Review Essay

The enduring significance of cruelty

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Between Utopia and Realism: The Political Thought of Judith Shklar

Samantha Ashenden and Andrea Hess (Eds.)
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On Political Obligation

Judith N. Shklar,
Samantha Ashenden and Andrea Hess (Eds.)
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The past year was excellent for the legacy of Judith Shklar, with the publication of two fine scholarly works and the introduction of her thoughts on cruelty to a primetime audience on the NBC show *The Good Place*. In *On Political Obligation*, Samantha Ashenden and Andreas Hess curate Shklar's previously unpublished lectures on political obligation from a class she taught at Harvard in spring of 1992. In *Between Utopia and Realism*, the same editors bring together thirteen essays on the full scope of Shklar's academic writings from her 1957 book *After Utopia* to her untimely death in 1992, just a few months after she had delivered the lectures compiled in *On Political Obligation*.

On Political Obligation is a gratifying and timely book. Most of the lectures are reproduced in their entirety, as the lectures and Shklar's notes are preserved in the Harvard archives. From these lectures, one can get a feel for the themes of Shklar's intellectual interests, the questions she returned to throughout the course, and the accessibility of her course. Her conversational tone makes it easy to imagine that Shklar is speaking directly to the reader from Cambridge nearly three decades ago. She invites her students to explore the perennial nature of questions of political obligation from Sophocles's *Antigone* to the present, while tracing how the historical changes of two and a half millennia have repeatedly reframed the terms of the debate.

One of the most significant changes in the discourse of the North Atlantic world during this period is the rise and continual reimagination of Christianity. Shklar

traces the contours of Christian views on political obligation and the dramatic shifts caused by historical and theological developments. In early Christianity, the principle of political obligation was unchallenged by religion. The good Christian rendered unto Caesar what was Caesar's, because the pagan oppressor state had no bearing on one's salvation. This world was one in which Christians were oppressed, and maintaining a spiritual separateness in preparation for the next life was more important than the politics of this fallen realm. Shklar asks her students to confront how profoundly the world changed when, in the fourth century, the Roman Emperor Constantine converted and transformed the Roman Empire from an oppressor to the protector of Christians. Yet Shklar shows that if political obligation changed at all, it was in its importance, not its substance. Henceforth, a good Christian was unflinchingly obedient to a Christian ruler, and this became an essential element of being a good Christian. Even a poor ruler was an instrument of God's will, and to rebel against one's king was to rebel against one's God. So it remained until the sixteenth century, when a German monk changed Christendom forever.

The Reformation did not change the theology of political obligation right away. As Shklar's students may have been surprised to learn, Martin Luther did not advocate the kind of freedom for individual judgement in politics that was central to his theology. Rather, he called for the Peasant Rebellion to be crushed with a swiftness and brutality that would befit Hobbes's *Leviathan*. Shklar asks students to consider how deeply this dynamic is at odds with later English developments, starting with John of Salisbury, as to how loyalty to God can justify and even require disloyalty to the king. Once the king can be traitor to God and God's law, duty to king and duty to God collide, and the good Christian may have to commit the greatest treason against the state out of loyalty to God.

The relationship between God and kingship is at the heart of Shakespeare's *Richard II*. Shklar's treatment of that play is especially notable for her historically attentive analysis. The problem facing all attempts at a political theory of William Shakespeare is that he was not free to write, publish, and perform as he pleased. Elizabeth I was an absolute monarch, and one could not publish in England without the approval of the government, a restriction that continued through most of the seventeenth century. In light of problems of succession faced by Elizabeth and her Tudor family, she would have had every incentive to block the publication of any treatment of dynastic strife, 'unless it somehow justified Tudor legitimacy and political orthodoxy' (p. 84). By elucidating these issues in the opening paragraphs of her lecture, Shklar provides an important lesson in intellectual historiography to her students and today's readers.

The lectures most timely to today's Anglophone audience are Shklar's treatment of the unique elements of thinking on political obligation in the United States, namely 'Lecture 18: Loyalty and Betrayal,' 'Lecture 19: Civil Disobedience in the Ninetieth Century,' and 'Lecture 20: Civil Disobedience in the Twentieth Century.'

She develops a number of themes in these sections, including the perennial U.S. concern over the loyalty of immigrant communities and the loyalty of the government. She paints in great detail the ways in which loyalty has frequently been policed by private citizens, as individuals and in organized groups, rather than by the government. With great depth and breadth of historical knowledge, she uses the history of nativist movements and red scares to distill a theory of how the United States substitutes loyalty to national ethos for political obligation to produce deeper levels of allegiance and conformity. Her lectures on civil disobedience develop the conflict between such loyalty and an emphasis on individual conscience and the subsequent tension at the heart of U.S. political culture. In an era when immigration is highly salient, the loyalty of Muslim Americans is questioned, and allegations of foreign assistance to help presidential campaigns have become a common trope in U.S. electoral politics, these themes could not be more relevant to U.S. political discourse.

