



PROJECT MUSE®

Conservative-Liberal-Socialism Revisited

Martin Krygier

The Good Society, Volume 11, Number 1, 2002, pp. 6-15 (Article)

Published by Penn State University Press

DOI: <https://doi.org/10.1353/gso.2002.0009>



➔ *For additional information about this article*

<https://muse.jhu.edu/article/12232>

Conservative-Liberal-Socialism Revisited¹

Martin Krygier

Under communism, adjectives and nouns had a discomfiting tendency to devour each other. And not only each other consider the ravenous adjective in “socialist democracy,” the gluttonous noun in “democratic centralism.” And what of “salami tactics”? This voraciousness is reason to be chary of such predatory semantic couplings. And so the successors to communism were, when they insisted on “democracy [and other good things] without adjectives.”²

But such things never come without adjectives, explicit or implicit, since the pure forms of democracy, legality, and so on, have yet to be realized. We should get used to that and ask questions about the *quality*³ of the partner and the potential success of the partnership, rather than advocate an impossible celibacy. That is consistent with St Paul’s advice to would-be fornicators concerned to avoid sin (namely, marry), and it is wise advice. We should all avoid bad marriages, of course, but not every marriage is bad, perhaps not even every *ménage à trois*. One can even end up with something greater than the sum of the parts. CLS (Conservative-Liberal-Socialism), for example.

Conservative-Liberal-Socialism was also a product of communism, though presumably unintended and certainly unofficial. Leszek Kolakowski published its credo in exile in 1978,⁴ though he warned that his “great and powerful International . . . will never exist, because it cannot promise people that they will be happy.” More recently, however, Adam Michnik claimed that this “peculiar coalition of ideas” actually *had* emerged among his generation of dissidents in the 1980s, since their rejection of communism stemmed from “reasons equally dear to a conservative, a socialist, and a liberal.” The coalition “collapsed along with communism,”⁵ however, as erstwhile allies became bitterly polarised foes—conservatives against liberals against socialists—and he sees no way to resurrect it. He votes for radical democracy, “gray” but “beautiful.” In the meantime, the ex-foes of the coalition, the much-made-over Polish post-communists, do well while its ex-members fight each other and stumble hither-and-thither.

Perhaps they should re-group, and perhaps we should too, so that the “great and powerful International” really does come to exist. For there is a lot to gain. The particular circumstance of having an enemy one hates more than one’s traditional opponents

has turned out to be transient, and fortunately so. But from it can come insights that deserve to endure, even where they have been forgotten or discarded, and have potential to reach far beyond the places and time of their origin. Such are the insights of Conservative-Liberal-Socialism.

Taken individually and taken whole, each of the traditions within Conservative-Liberal-Socialism has unacceptable elements, versions, interpretations and exemplars. None of them is without its weaknesses or blindnesses—sometimes tragic. Nor are any of them adequate, on its own, to the job of thinking well about contemporary politics. Nor are they obviously compatible, since some were forged explicitly in opposition to one or both of the others and some come to find their voice—as in post-communist Europe—directly at each other’s expense.

Yet each of the component traditions is drawn to distinctive projects and styles of thought which are slighted or rejected in typical forms of the others. Not all of these sit easily together, but some do, or can be made to come to an accommodation. In combination they can augment and on occasion correct each other. For sometimes their mutual neglect or opposition is a result less of hard thought than strong feeling, less mental than visceral. It is worth rethinking. It might then become easier to digest.

Indeed my only objection to the movement is not Michnik’s, that it is too colorful, but that it is not colorful enough. I would prefer a rainbow coalition. In an earlier modest variation of Kolakowski’s credo, I substituted social democracy for socialism, trusting that he wouldn’t mind. I will take it that, since no non-democratic interpretation of Conservative-Liberal-Socialism can be taken seriously today (something that was not always the case), it can go without saying. My current preference is for a Conservative-Liberal-Republican-Communitarian-Social-Democratic International.⁶ But I have not been asked to write about that, and on the principle that a bit of a good thing is better than nothing, I am prepared to commend the more muted tones of Conservative-Liberal-Socialism (with its silent but ever present “D”). As did our founder, Kolakowski, I will comment on each of the component traditions in turn, and confine my observations to three aspects of each of these traditions.

Taken individually and taken whole, each of the traditions within Conservative-Liberal-Socialism has unacceptable elements, versions, interpretations and exemplars. None of them is without its weaknesses or blindnesses—sometimes tragic.

Conservatism

1. Conservatives have always maintained a distinctive view of the *methods* appropriate to politics, and of the temper, perhaps temperature, proper to political engagement and reflection. They oppose the temper of certainty in politics, stress limits to human plasticity, worry about unintended consequences, are fearful of what are sometimes extolled as ‘transformative projects.’⁷ In politics they expect less light where the heat is strong, worry about radical ambitions and enthusiasms, more generally about *hubris* in public affairs. Revolutions might occasionally be justified, but they need an apology. “Permanent revolution,” so appealing to Trotsky and Mao, is appalling to a conservative.

Though communism taught many unintended lessons of this sort, none of this waited upon communism to be formulated. It was central to Burke’s attack on the French Revolution, and it has been a repeated refrain. Quite appropriately, then, “conservative” appears as an *adjective* in the International, since its role here is to qualify the way you pursue and think about whatever it is you want.

