Liberalism and the Art of Separation
Author(s): Michael Walzer
Reviewed work(s):
Source: *Political Theory*, Vol. 12, No. 3 (Aug., 1984), pp. 315-330
Published by: Sage Publications, Inc.
Stable URL: http://www.jstor.org/stable/191512
Accessed: 24/08/2012 12:12

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at
http://www.jstor.org/page/info/about/policies/terms.jsp

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Sage Publications, Inc. is collaborating with JSTOR to digitize, preserve and extend access to *Political Theory*.

http://www.jstor.org

I. LIBERALISM AND THE ART OF SEPARATION

MICHAEL WALZER
The Institute for Advanced Study

I

I suggest that we think of liberalism as a certain way of drawing the map of the social and political world. The old, preliberal map showed a largely undifferentiated land mass, with rivers and mountains, cities and towns, but no borders. "Every man is a piece of the continent," as John Donne wrote—and the continent was all of a piece. Society was conceived as an organic and integrated whole. It might be viewed under the aspect of religion, or politics, or economy, or family, but all these interpenetrated one another and constituted a single reality. Church and state, church-state and university, civil society and political community, dynasty and government, office and property, public life and private life, home and shop: each pair was, mysteriously or unmysteriously, two-in-one, inseparable. Confronting this world, liberal theorists preached and practiced an art of separation. They drew lines, marked off different realms, and created the sociopolitical map with which we are still familiar. The most famous line is the "wall" between church and state, but there are many others. Liberalism is a world of walls, and each one creates a new liberty.

This is the way the art of separation works. The wall between church and state creates a sphere of religious activity, of public and private worship, congregations and consciences, into which politicians and bureaucrats may not intrude. Queen Elizabeth was speaking like a liberal, though a minimalist one, when she said that she would not "make a window into men's souls, to pinch them there."[1] Believers are set free from every sort of official or legal coercion. They can find their own way to salvation, privately or collectively; or they can fail to find their way; or they can refuse to look for a way. The decision is entirely their own; this is what we call freedom of conscience or religious liberty. Similarly, the line that liberals drew between the old church-state (or state-church) and the universities creates academic freedom, leaving

POLITICAL THEORY, Vol. 12 No. 3, August 1984 315-330
© 1984 Sage Publications, Inc.

professors as free to profess as believers are to believe. The university takes shape as a kind of walled city. In the hierarchical world of the middle ages, universities were legally walled, that is, students and professors were a privileged group, protected from penalties and punishments meted out to ordinary men. But this was a function of the integration of the universities and the church (students and professors had clerical status) and then of the church and the state. Precisely because of this integration, scholars did not enjoy the privilege of heretical thought. Today the universities are intellectually though not legally walled; students and professors have no legal privileges, but they are, in principle at least, absolutely free in the sphere of knowledge.[2] Privately or collectively, they can criticize, question, doubt, or reject the established creeds of their society. Or, what is more likely in any relatively stable society, they can elaborate the established creeds, most often in conventional, but sometimes in novel and experimental ways.

Similarly, again, the separation of civil society and political community creates the sphere of economic competition and free enterprise, the market in commodities, labor, and capital. I will focus for now on the first of these three and adopt the largest view of market freedom. On this view, the buyers and sellers of commodities are entirely at liberty to strike any bargain they wish, buying anything, selling anything, at any price they can agree upon, without the interference of state officials. There is no such thing as a just price, or at least there is no enforcement of a just price; and, similarly, there are not sumptuary laws, no restrictions on usury, no quality or safety standards, no minimum wage, and so on. The maxim *caveat emptor,* let the buyer beware, suggests that market freedom entails certain risks for consumers. But so does religious freedom. Some people buy unsafe products and some people are converted to false doctrines. Free men and women must bear such risks. I have my doubts about the analogy, since unsafe products pose actual, and false doctrines only speculative, risks, but I won't pursue this argument here. My immediate purpose is not to criticize but only to describe the map the liberals drew, and on that map the commodity was given at least as much room as the creed.

