatus... rather than a non-familial economy bringing employees out into a world where these matters are now important to them.”²⁶¹

Because they do not take the time to understand the communities prior to their modernization, such theorists are not able to perceive that those ends which seem rational after modernization are often not even intelligible to members of these communities prior to certain changes in practices and institutions. It is mistaken to attribute changes in fertility rates to newly improved reasoning capabilities; instead changes in fertility rates are signs of changes in perceived options and ends. Another way of stating this claim is Caldwell’s observation that “If much of the behaviour and attitudes measured are merely what the actors do or say in a specific economic context, then the social change scales are meaningless except as evidence of that context.”²⁶² In other words, presentation of such data leaves unanswered the question of why the context changed.

I hope that the reader will begin to see now why I have chosen Caldwell's book to illustrate the practical implications of my more theoretical argument. His insight is to look for data to identify the nature of, and the explanation for, the change of context that takes place in modernizing cultures that leads its members to identify as rational behavior that would previously been irrational.

The specific factor Caldwell identifies is mass formal education. "The primary determinant of the timing of the onset of the fertility transition is the effect of mass education on the family economy."²⁶³ It is not that through education previously ignorant people come to understand birth control and the rationality of reducing birth rates. Literacy, for example, is not the issue. Instead, "The greatest impact of education is not direct but through the restructuring of family relationships and, hence, family economies and the direction of net wealth flow."²⁶⁴ Participation in mass education changes the family in such a profound way that "the first generation of mass schooling appears to be enough to initiate fertility decline."²⁶⁵

Evidence shows that the relevant change is not that children become more expensive with the onset of mass education, though they do to some extent. Nor is it the case that through education parents are made aware of just how expensive children are. The important factor is the direction of something called "net wealth flow." In very basic terms, fertility declines as mass education increases because the wealth that parents invest in their children no longer comes back to them, or to their extended families in the same way as before.

High fertility rates persist in communities where there is a strong family morality, where the family unit, including what we would identify as the extended family, is in many ways self-sufficient. In these families children work and contribute to the family economy. Members of these families are dependent upon each other for all manners of support. Identity is tied very closely to family membership and such concepts as duty and obligation and justice are shaped accordingly. In such families the costs of raising children are offset by the expectation that children not only contribute to the family while they are children but, when they are older, they will care for their parents and grandparents. In communities where modernization takes place but without mass schooling, fertility rates do not decline.

Mass education changes this because, “Schools destroy the corporate identity of the family.”²⁶⁶ They do this by teaching students to understand themselves as citizens, broadening their horizons beyond those of the family, and leading them to see the “immorality of putting family interests first.”²⁶⁷ This sounds like a pejorative description, but I do not think Caldwell intends it this way. Instead, the goal is to relate the change in family relations that takes place when, “it becomes clear that the society regards the child as a future rather than a present producer, and that it expects the family to protect the society’s investment in the child for that future.”²⁶⁸ The family and the child now become dependent upon the society and the society is dependent upon the child. Thus, it is not necessarily that the state seeks to deceive children about moral truth or undermine traditional morality. Rather, the communal understanding of moral terms such as “obligation” change as the practices that provide the context for such terms

change. Once these changes take place, the net wealth flow is no longer positive for parents raising children and having fewer children becomes a rational thing to do.

I am afraid that I cannot do justice to the full persuasive force of Caldwell's data and arguments in this context. I hope that I have at least provided a glimpse of how empirical historical research might be guided by, and through success lend support for, my conclusions about historical changes following from changes in the ways people think which are themselves generated by changes in fundamental human institutions. These changes in the fundamental institutions may be brought about unintentionally and by factors that are *prima facie* innocuous.

Above I noted that I had two reasons for discussing Caldwell's book. I have just explained the first; the second reason is that the very changes he details in his study may have some explanatory value in the quest to understand the Sixteenth amendment. I have already characterized this quest as, in very general terms, an attempt to understand why people changed their minds about the fairness of an income tax and the desirability of giving more power to the federal government. The types of changes that follow from mass schooling are the types of changes that I have suggested might explain the increase in popularity of the federal income tax that led to its eventual enactment.

