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THE CHALLENGE OF SOCIALIST THOUGHT

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ABSTRACT:

This presentation points to socialists' mistaken assumptions of a malleable and perfectible human nature as an insuperable reason for the inevitable failure of socialist systems. It also points to socialist and liberal dependence on declarations of human rights as ineffective protections for human freedom—protections which can only be maintained in constitutionalist systems with deeper structural safeguards against tyranny.

KEY WORDS:

Socialism, theories of human nature, rule of law, constitutionalism, declarations of rights, tyranny, liberty, political liberty

Socialism in its various formulations was proposed historically as a simple and direct solution to the problems of human misery and exploitation. The present extent of socialism owes a great deal to its early ability to provide a moral vision to a rootless intellectual class that had forgotten the eighteenth century arguments for constitutionalism and was willing to reshape the world to fit romantic and unproven notions of government and social organization.

It is worth noting in passing that it is the seductiveness of its moral and intellectual simplicity which constitutes socialism's danger to the naive. For even among the great intellectuals there have been many who have not been able to understand (as Adam Smith did) the surprising complexity of human social relations which makes a programmatic pursuit of positive social goals virtually impossible. Indeed, it is far more intellectually demanding to understand an economy in terms of a pervasive invisible hand mechanism than as a direct and successful expression of human will. And it is much more satisfying for some to explain human misery in terms of the evil intentions of powerful and wicked people than to see it as an unintended result of restrictions on freedom, including even those possibly intended to aid the miserable. Many simply are unable to

grasp the fact that human society cannot be shaped and changed at will. They do not see that man has a contrary nature which labors night and day in unpredictable ways to undermine and circumvent the best laid plans of social designers and gods. Rather, they implicitly assume simplistic models of man and society which make it impossible for them to believe that a governmentally mandated redistribution of incomes and goods could result in reduced material welfare for almost all.

There are other ironies as well between socialist theory and practice which might help alert honest thinkers to these weaknesses of socialist thought. Whereas one common socialist objective is to enhance human dignity, the opposite more often results in socialist societies. For what dignity has a man who cannot choose his own purposes, but must instead submit his very life to the official quest for material and social welfare? How can you raise a man's dignity by stripping from him his agency and the only means by which he can preserve his independence of thought and purpose? How can you dignify by dehumanizing?

Socialist thought assumes an idealistic human nature, but socialism deforms that which is good in men by undercutting individual initiative. Socialist rhetoric promotes various strong programs for human rights, while simultaneously depriving individuals of their property, the very basis of individual human rights as has long been recognized in most legal systems.

Socialism, furthermore, rejects law as an institution which can guide and protect men in the orderly pursuit of their individually chosen ends, sanctifying instead the state imposed ends of materialistic humanism and preventing by force the vigorous pursuit of any other (and probably better) ends that individuals or groups might choose for themselves.

From an even broader perspective we can note another irony of history. For the prophets and theoreticians of socialism have always been most impractical men, dreamers and romantics, driven by an optimism that has never yet borne good fruit. Confident that their vision of the good is true, they propose to nationalize the pursuit of the good. Meanwhile, the great architects of constitutional government have ever been practical men, pessimistic of any great results, and always fearful of the worst. But their cautious efforts have helped provide millions with both the freedom and the means to pursue their personal

dreams and romantic visions.

These comments provide a broader introduction than time will allow me to develop. But I will pursue in some detail two essential points.

1. The catastrophe of socialist thought lies not so much in its moral vision as in its empirical assumptions. For it assumes not only that material equality is a morally desirable state of affairs, but also that man is a malleable and perfectible being, and that the manifestations of selfishness and pride which we observe daily in capitalist society are due primarily to imperfect or even downright iniquitous social institutions which cause us to misbehave. This optimistic view of human nature (which is almost never explicitly acknowledged by socialist thinkers) underlies their claims that (1) they can change man by reforming faulty social institutions, and that (2) the natural harmony and cooperativeness now dormant in the human breast will blossom under the beneficent influence of socialist institutions, redeeming an otherwise intolerable world.

The Anglo-American enlightenment embraced a much more conservative view of man as a corruptible being. This was not the same as the view of Christian philosophers that man is by nature fallen and evil. Nor was it like the assumptions of modern economics that all men persistently and rationally pursue their individual self-interest--though it was sympathetic to each of these. Rather it was a complex view--a mixture of optimism and pessimism--which underlay 18th century republican thinking. It was a theory which first of all recognized the heavy dependence of free institutions on a pervasive and high level of public virtue, the willingness of people to respect the rights of others and contribute to the maintenance and operation of public institutions, not out of fear or calculated self-interest but out of a belief that it was right to do so.

Secondly, however, this more conservative view recognized the corruptibility of human nature, that public virtue was undependable, especially in those cases where individuals had the opportunity to exploit government power for personal gain. Rulers or aspirants to rule are too often easily tempted to rationalize or forget the moral lessons of youth as they pursue their own self-interest, even to the point of knowingly injuring innocent others or violating law and morality.

Without some government, the virtuous would be at the mercy of the ruthless and unprincipled. Yet government itself provides the greatest opportunities for ruthless exploitation. The optimistic side of republican thought was therefore based on the insight that, given a largely virtuous population, considerable freedom might be possible under a carefully restrained government. Under such constitutional government men could reasonably pursue their own visions of the good.