Another example: the abolition of dynastic government separates family and state and makes possible the political version of the "career open to talents," the highest form, we might say, of the labor market. Only the eldest male in a certain line can be a king, but anyone can be a president or prime minister. More generally, the line that marks off political and social position from familial property creates the sphere of

office and then the freedom to compete for bureaucratic and professional place, to lay claim to a vocation, apply for an appointment, develop a specialty, and so on. The notion of one's life as one's project probably has its origin here. It is to be contrasted with the notion of one's life as one's inheritance—on the one hand, the predetermination of birth and blood; on the other, the self-determination of struggle and achievement.

Finally, the separation of public and private life creates the sphere of individual and familial freedom, privacy and domesticity. Most recently, this has been described as a sphere of sexual freedom; so it is, but it isn't originally or primarily that; it is designed to encompass a very wide range of interests and activities—whatever we choose to do, short of incest, rape, and murder, in our own homes or among our friends and relatives: reading books, talking politics, keeping a journal, teaching what we know to our children, cultivating (or, for that matter, neglecting) our gardens. Our homes are our castles, and there we are free from official surveillance. This is, perhaps, the freedom that we most take for granted—the two-way television screens of Orwell's *1984* are a particularly frightening piece of science fiction—so it is worth stressing how rare a freedom it is in human history. "Our homes are our castles" was first of all the claim of people whose castles were their homes, and it was for a very long time an effective claim only for them. Now its denial is an occasion for indignation and outrage even among ordinary citizens. We greatly value our privacy, whether or not we do odd and exciting things in private.[3]

II

The art of separation has never been highly regarded on the left, especially the Marxist left, where it is commonly seen as an ideological rather than a practical enterprise. Leftists have generally stressed both the radical interdependence of the different social spheres and the direct and indirect causal links that radiate outwards from the economy. The liberal map is a pretense, on the Marxist view, an elaborate exercise in hypocrisy, for in fact the prevailing religious creeds are adapted to the ideological requirements of a capitalist society; and the universities are organized to reproduce the higher echelons of the capitalist work force; and the market position of the largest companies and corporations is subsidized and guaranteed by the capitalist state; and offices, though

not legally inheritable, are nevertheless passed on and exchanged within a capitalist power elite; and we are free in our homes only so long as what we do there is harmless and without prejudice to the capitalist order. Liberals draw lines and call them walls, as if they had the material force of brick or stone, but they are only lines, one-dimensional, doctrinal, insubstantial. The contemporary social world is still an organic whole, less different from feudalism than we might think. Land has been replaced by moveable wealth as the dominant good, and while that replacement reverberates through all the spheres of social life, it doesn't alter their deep connectedness.

And yet Marx also believed that the liberal art of separation had been all too successful, creating, as he wrote in his essay on the Jewish question, "an individual separated from the community, withdrawn into himself, wholly pre-occupied with his private interest and acting in accordance with his private caprice."[4] I shall want to come back to this argument later on for it makes an important point about the theoretical foundations of the liberal enterprise. For now, however, it is enough to say that in Marx's eyes even the egotism of the separated individual was a social product—required, indeed, by the relations of production and then reproduced in all the spheres of social activity. Society remained an organized whole even if its members had lost their sense of connection. It was the goal of Marxist politics to restore that sense, or, better, to bring men and women to a new understanding of their connectedness and so enable them to take control of their common life. For Marx, separation, insofar as it was real, was something to be overcome. Separated institutions—churches, universities, even families—have no part in his program; their distinctive problems will be solved only by a social revolution. Society, for Marx, is always ruled as a whole, now by a single class, ultimately by all of its members working together.