The way it recommends has two sources, one sociological and the other epistemological. First, conservatives stress the complexity of long-established arrangements, their multiple interconnections and reciprocal effects, their pervasive shaping and structuring impact on individuals, groups, and the only partly-chosen environments they find themselves in. Second, they stress the appropriateness of epistemological modesty in relation to such things, a modesty warranted by the limited degree to which we understand how they work, can predict how they will react to what we do, or can even guess how some parts of society will be affected by what we do to other parts. Consequently, they regard humility in these matters as not merely more attractive than *hubris*, but intellectually better off as well.

A happy revolutionary cannot be a conservative in this sense. The fanatical temper of certainty that revolutionary Marxism exhibited and bred was reason from the start to regard it with distaste. That would be so even if one were in sympathy with the values to which Marxists claimed allegiance.⁸ Conservatives knew that the enterprise in which the Bolsheviks were engaged—at once radically destructive and (in Hayek’s sense) radically constructivist—was great folly, not simply because of what they were about but because of the way they went about it.

In principle, methodological conservatism is compatible with a variety of substantive political commitments. Popper advocated

“piecemeal” rather than “holistic social engineering,”⁹ and there is little in his position to which a methodological conservative would object, apart perhaps from the unsympathetic scientism and voluntarism of the metaphor. Conservatives prefer social arrangements to be cultivated than engineered. A social democrat can be methodologically conservative, and many of the most perceptive critics of communism and other forms of doctrinaire socialism were. So can a liberal, and many have been, among them David Hume and Adam Smith. Those, however, whose liberalism is a rationalistic program of large-scale transformation to be imposed whatever the country whatever the cost, are methodologically un- indeed anti-conservative—even where the program is attributed to Hume and Smith. Or they are to the

extent that they ignore deep truths—conservative truths—about the complexity and variety of human affairs and social action, limited understandings, and the need to attend to local traditions and local knowledge.

To be more than a dogma of timidity, conservatism must acknowledge variation, both in the complexity of affairs and what we know of them, also in levels of vulnerability. Skepticism is not the same as terror. Moreover, precisely because conservatism insists that circumstances be taken into account, it must be alive to differences in institutional strength, support, and resilience.

Not everything is as weak, vulnerable, and mysterious as everything else, so a nuanced conservatism might well allow more risks to be taken in a good cause where institutions are strong than where they are weak (because in those circumstances the risks are less risky), allow that we know some things better than others, indeed acknowledge that some evils are so malign that radical action might be appropriate to combat them.

Methodological conservatism should not be confused with *reaction*, since it has nothing inherent to say about *restoration* of values or institutions which have allegedly been overthrown. Indeed if the overthrow was real, and restoration is essayed in too enthusiastic a manner, a conservative should caution against it.

Finally, methodological conservatism does not necessarily entail what I will call *normative* conservatism, a positive evaluation and attachment to what exists. Thus conservative liberals or democrats in a society without liberal or democratic traditions, values, or institutions, might have no sympathy for what they find around them, but still recognize that these things are there and need to be *taken account of*, and that’s a serious business, whether one likes them or not, whether one is out to subvert them or not. If they are simply *ignored*, there will commonly

Thus conservative liberals or democrats in a society without liberal or democratic traditions, values, or institutions, might have no sympathy for what they find around them, but still recognize that these things are there and need to be taken account of, and that’s a serious business, whether one likes them or not, whether one is out to subvert them or not.

be a price to pay. That seems to me an apt posture for post-communist reformers, for example,¹⁰ though many enthusiasts have not adopted it. They have acted as though what existed was of no account, until faced with the disappointing results of their efforts. Disappointment might have been predicted by anyone who had learnt from methodological conservatism that there are no clean slates. Drawing on them, you must take account of what is already there. That is so, whatever you think of what you find.

Arthur Koestler describes his autobiography as “the account of a journey from specious clarity to obscure groping,”¹¹ and it is clear that he learned something along the way. For it is a deep and appropriately unintended lesson of the most celebrated emancipatory adventure of modern times, that the temper of certainty is unfitted for politics. That lesson should stay with us, so the methodological conservative warns, long after communism has gone.

2. One *could*, then, be a methodological conservative even if one loathed existing institutions. It would be enough just to register that they need to be taken seriously. Those happiest to call themselves conservative, however, are not just talking about method and approach. They have a normative commitment to what exists, which they often express as a presumption. A fundamentalist will make that presumption close to irrefutable; a more moderate conservative will allow it to be rebutted.

The psychological and sociological sources of normative conservatism are various. Some conservatives want to hold on to what they have, which is why conservatism is often associated with privilege. Others fear what they might get, which is why many anti-communists moved in a conservative direction. Some conservatives are at ease with the *status quo ante*; others fear what might be the *status quo post*. Others just prefer the familiar to the strange.

It is not always easy to specify in general terms what normative conservatives want to conserve. For to a considerable extent, conservatism is what Huntington calls a positional ideology, “concerned not with the substance of institutions but with their preservation.”¹² It is invoked when values, practices, and institutions to which people are attached seem threatened, whatever they happen to be. Over time, the objects of such attachment have varied greatly.

Intellectually, however there are some common themes. First of all, while methodological conservatism does not *imply* normative conservatism, it can lead to it. Their implicit sociology persuades many conservatives that longevity is no small matter, from which some of them conclude that long-standing practices, values, and institutions are worthy of respect, sometimes even

reverence. Their very existence can be taken as evidence that they have got something right, which it is not easy to get right. In any event, long-lived values, cultures, traditions, institutions, and practices, are embedded in everyday ways of thinking, behaving, and valuing. Locals understand them. They are familiar, and if we are lucky, they are good. Anyway, good enough. Even if they aren’t, they are there. They enable some things and disable others. They offer particular constraints and particular resources. In other places they are different and, as a result, so are the constraints and resources. They pervade and affect, even though they do not determine,¹³ everything we do. We’d be lost without them.