Caldwell explains that with universal schooling, the traditional family morality is supplanted by a "new, community morality."²⁶⁹ Societies with strong family structures and family-based morality "could be stable without central governments; indeed the demands of governments posed some threat to the familial-based morality that justified the family structure."²⁷⁰ As the family-based morality is weakened, a stronger central

government is necessary to maintain order. This moral system is affected by mass schooling because “it becomes clear that the society regards the child as a future rather than a present producer, and that it expects the family to protect the society’s investment in the child for that future.”²⁷¹ The society is dependent now on the child and the family, but in different ways. Also, because the child is expected to be in school, and not contributing to the economy of the household, the child’s sense of responsibility to the family is diminished. This ultimately leads to lower fertility rates because children provide fewer returns to the family; it also leads families to be less self-sufficient and more prone to develop some dependency on the government.

What we see, then, with the onset of mass education is changes in the way individuals understand their own identity, changes in the way people understand their responsibility to their family and to their society, and in the way they view their society’s responsibility to them. It brings about a need and an expectation of a stronger central government. These changes are among the changes that set the stage for the ratification of the Sixteenth amendment. Interestingly, the proportion of students attending school daily in the U.S. was 35% in 1870, 41% in 1890, and 53% in 1910, a steady increase on its way to 68% in 1930.²⁷² 1909 was the year the amendment passed Congress, 1913 was the year it was ratified. If Caldwell’s thesis is on the mark, it could very well be that changes in education policy were indirectly responsible, along with other factors to be sure, for the eventual acceptance of the federal income tax.

As I wrote above, we should not expect Vico’s method to provide us with neat explanations for political events. Even if my hypothesis about the relationship between

changes in education policy and the ratification of the Sixteenth amendment is accurate, the relationship certainly is not a causal one, nor is it the only important factor we might hope to discover. Certainly more research would need to be done to confirm my hypothesis, but if such confirmation were achieved, this would be a significant step towards a new way to study history, particularly political history. It would also give us good reason to examine common institutional structures and practices of various groups in the hope of understanding why they take the stances they do on certain issues. It might also help us to anticipate the way policies might affect society by guiding us to think about how they would affect institutions such as marriage.

A final point: today our society faces many questions about the nature and status of the three fundamental institutions Vico identifies. We have already seen great changes in the institution of marriage, with no-fault divorce, higher divorce rates, childless marriage, and marriageless parenting, and we are debating expanding the definition of marriage to include same-sex couples. We are not currently debating burial per se, but we do face many questions about end of life care and the responsibility of families and government for the elderly and infirm. We also face questions about the nature of religion and the appropriateness of various types of religious practice. I would propose that as we struggle with these changes and questions we not only consider such important concepts as justice and liberty, but we also consider how changes in these institutions might affect these concepts and others as well as how these changes might affect our ability to understand our past and other cultures. We can expect that the

further our practices are from those of past and peer cultures, the greater the imaginative effort that will be required to engage them.

²⁵⁶ Berlin, Isaiah. The Hedgehog and the Fox: An essay on Tolstoy's view of history. London: Orion Books Limited, Orion House, 1999. 27-28.

²⁵⁷ Hegel, G.W.F. "Philosophy of History." Trans. J. Sibree, M.A. A Library of Universal Literature In Four Parts, Part One-Science. New York: P.F. Collier and Son, 1901. 49.

²⁵⁸ Caldwell, John C. Theory of Fertility Decline. New York: Academic Press, Inc., 1982.

²⁵⁹ Caldwell 118-119.

²⁶⁰ Caldwell 120.

²⁶¹ Caldwell 283.

²⁶² Caldwell 293.

²⁶³ Caldwell 300.

²⁶⁴ Caldwell 305.

²⁶⁵ Caldwell 305.

²⁶⁶ Caldwell 322.

²⁶⁷ Caldwell 312.

²⁶⁸ Caldwell 305.

²⁶⁹ Caldwell 302.

²⁷⁰ Caldwell 282.

²⁷¹ Caldwell 304.

²⁷² Caldwell 310.

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