The leftist critique of liberal separation might, however, take a different form, holding that liberalism served particular social interests and limited and adapted its art to that service. What is necessary is to make the art impartial—or, if that is a utopian project, at least to make it serve a wider range of interests. As the institutions of civil society were protected from state power, so now they must be protected, and the state too, from the new power that arises within civil society itself, the power of wealth. The point is not to reject separation as Marx did but to endorse and extend it, to enlist liberal artfulness in the service of socialism. The most important example of the extended art of separation has to do with private government and industrial democracy, and I

mean to defend that extension at some length. But it is important to insist first that the separations already achieved, in principle if not always in fact, have their value too. Even the career open to talents is a leftist as well as a liberal requirement. For socialism will never be a success so long as socialist parties and movements are led, as in Robert Michel's account, by a gerontocratic oligarchy whose members, drawn from the educated and professional middle class, coopt their own successors.[5] One wants energetic, politically skillful workers and intellectuals to rise to positions of leadership, and so there must be room for such people to develop their talents and plan their careers. More generally,Marx's vision of individual and collective self-determination requires (though he himself did not understand the requirement) the existence of a *protected space* within which meaningful choices can be made. But space of that sort can only exist if wealth and power are walled in and limited.

Society is indeed all of a piece, at least in this sense: that its various parts bear a family resemblance to one another, the outward reflection of an internal genetic (sociological, not biological) determination. But this family resemblance leaves a great deal of room for the sociological versions of sibling rivalry and marital discord and grown-up children with apartments of their own. So the bishops of the church criticize national defense policy, the universities harbor radical dissidents, the state subsidizes but also regulates corporate activity, and so on. In each case, institutions are responsive to their own internal logic even while they are also responsive to systemic determinations. The play of internal logic can only be repressed by tyrannical force, crossing the lines, breaking through the walls established by the art of separation. Liberalism is best understood as an argument against that sort of repression. It would be a meaningless argument, and tyranny a superfluous politics, unless independent churches and universities, and autonomous states, really existed or might really exist in the world. But they can and sometimes do exist. The art of separation is not an illusory or fantastic enterprise; it is a morally and politically necessary adaptation to the complexities of modern life. Liberal theory reflects and reinforces a long-term process of social differentiation. I shall want to argue that liberal theorists often misunderstand this process, but at least they recognize its significance.

Marxist writers tend to deny the significance of the process. It is, on their view, a transformation that doesn't make a substantial difference, an event or a series of events that takes place largely in the world of

appearances. Liberal freedoms are, all of them, unreal. As the formal freedom of the worker is only a mask for wage slavery, so religious liberty, academic freedom, free enterprise, self-determination, and privacy are masks for continued or reiterated subjection: the forms are new, but the content is old. The difficulty with this view is that it doesn't connect in any plausible way with the actual experience of contemporary politics; it has a quality of abstraction and theoretical willfulness. No one who has lived in an illiberal state is going to accept this devaluation of the range of liberal freedoms. The achievement of liberalism is real even if it is incomplete. But the recognition of this achievement is difficult within a Marxist framework: for the commitment to organic wholeness and deep structural transformation doesn't readily accommodate separated spheres and autonomous institutions. Nor is it my purpose here to try to work out such an accommodation. I want instead to pursue the alternative criticism that liberals have not been serious enough about their own art. And I want to suggest that where they have been serious they have been guided by an inadequate and misleading theory. As with other forms of social life and political action, the liberal enterprise lends itself to more than one interpretation.

III

The art of separation doesn't make only for liberty but also for equality. Consider again, one by one, the examples with which I began. Religious liberty annuls the coercive power of political and ecclesiastical officials. Hence it creates, in principle, the priesthood of all believers, that is, it leaves all believers equally free to seek their own salvation; and it tends to create, in practice, churches dominated by laymen rather than by priests. Academic freedom provides theoretical, if not always practical, protection for autonomous universities, within which it is difficult to sustain the privileged position of rich or aristocratic children. The free market is open to all comers, without regard to race or creed; alien and pariah groups commonly exploit its opportunities; and though it yields unequal results, these results never simply reproduce the hierarchy of blood or caste or, for that matter, of "merit." The "career open to talents," if it is really open, provides equal opportunities to equally talented individuals. The idea of privacy presupposes the equal value, at least so far as the authorities are concerned, of all private lives; what goes on in an ordinary home is as much entitled to protection, and is entitled to as much protection, as what goes on in a castle.