Secondly, as conservative epistemology likes to remind us, we’re not that smart. Given their skepticism about human and

social inventiveness, their advice is that we do better in general (at least presumptively) to respect what has developed than what we imagine should develop, or think we can design.¹⁴ Combine the sociology with the epistemology, and conservatives are liable to say that some of the best features of long-established traditions are likely to be those that ambitious reformers cannot

see (until, at times, after they have destroyed them). These claims, of course, have rich obscurantist potential, but they are also at times true.

Added to these methodological sources of deference, conservatives are often attracted to overarching supra-individual social institutions, such as families, religious institutions, communities, and so on, which have been thought necessary to hold societies together and to enrich our lives. Their weakening is said to threaten to sunder or at least degrade social life. This is a theme which has reappeared among contemporary communitarians.

Such substantive claims should always be made more tentatively than conservatives are wont to make them, because we truly don’t know what will happen if “traditional” practices to which we are attached (often actually of recent invention),¹⁵ were to change or even disappear. It has happened often enough in the past, often with warnings of dire consequences,¹⁶ often without such consequences. Still there are reasons to consider certain traditional practices and institutions, such as families and larger sources of collective attachment and identity too, crucial to social, and perhaps even psychic cohesion, even though—indeed because—no one designed them and they have been around for a long time, and even though we often find, and have to survive, them in pathological forms.

3. Asked to justify their commitments, conservatives typically have less to say than liberals or socialists. What they do say is less likely to be systematic or programmatic. For conservatism does not trade confidently in doctrines or ideologies. It

For it is a deep and appropriately unintended lesson of the most celebrated emancipatory adventure of modern times, that the temper of certainty is unfitted for politics.

is more commonly to be found in *dispositions*, to use Michael Oakeshott's term,¹⁷ rather than in articulated theories. It prefers traditions to recipes. If, as Oakeshott elsewhere claims, the rationalist "is the *enemy* of authority, of prejudice, of the merely traditional, customary or habitual,"¹⁸ the conservative is their friend.

Such dispositions can allow us to draw on socially and generationally accumulated wisdoms, where rationalism—the insistence on interrogating and judging every practice, custom, tradition, or proposal by the light of one's reason—makes for cleverness, at times shallow individual or ephemerally fashionable cleverness. But since conservative dispositions are typically well disposed to the traditions which we inhabit and which inhabit us, they serve us best where these are nice. Unfortunately they are not especially good at discriminating between those that are nice and those that are not, between what we should cherish and what we should deplore.

Even Oakeshott observes that "[I]f the present is arid, offering little or nothing to be used or enjoyed, then this inclination will be weak or absent."¹⁹ Aridity is the least of it. The present may include positively nasty traditions, of great vintage, strength, resilience, and local appeal—this is a problem which even a Russian leader of impeccable democratic leanings (rare but not quite oxymoronic) would still face. It may also be empty (or have been emptied) of certain traditions which one would wish to cultivate and emulate—this is a problem throughout the post-communist world. Or it may be full of a plurality of traditions that point in inconsistent directions and have different, yet strongly committed constituencies—this is the problem of everyone in large, differentiated, modern societies. One may wish it were otherwise, but Russia's traditions are as they are, whole—some traditions cannot be manufactured overnight, and our societies are not quickly going to become small, undifferentiated or pre-modern.

History is not destiny, change is continuous, people have good ideas, and we keep being surprised. So we should never assume that what we have is what we must have, nor necessarily what we should have. For all their significance, traditions change and conflict, the products of foreign traditions can be grafted onto existing ones, and new things happen. Actors are influenced by many things, not only the traditions with which they grew up. Anyway, they grow up with and within many traditions. Some of those traditions are not very palatable or have unpalatable elements or dark sides. Sometimes we come to realize it, and sometimes we can and should do something about it.

And new things happen. Some ideas and ideals will appeal

to us, wherever and whenever they grew, simply because they seem to us good or right. We can't assume that they will therefore have success in the world, but there is no reason to reject them simply because we haven't had them before. Otherwise no one would now have a written constitution, because only 250 years ago, no one ever did. And representative democracy was also new not very long ago. I live in one of the oldest, Australia, and mine is a young nation.

Conservatives are right to emphasize the stickiness and complexity of social and political arrangements. In any particular place, dealing with the application of ideals requires local knowledge; the more the better. But it requires other things as well. And normative conservatives have less to say about those things.

Any answer must involve arguing about values, practices, and traditions, advocating some, criticizing others, preferring some, letting go of others.

For apart from taking into account what exists, one needs to be in a position to reflect upon it and evaluate it, both affirmatively and critically. Here normative conservatism must be more controversial, and, since it is more often based in sentiment and disposition than argument, it is commonly less persuasive to those of different sentiments and dispositions.

The conservative presumption in favor of the way things are might give enthusiastic critics pause, but without more it does little to answer their complaints. It can only stop for long those who already share an affection for the way things are. Those who don't share that affection, or are not sure whether or why they should, might ask to be convinced. Then what?

Any answer must involve *arguing* about values, practices, and traditions, advocating some, criticizing others, preferring some, letting go of others. Winning an argument is not in itself a substitute for sensitive exploration (and extension) of existing traditions and their intimations. Nevertheless there are many circumstances in modern societies where that will not do enough: where to say "that's the way we do things here," is not to say enough. (East Europeans could say that, with justice, about anti-Semitism and quite a few other deeply rooted and odious local traditions. Many do, but fortunately quite a few—particularly liberals²⁰—find that unsatisfying today.) To say more, reflectively and routinely among strangers and without guns or knives, is to participate in a liberal form of conversation.