From this point of view we can see that the twin errors of socialist thought are:

1. ignoring the essential nature of constitutional limitations on government power because of the assumption that man is perfectible and the wise will do good--and with more power will do more good, and
2. presuming to define for all men the vision of the good which they should seek. It is assumed that the State can provide this vision for all if each will perform his or her assigned task.

If socialists are wrong about human nature, we might expect that their experimentations with government will have worse results in terms of their own values than a constitutional approach would have. From this argument we can then see the priority of empirical over moral premises, an insight quite commonly ignored in socialist thought. But any political or moral view which people are willing to apply to human populations must also be examined for empirical assumptions. It is not enough to make moral arguments for equality. Socialists also need to argue for its possibility. They may then come to appreciate the law of unforeseen consequences, the insight that the most important consequences of social reforms will almost never be the ones intended. If human nature is such that socialist forms of government produce negative equality relative to capitalist forms, what can be the moral argument for persisting in socialist programs? Of course, in practice we can see the self-interest of socialist rulers at work. But we might hope some socialist thinkers would have less at stake.

I feel it is very important that you understand that the particular conflict I have described between the assumptions of socialist and constitutionalist thought is an empirical matter. It is a difference of view about how men generally will behave, especially when in possession of power. It is not necessarily a difference of morals, about how people ought to treat one another. Rather, it is perfectly possible that a man be a constitutionalist and believe in the moral correctness of material equality, if his empirical view of man argues that applied socialism will actually produce much less equality than will a constitutional approach to government.

We can now see that some constitutional structures designed in the seventeenth and eighteenth centuries have not been adequate to deal with the socialist challenge. The discovery by the many that government can be used to redistribute wealth and the discovery that inflation can be used to finance further benefits combine to present us with some very real needs for re forging our constitutions, our agreements on procedures for making policy decisions. Though most of these procedures of the past have proven remarkably resilient, we need to realize that a constitution is an ongoing project. It may need occasional readjustment as major changes occur in the economy or in the structure of social beliefs. In the United States today we have lost our earlier implicit agreement not to resort routinely to deficit spending. To provide politicians with some neutral support in returning to sound fiscal management, a new constitutional articulation may be necessary. Through the dedicated efforts of some members of this society and others it now appears that we may be able to amend our constitution to remedy this weakness.

So my first point has been that socialist thought generally fails to start at the beginning with the question of possibility. What is human nature like, and what social possibilities exist for man? By going straight to the moral issues of what society should be like socialist thinkers implicitly assume a perfectible human nature that can be cured of its iniquities under the tutelage of proper social and economic institutions.

2. My second point will be that declarations of rights or moralistic political principles count almost for nothing in constitutions. The eighteenth century French declaration, the U.N. Declaration and the Soviet constitution are examples of that. Rather, it is only institutional devices that can provide protection for our

freedoms in a constitution. And these work only to the extent that the people are attentive and use the institutional devices to resist encroachments on their rights. But the essence of a constitution is nothing more than the agreed upon procedures and accompanying rules for settling future disputes and questions of policy. Because we need community decisions and because we cannot expect to agree on all future cases, we find it necessary to agree on the future means by which our disputes will be settled, thus committing ourselves to possible acceptance of policies that we do not like.

The American founders followed the English example in complicating the process of government decision making to the point that it would be almost impossible for a tyrant to use the government efficiently to exploit the people. But over time we have found shortcuts and carved loopholes to make government more efficient and it has great control over our lives as a result. It is these modifications which now cry out for remedy, even by constitutional amendment if necessary.

As has already been pointed out, it is very important that constitutional reform not attempt to deal directly with policy issues, but only with the institutional structures and rules concerned with policy decisions. It is true that many socialist elements have been introduced into capitalist states through policy decisions rather than through constitutional changes. In most cases implicit constitutional rules have been compromised. These developments create a need to reconsider the matter and even look at the possibility of reaffirming those rules explicitly or creating better ones by constitutional amendment.

But socialist constitutions carefully avoid these kinds of complications in the decision making process. Government must be able to decide important matters quickly and authoritatively and implement them efficiently that the social welfare not suffer from inattention or dawdling. The result, of course, is not what socialist rhetoric would prepare us to expect.

Please allow me in closing to share one personal anecdote which sums the matter up in my mind. Many years ago I visited Prague, the once proud and beautiful capital of Czechoslovakia. For various reasons I suddenly decided to leave early and found that I could catch a Pan Am flight if I could get to the airport in one hour. I threw my luggage together, paid my hotel bill and rushed out to the street to find a taxi. At first I was relieved to see four shiny black state owned

taxis parked nearby. But as I looked around I realized that the drivers were even further away playing cards and trying very hard to pretend they had not noticed my very obvious presence. My heart sank as I saw the impossibility of securing the very great cooperation that would be needed from one of them to get me to that plane on time.

But just as dismay began to register, I was startled by squealing brakes and an almost instantaneous inquiry in my language, "Taxi to the airport, sir?" A skinny and unkempt man peered at me eagerly over his worn blue SIMCA. I quickly recovered, accepted his offer, and we were off in a cloud of dust.

Enroute I began to probe the mystery of my good fortune. I found that he was indeed a private licensed cabbie and that his monthly license fee was nearly enough to pay the salaries of those four card players. As we talked on I determined to ask his feelings about socialism. As my question registered, he looked directly at me in the rear view mirror and responded quietly, "How do you like socialism?" I had no trouble stating briefly my disapproval, and then he looked down and responded quietly. "We do not like it either. We would rather have our freedom."