Under the aegis of the art of separation, liberty and equality go together. Indeed, they invite a single definition: we can say that a (modern, complex, and differentiated) society enjoys both freedom and equality when success in one institutional setting isn't convertible into success in another, that is, when the separations hold, when political power doesn't shape the church or religious zeal the state, and so on. There are, of course, constraints and inequalities within each institutional setting, but we will have little reason to worry about these if they reflect the internal logic of institutions and practices (or, as I have already argued in *Spheres of Justice*, if social goods like grace, knowledge, wealth, and office are distributed in accordance with shared understandings of what they are and what they are for).[6] But, all too often, the separations don't hold. The liberal achievement has been to protect a number of important institutions and practices from political power, to limit the reach of government. Liberals are quick to see the danger to freedom and equality when the police repress a minority religion in the name of theoretical truth, or shut down petty-bourgeois enterprises in the name of economic planning, or invade private homes in the name of morality or law and order. They are right in all these cases, but these are not the only cases, or the only kinds of cases, in which liberty and equality are threatened. We need to look closely at the ways in which wealth, once political tyranny is abolished, itself takes on tyrannical forms. Limited government is the great success of the art of separation, but that very success opens the way for what political scientists call *private* government, and it is with the critique of private government that the leftist complaint against liberalism properly begins.

The line between political community and civil society was meant to mark off coercive decision making from free exchange. That's why the sale of offices was banned and the old baronial right to do justice and conscript soldiers was transferred to state officials. And that's why those same officials were denied the right to interfere in market transactions. But it is a false view of civil society, a bad sociology, to claim that all that goes on in the marketplace is free exchange and that coercion is never an issue there. Market success overrides the limits of the (free) market in three closely related ways. First of all, radical inequalities of wealth generate their own coerciveness, so that many exchanges are only formally free. Second, certain sorts of market power, organized, say, in corporate structures, generate patterns of command and obedience in which even the formalities of exchange give way to something that looks very much like government. And third, vast wealth and ownership or control of productive forces convert readily into government in the strict

sense: capital regularly and successfully calls upon the coercive power of the state.[7]

The problem here is less importantly a failure of nerve than a failure of perception. Liberal theorists literally did not "see" individual wealth and corporate power as social forces, with a political weight, as it were, different from their market value. They aimed to create a free market, and thought that they had done enough when they opposed state intervention and set entrepreneurs free. But a free market, in which the three kinds of coercion that I listed above are (largely) ineffective, requires a positive structure. Free exchange won't maintain itself; it needs to be maintained by institutions, rules, mores, and customary practices. Consider for a moment the religious analogy. The art of separation worked against state churches and church states not only by disestablishing the church but also by divesting it of material wealth and power. Nor did it do this in the name of private faith alone, but also in the name of congregational self-government. Congregationalism is by no means the natural or the only possible institutional arrangement once church and state have been separated, but it is the cultural form best adapted to and most likely to reinforce the separation. Similarly in the economic sphere: The art of separation should work against both state capitalism and the capitalist state, but it won't work successfully unless it is accompanied by disestablishment and divestment—and unless appropriate cultural forms develop within the economic sphere. The analogue to private conscience is individual enterprise; the analogue to congregational self-government is cooperative ownership.