Liberalism

1. Many liberals have no time for the conservative disposition. Such non-conservative liberals are enemies of the unexamined life. In principle, they believe everything should be weighed on the scales of liberal reason. Piety has little meaning for them. In this they seem to conservatives to be rash—

dangerously and corrosively rash. Silly too. And often they are. This is one reason why liberal chatter so commonly appears unattractive and frivolous to conservatives.

Nevertheless, there is much to be said for the liberal commitment to reasoned discussion, and it is possible for a conservative to participate in it. Desirable, too. Even where the cause is good, conservatives must be able to engage with liberals once that cause is challenged. Hostile attention cannot be doused, in free societies, by demands for deference. In rational discussion, one might draw attention to and emphasize the often hidden wisdom and virtues of traditions, but even if one wished to, it is hard to avoid the discussion once it has started.

And the cause is not always good. A virtue of liberal relentlessness is that it demands justifications of many established institutions and practices whose bearers and beneficiaries wrongly resist it. Not all mysteries are deep. Not every tradition is full of “intimations”²¹ that we would be wise to pursue. Some are just mired in obscurantism, best to eschew. The question is which is which. Once it is asked, inarticulate submissiveness is not much of an answer.

2. More than conservatism, liberalism is committed to particular substantive values. Central among these is individual autonomy. That leads quickly to hostility to arbitrary imposition, restraint or direction. An associated value is tolerance. Since the world can be threatening and one does not want freedom to be a matter of chance, liberalism stresses rights and institutional arrangements that might anchor and safeguard them. Arrangements to guide, channel, diffuse, restrain, and balance the powers of the powerful are liberal arrangements, and a great deal of liberal attention to the rule of law and constitutionalism has been devoted to the design of such arrangements.²² These are good causes even where, often especially where, they have not been old causes.

A crucial medium of liberal institutional arrangements is law. The rule of law—not merely *a* rule of law but *the* rule of law, the channelling and restraint of power by legal means—is an overarching goal of liberal political and legal institutions and practices.²³ It is intended to restrain both political and social powers by subjecting them to clear, knowable laws, reliably administered in accordance with predictable, non-arbitrary interpretations of their meaning. To the (variable) extent this occurs, citizens in complex societies have reasons to be less fearful, more cooperative, and better informed than under other institutional set-ups. For though the rule of law, like the rules of chess, does not make everything predictable, it ties down much that would otherwise be up for grabs. In large societies, where ties of kinship, local-

ity, and mutual surveillance cannot bind, reassure, or inform, the impersonal force of the rule of law is crucial.

One of the major sources of wholesale (and lingering) distrust among strangers in communist states was the absence of the rule of law in this sense. Communist (and Nazi) states had plenty of laws. There was a Nazi jurisprudence and it was a horrible sight. Its aim was to make law maximally, pliable and permeable to political direction. Communist law had similar aims, though with time they generally became less ruthlessly pursued. For the most part law was viewed purely instrumentally: When it came to replace (or regulate) direct terror, law was one among an array of instruments for translating the party’s wishes into action and maintaining social order. What was lacking in these states was not law, but the rule of law.

The rule of law is fragile, always imperfectly attained, no panacea, and not the only thing we want, even from law. But the difference between polities in which law *counts*, and counts *as a restraint on power*, and those in which it does not, is a fundamental one. Many people who enjoy the rule of law don’t know their luck. However, in large societies with powerful states, those who don’t enjoy it are missing something special, and many of them know it and

have fought for it. It is a liberal fight and a worthy one.

Among other things, the rule of law is essential for a civil society in good shape, and liberals, unlike many conservatives and most Marxists, are fond of such societies. Some conservatives, and Karl Marx, denounced civil society when it was young. The conservatives wanted to avoid entering it, preferring the more intimate (and sacred) connections that modernity threatened to undermine. Marxists wanted to transcend it. The former failed and, for better or worse, it is hard now to wish modernity away. Marx loathed what he understood as civil society. He loathed its separations, its boundaries, its individualism, its law, its private property, its competitiveness, its markets, its money, its religions, perhaps its variety.²⁴ Communist society would have none of these things, and indeed it didn’t. Marxists in power succeeded in destroying civil society where it had existed, and repressing it where it had not. The consequences were catastrophic. Over the past decade, throughout the post-communist world, many people have been wondering how to build or rebuild a civil society from the rubble that remained. It is not easy.

There is much to say about civil society that I cannot say here.²⁵ At its best, it is a crucial condition for non-predatory relations among strangers. Since modern societies are full of strangers, these are valuable relations to have. Civil society is also, among other things, a congenial forum for the eminently

The rule of law is fragile, always imperfectly attained, no panacea, and not the only thing we want, even from law. But the difference between polities in which law counts, and counts as a restraint on power, and those in which it does not, is a fundamental one.

liberal activity of arguing about values. In that argument, liberals have some important things to say, and they have had some success.

3. Some of the things for which the past century will be remembered are already clear. Prominent among them is the contest between liberal democratic and totalitarian states. For much of the century it was a very uncertain contest. To almost everyone's surprise it ended as almost no contest at all.

Fascism and communism were not only horrible regimes but they also seemed, for much of the time, to be immeasurably more powerful than the sloppy, uncoordinated, aimless, open, and tolerant societies which they faced. As Orwell noticed, many people admired that power. Others feared it. Both considered it formidable, as for a time it was.