While Shklar's lectures are extremely illuminating of the U.S. experience with obligation and loyalty, she makes two claims that seem less compelling: first, she argues that civil disobedience is a distinctly American phenomenon; and second, she argues that civil disobedience is only used as a means to secure the rights of the African-American community. Shklar is aware of obvious counterexample to her first claim. She directly addresses Gandhi, arguing that since he was trying to overthrow the entire political system of British colonial rule over India, his actions are in a different category than civil disobedience. Shklar defines civil disobedience more narrowly, occurring 'only where the disobedient accept the government that is in place as being on the whole legitimate and just' (p. 181). However, even if we grant Shklar's distinction, it does not follow that civil disobedience is limited to the United States. The United States is one of many liberal democracies where citizens accept their government as mostly legitimate and just. Protests and non-violent resistance occur in other such states. Consider as an example Canada's history of civil disobedience with regard to Alberta tar sands, language rights of the Quebecois, and other concerns of justice. As for Shklar's second claim, African-Americans are not the only 'identifiable group [that] has been systematically treated unjustly and has no other means left' (p. 185). The tools of civil disobedience have been utilized by Latinx, LGBT, and Native American communities in the United States. While Shklar's assessment might be explained as indicative of its historical context, other protest movements did not only emerge after 1992. It therefore seems difficult to justify the limited scope of Shklar's claims.

The most disappointing sections of the book are undoubtedly lectures 9 to 13 (on Hobbes, Locke, Hume, Rousseau, and Kant) and 22 (on consent and obligation). This is the fault of neither Shklar nor the editors. Ashenden and Hess make clear in their introduction that the lectures on these topics no longer exist, and indeed may never have existed in full. Accordingly, the editors chose to reproduce the existing

notes—a sound editorial choice the results of which are, however, unsatisfying. The notes on Hobbes are the most complete, but many others are partial snippets that, at best, provide a rough outline of Shklar's ideas. I commend the editors for including them and so clearly explaining their choice in the introduction. But as a scholar of political obligation in modern contract theory, I find myself desperately wishing for a fuller picture of Shklar's thought.

The volume closes with Shklar's previously published essay, 'Why teach political theory?' Those unfamiliar with this essay may expect a discussion of political theory's central role in a liberal arts education or of its ability to move students to think, engage in intellectual discourse and challenge their preconceived notions. Shklar nods to both of these but devotes the essay to the more personal question of why an individual should make teaching political theory their life's mission. She challenges the common stories we tell ourselves about the life of the mind, the rewards of the ivory tower, or the benefits of working with young people. On her view, these motivations will lead 'to Waterloo' when they prove insufficient to immunize ourselves to the cynicism and apathy bred by the realities of institutional life and mid-career malaise (p. 214). Shklar's answer is as simple as it is idealistic: passion. Passion for political theory and for the texts one teaches is the only reason to choose this profession, with all its benefits and drawbacks. The *eros* that drives Socrates's philosopher in *The Republic* is the only sustainable fuel for a life of teaching political thought. Shklar's argument is highly personal and deeply moving. She presents the ideal teacher as passionate for the material and offers practical advice to keep this passion alive, such as rotating course offerings and texts, writing to teach one's readers, and always remaining aware of threats to our ability to shape students for the better—complacency, staleness, self-satisfaction, indifference, and the cult of personality that surrounds the 'guru-teacher' who attracts disciples rather than students (p. 217). Anyone committed to education cannot help but be moved and challenged by her essay.

In contrast to the narrow slice of Shklar's work presented in *On Political Obligation*, the volume *Between Utopia and Realism* engages the entirety of Shklar's nearly four decades of academic writing. Its contributors approach her work and ideas from all directions: rediscovery, critique, as a springboard to expand our own intellectual horizon, and an essay providing a rare glimpse of Shklar, the person.

Most chapters use Shklar's works to engage with other contemporary questions and debates. William E. Scheuerman's chapter, 'Law and the Liberalism of Fear,' is the contribution that is most critical of Shklar's thought. Scheuerman examines her legal theory, which is both skeptical of legalism and seeks to defend the rule of law, and finds her defense wanting. On his analysis, Shklar's 'liberalism of fear' is an insufficient justification for the rule of law (p. 62). Yet, he argues, her concern with the rule of law for the purpose of minimizing cruelty and her insight that any

legal or institutional order cannot function without virtuous citizens and officials must be incorporated into rule of law theories.