Without divestment and without cooperative ownership, the market is bound to take shape in ways that defy the art of separation. New connections are quickly established. As I have already indicated, these are most importantly connections with the state, originating now from the market side rather than the state side, but deep and powerful nonetheless. In addition, unlimited wealth threatens all the institutions and practices of civil society—academic freedom, the career open to talents, the equality of "homes" and "castles." It is less overt, more insidious than state coercion, but no one can doubt the ready convertability of wealth into power, privilege, and position. Where are the walls that wall in the market? In principle, perhaps, they already exist, but they will never be effective until private governments are socialized, just as established churches were socialized, that is, turned over to their participants. Religious democracy must find its parallel in industrial democracy. I won't try here to specify any particular set of

institutional arrangements; there are many possible arrangements compatible with the two crucial requirements: that there should be room for the entrepreneur and the new company, just as there is room for the evangelist and the "gathered" church; and that there should not be room for the kind of economic power that shapes and determines public policy, any more than for the high ecclesiastical authority that routinely calls upon the "secular arm."

With this analogy, we can glimpse a consistent liberalism—that is, one that passes over into democratic socialism. But this is still a democratic socialism of a liberal sort; it does not require the abolition of the market (nor does it require the abolition of religion) but rather the confinement of the market to its proper space. Given an illiberal socialism, where the state takes total control of economic life, the same imperative would work in the opposite way, not to confine the market but to reassert its independence from the political realm. In the United States, then, the art of separation requires the restraint and transformation of corporate power. In the Soviet Union the same art would require, among other things, the liberation of individual enterprise.

IV

Distributive justice is (largely) a matter of getting the lines right. But how do we do that? How do we draw the map of the social world so that churches and schools, states and markets, bureaucracies and families each find their proper place? How do we protect the participants in these different institutional settings from the tyrannical intrusions of the powerful, the wealthy, the well born, and so on? Historically, liberals have taken as their foundation a theory of individualism and natural rights. They mark out the lines so as to guarantee the secure existence and free activity of the individual. Conceived in this way, the art of separation looks like a very radical project: It gives rise to a world in which every person, every single man and woman, is separated from every other. Thus Marx: "the so-called rights of man . . . are simply the rights . . . of egoistic man, separated from other men and from the community."[8] Institutional autonomy is an intermediate, not an end point in the process of separation. The end is the individual, free within his or her circle of rights, protected from every sort of external interference. Liberal society, ideally, is simply a collection of these

circles, held together by all the tangential connections and actual overlappings that their solitary inhabitants voluntarily establish.[9] Churches, schools, markets, and families are all the products of willful agreements among individuals, valuable because of the agreement they embody but at the same time subject to schism, withdrawal, cancellation, and divorce. Religious freedom is the right of the individual to worship his God (the pronoun is important, not because it is masculine, it can as easily be feminine, but because it is singular and possessive) publicly or privately, however and with whomever else he chooses; it has nothing to do, nothing in particular to do, with the doctrinal and institutional character of Judeo-Christian religiosity. Academic freedom has nothing in particular to do with the university as a social setting; it is simply the right of the individual to study, to speak, to listen as he or she pleases. All other freedoms are accounted for in similar ways.

Individual agreement is indeed an important source of our institutions, and individual rights of our freedoms. But taken together, with nothing more said, they make again for a bad sociology. They do not provide either a rich or a realistic understanding of social cohesion; nor do they make sense of the lives individuals actually live, and the rights they actually enjoy, within the framework of on-going institutions. The goal that liberalism sets for the art of separation—every person within his or her own circle—is literally unattainable. The individual who stands wholly outside institutions and relationships and enters into them only when he or she chooses and as he or she chooses: This individual does not exist and cannot exist in any conceivable social world. I once wrote that we could understand a person's obligations by studying his or her biography, the history of his or her agreements and relationships.[10] That is right, but only so long as one acknowledges that personal history is part of social history; biographies have contexts. The individual does not create the institutions that he or she joins; nor can he or she wholly shape the obligations he or she assumes. The individual lives within a world he or she did not make.