Against these monsters stood merely the liberal democracies, and whatever else could be said about them, for much of the century no one—neither friend nor foe—accused them of excessive stamina. While liberal democracy always had supporters, until recently it had few enthusiasts. Not only did liberalism have many hostile critics, particularly among intellectuals, even its friends did not seem to like it too much. At best, there was something second best about liberalism. Perhaps it warranted Forster's "Two Cheers"²⁶ or Churchill's ambiguous praise,²⁷ but scarcely enthusiastic ovation. It was, however, enthusiastically opposed.

Totalitarian regimes attacked virtually every sort of civilized value, but central and most explicit among the values, practices, and institutions they attacked were liberal ones. The Nazis' relationship to German conservatism and conservatives was at best ambiguous. They were radical and fanatical, and they deformed conservative values, but they were not opposed to all of them. They hated and destroyed democracy, but Hitler was voted into office. They hated communists and social democrats, but they were after all National Socialists. Their relationship to liberalism, however, was uncomplicated. They violated every liberal value, not occasionally or by accident but systematically and with pride.

Communism was deeply anti-conservative, at least until it seemed firmly entrenched. But communism was not at war with conservatism in the same way that it was with liberalism. For in the Marxist understanding, conservatism was already doomed by history. It simply could not withstand the relentlessly changeable force of bourgeois modernity. But at the level of ideology, liberalism *was* bourgeois modernity. And communism—

super-modernity—was an assault on liberalism, at every level. It assaulted, often with ferocious intensity, all the core liberal values: freedom, rights, privacy, civil society, markets, and the rule of law. "Rotten liberalism," as Lenin liked to call it, was a prime target.

As things have turned out, fascism and communism collapsed in turn, in defeat and humiliation. Indeed the latter fell with hardly a blow being struck—just fell apart, rotten to the core. Liberal democracies, on the other hand, have kept plodding on, in their prosaic, tepid way, becoming over the century wealthier, stronger, freer, and more just. There remains a lot to complain about in modern liberal politics—problems unaddressed, unresolved, and newly spawned. But there is less to complain about than among their most significant rivals, and there is a lot to

praise as well. Perhaps something altogether different would be immeasurably better. Neither conservatives nor liberals will hold their breaths.

It is nice to be able to say that liberalism is not merely better but also stronger than totalitarianism. That, however, is not enough. One can still ask whether it can be better than it is, even how it might be made better. The conservatives in our coalition should not disqualify these questions but caution us as we ask and answer them. Liberals and socialists, of course, have strong views on these matters.

Socialism

1. Socialism has fewer methodological lessons of its own to offer than conservatism and liberalism. In the version most famously tried, we have "seen the future," and it didn't work. Yoked to our International, however, socialists have absorbed from conservatism the dangers of unrestrained idealism and the temper of certainty in politics; from liberalism the importance of liberal discussion, values, and history; and some profound and negative lessons from what came to be known as "really existing socialism."

Some socialists maintain that the failure of Soviet communism tells us nothing about socialism.²⁸ This is nonsense. It cannot, of course, tell us that every conceivable form of socialism must be unsatisfactory. It does, however, tell us a lot about one form, and one that has the distinct disadvantage of having existed. And as the Russian (ex-communist) liberal, Aleksandr Tsipko, put it in exemplary conservative terms: "Hope is in general not an argument in scientific debate."²⁹ It also tells us that unrestrained pursuit of some ambitions deep in socialist traditions, among them levelling and indeed "liberating" ones, have

Yoked to our International, however, socialists have absorbed from conservatism the dangers of unrestrained idealism and the temper of certainty in politics; from liberalism the importance of liberal discussion, values, and history; and some profound and negative lessons from what came to be known as "really existing socialism."

terrible consequences, and that others, such as comprehensive planning and statism, have nothing good to be said for them. And it tells us this at every level: in economic terms, in terms of quality of life, in terms of freedom, and in terms of human dignity. Also, I believe that it tells us some deep and deeply unpalatable things about the ambitions and implications of the thought of the greatest socialist of all—Karl Marx.³⁰

From these sources Conservative-Liberal-Socialists derive skepticism about transformative projects, loathing of monopoly state control, and an appreciation of civil society, with its undirected complexity, its tolerance of free and open discussion, its markets, and its multiple sources of power and independence. These are things they now share with their coalition partners.

Yet they also believe that the lessons of Soviet socialism can be overextended and oversold and that part of what is valuable about reflection on the Soviet case is to realize what are not useful analogies, rather than merely what are, what are the sources of difference as well as of similarity. There are profound differences, for example, between the pursuit of social democratic aims within a liberal democracy and the destruction of such a democracy, allegedly to further those aims. This is so even if one can say of both that they involved a commitment to some form of social justice and they envisaged a significant role for the state in attaining it.

Some liberals (or in the United States, libertarians) who spurn our coalition, for example Hayek, have predicted a slippery slope from pursuit of social justice with the aid of state intervention to Soviet-style despotism. It is therefore worth remembering that no society has ever slid down that slope. No communist state ever began as a welfare state in decline, and no welfare state has ever delivered the comprehensive political, moral, economic, and ecological degradation that communist states did. On the contrary, Conservative-Liberal-Socialism is a partisan of existing liberal polities, which are among the striking success stories of the last century. Yet these polities, at the moments of their greatest success, were liberal social democracies, with government activity and welfare services greater than have ever existed in the history of the world. One can say that they would have done better if they had never been welfare states at all; but then, as conservatives know, one can say anything.