James Brown and Thomas Osborne explore Shklar's great familiarity with Western literature and her willingness to search for philosophical insights in these texts (themes that are also explored in Tracy B. Strong's chapter). They show how Shklar's treatment of these sources, especially Shakespeare's *Richard II*, sheds new light on key political concepts of their time, demonstrating that the old quarrel between philosophy and poetry is an artificial one. Shklar's use of both romantic and pre-romantic understandings of literature is one of the 'productive tensions' (p. 134) in her thought, which they see as a source for today's scholars seeking new avenues for theorizing.

Katrina Forrester's 'Experience, Ideology and the Politics of Psychology' also probes Shklar's work for inspiration for contemporary political theory by making Shklar's profound concern with preventing and alleviating cruelty the center of its argument. Forrester presents Shklar as critical of ideologies, even those that are attuned to the question of cruelty. She shows that for Shklar, keen attention to experience is needed to ground both theory and ideology in reality, and attempts to solve the problem of cruelty without consulting the psychological experience of victims are doomed to fail. On Forrester's account, that 'individual psychic needs took normative priority' is one of Rousseau's central insights that Shklar took to heart (p. 145). Such psychic needs need not be depoliticized and should, as Shklar insists, be made central to the project of political theory. Forrester sees this as a lesson for today's social and political theorists and challenges us to act on Shklar's insight that the psychological is political.

Kamila Stullerova's chapter, 'Cruelty and International Relations,' combines two elements of Shklar's thought, namely her primary concern with cruelty and her deep political skepticism, to show how Shklar can be utilized by international political theory (IPT). To reduce cruelty as fully as possible, one must turn to international relations. Stullerova shows that Shklar was deeply troubled by Cold War political realism and the legalism that has emerged in international affairs. On Shklar's view, neither one of these trends incorporates an adequate level of self-skepticism or is able to reduce the cruelty that she considers the worst of human evils. For Stullerova, a new 'IPT in the spirit of Shklar' is necessary to undertake a 'de-ideologizing [of] human rights and humanitarian intervention without denigrating their value' (p. 81). Stullerova emphasizes the importance to IPT of Shklar's insistence on reducing human suffering, coupled with an awareness of our own limitations, our ability to make things worse through intervention, and resolve to act where intervention can be successful—a tricky combination indeed.

The advantages of such an approach are illuminated in Philip Spencer's chapter on genocide, which traces the history of genocide and responses to it since the early Twentieth Century. Spencer argues that many theories have failed to account for the full array of perpetrators of genocidal violence: 'traditional

[regimes] as well as revolutionary, Western as well as non-Western, colonial as well as post-colonial' (p. 241). He argues that many existing theories of genocide have been unable to account for this variation, and that Shklar would not be surprised. Her concern with cruelty as a universal human vice, her attentiveness to the psychology of victimhood, and her understanding of how feelings of victimhood can generate resentment and a desire for revenge would, in Spencer's view, enable Shklar to engage genocide in a more fruitful way than many existing theories. Learning from Shklar is thus the pressing task of those seeking to understand and address genocide today.

Other themes emerge across several chapters, including Shklar's appreciation of and intellectual debt to Montaigne, and the skepticism—political, not epistemological—that made Shklar wary of systems and utopias. In contrast to the focus on the fertility of Shklar's thought, *Between Utopia and Realism* ends in a personal and touching fashion. In the final chapter, Quentin Skinner writes about Shklar from the perspective of a close friend. He reproduces sections of Shklar's letters to him during the final year of her life, which reveal unexpected facets of her professional and personal life. As busy and overextended as any academic, Shklar was deeply committed to all projects she took on and retained a humility that made her uncomfortable with her academic celebrity, writing that 'I have some trouble thinking of myself as a BIG name' (p. 257). Through her letters, Shklar emerges as a keen observer of American and global politics, a thinker of sharp wit, and someone deeply happy to embrace the role of grandmother. We are also granted a peak into her planned book project on exiles and their political obligations, an elaboration of the inaugural Seeley Lectures at Cambridge University she had intended to give on the unique challenge of displaced persons—so highly salient in 2020. She planned to engage the full spectrum of emigres, from accepted immigrants to political exiles to refugees caught in the purgatory of refugee camps the world over, to analyze how displaced persons were theorized about through history, and to develop a theory of their duties. As a political theorist and scholar of political obligation, I am rueful for the lost opportunity to read her book-length treatment of these themes. As a human I grieve for her friends and family from whom she was abruptly taken far too soon. And I am grateful to Skinner for giving us this window into the life of his dear friend.

Both of the volumes discussed in this review essay are valuable additions to the field of political theory. *On Political Obligation* will be of interest to anyone working on the topic, regardless of their level of familiarity with Shklar's work. It is a fine primer on her thought and will likely leave readers new to Shklar desiring to read more of her academic writings. *Between Utopia and Realism* has more to offer to an audience already grounded in Shklar's writings. It is an excellent study of the full array of her interests and of how the theoretical frameworks she developed can be deployed to further our own theorizing on a wide range of the Twenty-First Century's most pressing concerns.

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