The liberal hero, author of self and of social roles, is a mythic invention: It is Shakespeare's Coriolanus, that aristocratic warrior and anti-citizen, who claims (and fails) to live "as if he were the author of himself and knew no other kin."[11] Turned into a philosophical ideal and a social policy, this claim has frightening implications, for it is endlessly disintegrative, reaching a kind of culmination, perhaps, in recent discussions about the rights of children to divorce their parents and parents their children. But this is individualism *in extremis* and not

likely, I think, to be sustained for long. The liberal hero is more important as a sociological pretense than as a philosophical ideal. He or she opens the way for sham descriptions of churches, schools, markets, and families, as if institutions of this sort were in fact created, and wholly created, through the voluntary acts of individuals. The sham serves a practical purpose: It rules out state interference in institutional life, since the state is in its nature coercive; and it makes it very difficult to recognize other, more subtle sorts of interference (including that imitation of the state that I have already referred to as private government). More concretely, it limits the uses of political power and sets money free, for what power takes by force, money merely purchases, and the purchase has the appearance of a voluntary agreement between individuals. In fact, it is often something different than that, as we can see if we place the purchase in its context and examine its motives and effects. And then we are likely to conclude that, just as there are things the state cannot do, so there must be things that money cannot buy: votes, offices, jury decisions, uiniversity places—these are relatively easy—and also the various sorts of national influence and local domination that go along with the control of capital. But to get the limits right requires an understanding of institutional life more complex than the one that liberal individualism provides.

Churches, schools, markets, and families are social institutions with particular histories. They take different forms in different societies, forms that reflect different understandings of faith, knowledge, commodities, and kinship obligations. In no case are they shaped wholly by individual agreements, for these agreements always take place within, and are always constrained by, particular patterns of rules, customs, and cooperative arrangements. It follows from this that the art of separation is not rooted in or warranted by individual separateness (which is a biological, not a social, phenomenon); it is rooted in and warranted by social complexity. We do not separate individuals; we separate institutions, practices, relationships of different sorts. The lines we draw encircle churches and schools and markets and families, not you and me. We aim, or we should aim, not at the freedom of the solitary individual but at what can best be called institutional integrity. Individuals should be free, indeed, in all sorts of ways, but we don't set them free by separating them from their fellows.

And yet the separated individual looks more fundamental than institutions and relationships, a firmer foundation for political and social philosophy. When we build from the individual we build, so it

seems to the liberal eye, from the ground up. But in fact the ground is always social: persons-in-societies, not persons-by-themselves. We never encounter persons-by-themselves, and the effort to invent them, a strenuous exercise, has no agreed-upon outcome. We do not know ourselves as strangers to one another, absolute aliens, or isolates, and there is no way to specify or understand what it would mean for such "individuals" to be free. Men and women are free when they live within autonomous institutions. We might take as our model the idea of a free state, one that is not a colony or a conquered land, a state ruled by internal rather than external forces. The inhabitants of such a state are free only in a special and limited sense, but that sense, as anyone who has endured a military conquest knows, is real and important. And if those same individuals live within a state that is internally free (I will try to say what that means in a moment) and if they participate in free churches, free universities, free firms and enterprises, and so on, we will at some point want to say that they are free generally. Freedom is additive; it consists of rights within settings, and we must understand the settings, one by one, if we are to guarantee the rights. Similarly, each freedom entails a specific form of equality or, better, the absence of a specific inequality—of conquerors and subjects, believers and infidels, trustees and teachers, owners and workers—and the sum of the absences makes an egalitarian society.