2. At its best, socialism was the product of a moral concern for the plight of people whose condition was a product of forces larger than them, with consequences often inescapable by them. That was true of the new class of workers formed by the

Industrial Revolution, and it is arguably true of the new class that the French call *les exclus*, formed by the post-industrial and global economic transformations of the world today.

Many people will suffer, as many people always have suffered, for reasons which have nothing to do with individual worth or desert. Under no illusions that they can (or even should try to) relieve them all, Conservative-Liberal-Socialism is concerned to address such sufferings and the indignities associated with them. They consider unemployment, for example, a matter of moral, not merely electoral, responsibility for governments. They also reject the claims of some libertarians that the very idea of redistribution is immoral, though they are not as confident as socialists-without-adjectives once were about how it might be done.

In a democracy, we have, of course, purely prudential reasons to seek the relief of exclusion and disadvantage. After all, even the most vulnerable people vote, and continually disaffected and excluded members of a society can cause crime, violence, fear, and other sorts of trouble. They might also cause moral unease among the better placed.

But the reasons go deeper. Conservative-Liberal-Socialism goes beyond conservative-liberalism in seeking to blend liberal democracy with public social responsibility. The conditions of flourishing membership in a society should

extend, as much as possible, and consistent with other values, to all its members, and those conditions can be extensive, for they include health, education, relief from poverty and potentially many other forms of support. They also include liberty under law, which is rarely uniformly spread through a society. They are among the conditions necessary for a life of dignity, for inclusion in a society, for satisfying connection and participation of citizens as moral equals in a society's affairs. Remedying conditions that disable some of us from enjoying these conditions is properly the concern of all of us, or at least of our political representatives who are supposed, after all, to represent all of us.

3. Moving from aims to means, Conservative-Liberal-Socialism is conscious that history is rich with examples of bad things done in the sincere pursuit of what appear to be good motives. I have spoken of socialism at its best, but socialism was often not at its best and life under what used to be called "real socialism" was commonly as bad as could be. Since it is conservative and liberal, Conservative-Liberal-Socialism can never contemplate treating people as pawns to be moved around at will to satisfy some Procrustean fantasy. That is an offence both to liberty and dignity. In any event Procrustean social engineering has shown itself spectacularly unsuccessful in attaining its self-

In a democracy, we have, of course, purely prudential reasons to seek the relief of exclusion and disadvantage. After all, even the most vulnerable people vote, and continually disaffected and excluded members of a society can cause crime, violence, fear, and other sorts of trouble.

appointed tasks, let alone at minimizing “collateral damage.”

It has been a deep, and at times tragic, conceit of transformative projects, to believe that decent ends naturally spawn the means to achieve them and that these can be used without cost to other important values. There is no reason in principle or experience to believe that. A prudent investor would believe the opposite. At least he would hedge. Yet many optimists about the welfare state, let alone more ambitious rivals on the left, rested with just that questionable assumption.

The state has been the repository of many dubious dreams. Some social democrats were confident that, once captured, the state would work like a perfect, frictionless machine to attain the ends for which it was designed. At this time of day such optimism seems a little quaint. These are obvious truths to conservative liberal social democrats, but unfortunately they have not always been obvious to everyone.

And yet, they can be misconstrued, and have been in many liberal attacks on socialism. Not only do some such attacks misconstrue “socialism at its best,” but they also get liberalism itself wrong. For liberalism, and the flourishing civil societies that Conservative-Liberal-Socialism looks to, require strong and effective states.³¹ What they don’t need is arbitrary, capricious, despotic states, or states that overreach themselves. No more, though, do they need weak or ineffective ones.

Even “simply” keeping the peace is no small matter, and in modern conditions strong and effective states are needed to do it. This is evidenced by the difficulty of restoring peace in societies in which states have collapsed or have become too weak to keep it. And if we explore what else we value that depends on a state that is effective and strong, the list becomes long and complex. It certainly includes markets, private property, and civil societies, which are so often wrongly seen as alternatives to strong and effective states, though in fact they depend upon them. Moreover, as the World Bank has started to remind us, and perhaps itself,³² if economic and other social development is to be successful, there is a lot that governments need to do. Not merely to make and enforce laws, but also to invest in basic social services and infrastructure, to protect the vulnerable and to protect the environment. They shouldn’t do everything themselves, indeed there are excellent reasons why they shouldn’t even dream of it, but they have a responsibility to provide many conditions without which it is simply impossible for such things to be done.³³

One should, then, avoid the mistake, often made by libertarians, of seeing “the state” as inevitably the enemy of liberalism

or civil society, or at best a necessary evil. The state is a heterogeneous category, and some forms of it are a necessary good. Many states do evil as a matter of course, and even adequate states commonly do much that they shouldn’t or worse than they should. But the important distinctions among states are qualitative,³⁴ and we are only beginning to make them. One difference is between states which effectively *own* the whole of the economy, polity, administration, and in effect society, and those that act within and alongside a civil society that contains many other and powerful actors, and which is undergirded—*indispensably* so—by an effective state, sufficiently strong to do what only it can do.

Again, some states can pulverise subjects without resistance, but no matter whom they shoot, the societies are still weak, uncooperative and unproductive, and ultimately so are the states. On the other hand, there are states that contribute to and draw upon the resources of hugely productive societies and help these resources to be put to good ends, though they find killing their citizens hard. These capacities and incapacities are related, and unsurprisingly, Conservative-Liberal-Socialism favors those of the second sort. It was, after all, born in states of the other kind.

Conclusion

Whoever reads this far might, I fear, have difficulty choosing between two alternatives, neither of which commends itself to me: Either the combination I advance is impossible, or it is banal. (It could, of course, be both, but that also doesn’t commend itself.) Either it is unrealizable (or not worth realizing), or so obvious that it goes without saying.

To treat these unappetizing alternatives in turn, it seems to me possible, indeed sensible, to value the conservative temper and traditions, to feel some respect for complex social institutions, to participate in liberal discussion and applaud liberal values, to abhor socialism without adjectives but support public social responsibility. So it is possible and sensible to support Conservative-Liberal-Socialism. There are, of course, tensions between an uncompromising commitment to certain elements of the position, say the conservative disposition, and an uncompromising commitment to other elements, say the liberal demand for reasoned public justification. Thus I have sought to suggest why both a conservative disposition and liberal discussion contribute to political understanding, though neither is sufficient on its own or at all times. That is why, though they are in potential tension with each other, we need both. So too with conservative and liberal values, liberal and social democratic values,

Even “simply” keeping the peace is no small matter, and in modern conditions strong and effective states are needed to do it. This is evidenced by the difficulty of restoring peace in societies in which states have collapsed or have become too weak to keep it.

conservative and social democratic values. Tensions are not necessarily what Marxists gleefully called “contradictions,” which can only be dealt with by systemic change. Some we can resolve, others we just have to live and deal with continuously. And if it were to turn out that no truly seamless and tension-free political theory can be made out of Conservative-Liberal-Socialism, a *conservative* liberal socialist could live with that, too.

Conservative-Liberal-Socialism has no algorithms for practical decision. Since no one has, it is none the worse for that. At best, like conservatism, liberalism, and social democracy themselves, Conservative-Liberal-Socialism identifies and clarifies important values in play and suggests some useful ways and considerations with which to think about them. No general complex of values can dictate how they are to be applied to particulars. Anyone familiar with law is familiar with the problem. However strong the values, they will be engaged and refracted in varying ways by the circumstances in which they are invoked, and often they will clash, either in principle or in practice or both. There is no escape from the need for deliberation, choice, and judgment. That is why on any particular issue conservatives can be found arguing not just against non-conservatives but with each other, as can liberals, and social democrats. So will conservative liberal socialists.

As for banality, there is a sense in which I hope it is so. Part of my aim is to dissolve artificial or overblown antitheses, by stressing the extent to which what we already know or want overflows them. Policy choices might well be miscast if too quickly boxed into one or another allegedly distinct and self-sufficient, worse still exhaustive or exclusive, style or tradition of political thought. Each of the traditions represented in Conservative-Liberal-Socialism has distinctive themes and preoccupations. To gauge the power of these concerns, it is often good to go to the source. Even if we emerge impressed, however, we should not feel obliged either to stay there and go native, or to camouflage and strain our eclecticism to make it *salonfähig* somewhere else.

Nor should we fear becoming all things to all people. Even if the three factions of Conservative-Liberal-Socialism come to agreement, they will still have more than enough enemies to go around. Among them will be fundamentalists, in all three camps, who feel betrayed. Of course, CLS might be accused of “cherry picking” the congenial and compatible aspects from each of its component traditions, leaving behind just what makes them objectionable and should not be touched. I would advise members to plead guilty to this charge but not to feel guilty. After all, if the cherries are nice, why not pick them? If they go well together, why not mix them? And if some of their neighbors are rotten, why not leave them to rot? Conservative-liberalism has more to offer contemporary debate than unconservative liberalism or illiberal conservatism. Blended with carefully picked elements of social democracy, it offers a promising route back to the future.³⁵

Martin Krygier is a professor of law at the University of New South Wales in Australia.

Endnotes

1. This article was written while I was a visiting fellow in the Reshaping Australian Institutions project, Research School of Social Sciences, Australian National University. I am grateful for the congenial conditions the school provides, and am also grateful to Geoffrey Brennan, Adam Czarnota, Arthur Glass, Julie Hamblin, and Ian Marsh for comments on drafts.
2. See Timothy Garton Ash, “Eastern Europe: The Year of Truth,” *New York Review of Books*, Feb. 15, 1990, 21, reprinted in *We the People*, Penguin, London, 1999, 151.
3. I expand on this point in “The Quality of Civility. Post-anti-communist Thoughts on Civil Society and the Rule of Law,” forthcoming in András Sajó, ed., *Into and out of Authoritarianism*, Kluwer, Amsterdam, 2001.
4. “How to Be a Conservative-Liberal-Socialist. A Credo,” (1978) *Encounter*, 46–47. Reprinted in *Modernity on Endless Trial*, University of Chicago Press, Chicago, 1980, 225–27.
5. Adam Michnik, “Gray is Beautiful. A Letter to Ira Katznelson,” in *Letters from Freedom*, University of California Press, Berkeley, 1998, 322. The collapse was not absolute. My essay “In Praise of Conservative-Liberal-Social-Democracy,” on which this article draws, was republished in the first post-communist issue of a once-underground journal, (*Nowa*) *Res Publica*, with the editorial comment: “the author’s views on this subject are very close to our point of view.” (Cf. “Pochwała konserwatywno-liberalnej socjaldemokracji” (October, 1992) 1 *Nowa Res Publica* [Warsaw], 71–78).
6. *Between Fear and Hope. Hybrid Thoughts on Public Values*, ABC Books, Sydney, 1997, chapter 6: “In Praise of Hybrid Thoughts.”
7. For a paean to such projects and to the “transformative vocation,” see Roberto Mangabeira Unger, *Politics. A Work in Constructive Social Theory*, 3 volumes, Cambridge University Press, Cambridge, 1987.
8. I do not, however, recommend such sympathy. Cf. Krygier, “Marxism and the Rule of Law. Reflections After the Collapse of Communism” (1990) 15 *Law and Social Inquiry*, 633–63 and the ensuing debate in that issue.
9. *The Poverty of Historicism*, Routledge & Kegan Paul, London, 1960.
10. I seek to defend such an approach in “Institutional Optimism, Cultural Pessimism and the Rule of Law” in Martin Krygier and Adam Czarnota, eds., *The Rule of Law after Communism*, Ashgate, Aldershot, 1999, 77–105.
11. *The Invisible Writing*, Stein and Day, New York, 1984, 19. Sadly not all his groping stayed obscure, but the point remains.
12. See Samuel P. Huntington, “Conservatism as an Ideology” (1957) *American Political Science Review* 463.
13. This is a distinction I think it absolutely crucial to make. Cf. “Institutional Optimism, Cultural Pessimism and the Rule of Law.”
14. Though he claims not to be a conservative, this is a common theme in Hayek’s writings. See *Law, Legislation and Liberty, vol. I: Rules and Order*, University of Chicago Press, Chicago, 1973.