V

On the liberal view, men and women are not free in the state so much as from it; and they are equal under the law. So they are protected from political power, conceived as a monopoly of physical force, immensely threatening to the solitary individual. It is immensely threatening, and I want to say again that the limitation of power is liberalism's historic achievement. But if we turn from individuals to institutions, it is clear that political power itself requires protection—not only against foreign conquest but also against domestic seizure. The state is unfree when power is seized and held by a set of family members, or clergymen, or office-holders, or wealthy citizens. Dynastic, theocratic, bureaucratic, and plutocratic control all make for unfreedom—and for inequality too. Meritocratic control would have the same effect, though I don't believe it has ever been realized. Compared to family, church, office, and

corporation, universities and professional schools are relatively weak, though the men and women they license are not without political pretensions. A free state, in a complex society, is one that is separated from all other institutions, that is to say, a state that is in the hands of its citizens generally—just as a free church is in the hands of believers, a free university in the hands of scholars, a free firm in the hands of workers and managers. And then citizens are free in the state as well as from it (in fact, it is not as citizens that they are free from the state but as believers, scholars, entrepreneurs, workers, parents, and so on); and they are equal in the making of the law and not only under the law.

The art of separation works to isolate social settings. But it obviously doesn't achieve, and can't achieve, anything like total isolation, for then there would be no society at all. Writing in defense of religious toleration, John Locke claimed that "the church . . . is a thing absolutely separate and distinct from the commonwealth. The boundaries . . . are fixed and immovable."[12] But this is too radical a claim, deriving, I think, more from a theory of the individual conscience than from an understanding of churches and religious practices. What goes on in one institutional setting influences all the others; the same people, after all, inhabit the different settings, and they share a history and a culture—in which religion plays a greater or lesser role. The state, moreover, always has a special influence, for it is the agent of separation and the defender, as it were, of the social map. It is not so much a night watchman protecting individuals from coercion and physical assault as it is the builder and guardian of the walls, protecting churches, universities, families, and so on from tyrannical interference. The members of these institutions also, of cource, protect themselves as best they can, but their ultimate resort when they are threatened is an appeal to the state. This is so even when the threat comes from the state itelf: Then they appeal from one group of officials or one branch of government to another, or they appeal against the government as a whole to the body of citizens.

One way of judging the actions of the state is to ask whether they uphold institutional integrity—including the integrity of the state itself. Consider the relatively minor example of safety regulation. *Caveat emptor*, let the buyer beware, is, as I said earlier, a rule of the market, but it covers only a certain range of wariness. It has to do with disappointment ("I don't look as handsome as I thought I would look in my new clothes"), frustration ("The blurb says this book is 'accessible to the intelligent layman,' so I bought it, but now I can't seem to understand it"), and even known and foreseeable risks ("These cigarettes are

dangerous to my health"). Clothes and books and cigarettes are properly market commodities. But the range of wariness doesn't extend to unknown and unforeseeable risks or to collective risks—as in the case, say, of unsafe cars or of cars that contaminate the air. The degree of risk that we live with on our highways and in our common environment is a matter for political decision; it belongs, so to speak, to the state and its citizens, not to the market and its buyers and sellers. At least that is so on our current understanding, as I understand it, of states and markets. The art of separation is properly artful when it draws a line that leaves the risk of disappointment on one side and the risk of disaster on the other.

But this artfulness, when it comes to concrete cases, is always controversial. There are problems of information and problems of interpretation. What goes on in this or that institutional setting? And what is the internal logic of what goes on? These questions have to be debated, first in particular institutional settings and then in the general setting of the state. The art of separation is a popular, not an esoteric, art. Liberals, however, have not always recognized its popular character, for if individual rights are at stake then philosophers and judges can claim some special understanding of its requirements. It is the courts that define and patrol the circle of rights.[13] To focus on institutions, practices, and relationships is to shift the location of agency, to socialize the art of separation. Believers, scholars, workers, and parents establish and guard the lines—and then the citizens as a body do so, through the political process. Liberalism passes definitively into democratic socialism when the map of society is socially determined.