15. See Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition*, Cambridge University Press, Cambridge, 1983.

16. "I can well imagine paleolithic nomads angrily resisting the foolish ideal that it would be better for people to have permanent dwellings or predicting the imminent degeneration of mankind as a result of the nefarious invention of the wheel." Leszek Kolakowski, "Modernity on Endless Trial" in *Modernity on Endless Trial*, 3.

17. "On Being Conservative," in *Rationalism in Politics and Other Essays*, Liberty Press, Indianapolis, 1991, 407–37.

18. "Rationalism in Politics," *ibid.*, 6.

19. "On being Conservative," 408.

20. Cf. Wojciech Sadurski, "Dwa Liberalizmy," ["Two Liberalisms"] *Polityka* Warsaw, 7 Dec. 7, 1991.

21. Oakeshott's term. See "Political Education", *op. cit.*, 56–58.

22. I have written about some of these in "Ethical Positivism and the Liberalism of Fear" in Tom D. Campbell and Jeffrey Goldsworthy, eds., *Judicial Power, Democracy and Legal Positivism*, Dartmouth, Aldershot, 1999,

23. Cf. my entry "The Rule of Law" forthcoming in *International Encyclopedia of the Social and Behavioral Sciences*, editors-in-chief Neil J. Smelser and Paul B. Bates, to be published by Elsevier Science, Oxford, 2001.

24. See "On the Jewish Question" in *Early Writings*, Viking, New York, 1975, 211–41.

25. For more, see my "Virtuous Circles. Antipodean Reflections on Power, Institutions and Civil Society" (Winter 1997) 11, 1 *East European Politics and Societies*, 36–88, and "The Quality of Civility. . ."

26. "So Two cheers for democracy: one because it admits variety and two because it permits criticism. Two cheers are quite enough: there is no occasion to give three. Only Love the Beloved Republic deserves that."

27. "Many forms of government have been tried, and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of Government except all those other forms that have been tried from time to time."

28. See Richard Abel, *op. cit.*, *supra*, n.2. I discuss this argument at some length in "Marxism, Communism, and Narcissism" (1990) 15, *Law and Social Inquiry* 707–30.

29. "The Sources of Stalinism," *Nauka i Zhizn*, 1988, no.11, 45–55, in English in *Soviet Law and Government*, Summer 1990, v.29, no.1, 8.

30. See "Marxism and the Rule of Law. . ."

31. This key point, often neglected or denied by contemporary liberals, cannot be emphasized enough. It has been particularly well made by Stephen Holmes, and my debt to him in what follows is plain. See, for example, *Passion and Constraint*, University of Chicago Press, Chicago, 1995; and, with Cass Sunstein, *The Cost of Rights*, Norton, New York, 1999. Cf. also my "Virtuous Circles. Antipodean Reflections on Power, Institutions and Civil Society" (Winter 1997) 11, 1 *East European Politics and Societies*, 36–88, and "The Quality of Civility. . ."

32. *World Development Report, 1997. The State in a Changing World*, Oxford University Press, Oxford, 1997.

33. Holmes make this point tellingly in drawing lessons for liberals from the incapacities of the present Russian state, no longer excessively strong but excessively weak. See "What Russia Teaches Us Now: How Weak States Threaten Freedom" (July–August 1997) *American Prospect* 33.

34. See, e.g., for a distinction between 'despotic' and 'infra-structural' states, Michael Mann, *State, War and Capitalism*, Blackwell, Oxford, 1988, 32. See also his *Sources of Social Power*, vol. 1, Cambridge University Press, Cambridge, 1986, 477: Here, and more crisply, Mann contrasts "power over civil society, that is, *despotism*" and "the power to coordinate civil society, that is, *infra-structural power*." See the good use made of this distinction in John Hobson and Linda Weiss, *States and Economic Development*, Polity Press, Cambridge, 1995. For a related distinction between "cap-stone" and "organic" states, see John A. Hall, *Powers and Liberties. The Causes and Consequences of the Rise of the West*, London, 1985. Cf. my *Between Fear and Hope*, chapter 5, "The Good That Governments Do."

35. On re-reading Kolakowski's credo, I (re-)discovered that in this, as in most things, he was ahead of me. His opening paragraph is: "Motto: 'Please step forward to the rear!' This is an approximate translation of a request I once heard in a tram-car in Warsaw. I propose it as a slogan for the mighty International that will never exist." I prefer the relative optimism of my conclusion, which might be rephrased as "Please step backward to the front," but its inspiration is clear.