But what if some political majority misunderstands or overrides the autonomy of this or that institutional setting? That is the unavoidable risk of democracy. Since the lines do not have the clear and distinct character that Locke thought them to have, they will be drawn here and there, experimentally and sometimes wrongly. The line between politics and exchange has, as I have suggested, been wrongly drawn for a long time now: And we suffer from the abuse of market power. We have to argue, then, about the location of the line and fight (democratically) to draw it differently. Probably we will never get it exactly right, and the changing character of states and market requires, in any case, its continual revisions, so the arguing and the fighting have no visible end.

And what if tyrants seize control of this or that church or university or company or family? Michel Foucault has recently contended that a dark and rigid discipline has been clamped down upon a whole series of

institutions—and that this is the work of internal elites, professional men and women with claims to scientific knowledge, not of political officials.[14] But I think that he exaggerates the success of these elites and their ability to sustain their discipline without calling upon state power. It is only in authoritarian states, which systematically violate institutional integrity, that Foucault's "disciplinary society" is likely to be realized in anything like the form that he describes. Among ourselves, the risks are of a different sort; they include but are not limited to professional pretension and aggrandizement; we also have to worry about internal corruption, bureaucratic privilege, popular fearfulness, and passivity.

All of these risks will be reduced, perhaps, insofar as the different institutional settings have themselves been socialized, so that their participants enjoy a rough equality and no group of believers, knowers, or owners is capable of reaching for political power. If men and women enjoy their different social roles, they are more likely to respect the settings within which the roles are played. This is the socialist form of the old liberal hope that individuals secure in their own circles won't invade the circles of others. It is still a problematic but also I think a more realistic hope, for it is lonely in those circles; the life of institutions is more lively and more satisfying.

NOTES

1. J. E. Neale, *Queen Elizabeth* (New York: Harcourt Brace Jovanovich, 1934) p. 174.

2. Draft exemptions for college students represent perhaps, a modern version of the medieval liberties. They breach the liberal wall between state and universtiy—not because they violate academic freedom but rather because they violate political integrity (the equal standing of citizens).

3. The art of separation remains an important feature of contemporary liberalism, as in Rawls' *Theory of Justice*. His two principles, Rawls writes, "presuppose that the social structure can be divided into two more or less distinct parts,the first principle applying to the one, the second to the other. They distinguish between those aspects of the social system that define and secure the equal liberties of citizenship and those that specify and establish social and economic inequalities," in *A Theory of Justice* (Cambridge: Harvard University Press, 1971), p. 61. Rawls redraws the old line between the state and the market, though in a rather different way than I shall suggest below.

4. Marx, *Early Writings*, trans. T. B. Bottomore (London: C. A. Watts, 1963), p. 26.

5. Robert Michels, *Political Parties*, trans. Eden and Cedar Paul (New York: Dover, 1959).

6. Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983).

7. The best recent account of the transformation of market power into political power is Charles E. Lindblom, *Politics and Markets* (New York: Basic Books, 1977), esp. Part V.

8. Marx, 1963, p.24.

9. I omit here any discussion of the early twentieth-century pluralists,some of whom are plausibly called liberals, since their arguments never attained the high philosophical respectability of the doctrine of individual rights.

10. *Obligations: Essays on Disobedience, War, and Citizenship* (Cambridge: Harvard University Press, 1970), p. x.

11. *Coriolanus*, Act V, scene iii.

12. Locke, *A Letter Concerning Toleration*, ed. Patrick Romanell (Indianapolis: Bobbs-Merrill, 1950), p. 27.

13. For a strong statement of the role of courts in defense of rights, see Ronald Dworkin, *Taking Rights Seriously* (Cambridge: Harvard University Press, 1977).

14. See especially Foucault's *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage, 1979). The argument works best for institutions like prisons, hospitals, and asylums, where the subjects of discipline are civically, physically, or mentally incapacitated, but Foucault means it to apply also to schools and factories: pp. 293ff.

Michael Walzer is a Professor of Social Science at the Institute for Advanced Study in Princeton. He is the author, most recently, of Spheres of Justice: A Defense of Pluralism and Equality *(1983) and of the forthcoming* Exodus and Revolution.