

**TRUE CITIZENSHIP: THE CASE FOR NORMATIVE STANDARDS**

**THESIS**

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To Frederik, who always encouraged me to never give up, for  
Christian and Samantha, whose enduring patience and love allowed  
me to follow my dream.

## **PREFACE**

The interpretation of citizenship helps to characterize societies. How societies define family, education, and law determines the construction of citizenship. The structure of citizenship can determine the successes or failures of societies. When a society does not follow normative standards, which have been espoused in the classical and traditional thought, citizenship and the institutions that support it have no meaning.<sup>1</sup>

The current trend in modern societies represents an inclination to construct citizens from the ideals of traditionalism and classical thought (which espouses that normative standards are necessary for successful societies), toward the postmodern ideal that insists that normative standards do not exist.<sup>2</sup> Replacing modernism which began to question authority and normative standards as far back as the Enlightenment, are the new ideals of postmodernism. There are basic characteristics that I will use to define postmodern thinkers i.e. relativism, the focus on processes and procedure rather than

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<sup>1</sup> John Davidson Hunter, *Culture Wars*, (New York: BasicBooks, 1991), 50-51.

<sup>2</sup> Gene Edward Veith, Jr., *Postmodern Times* (Wheaton: Crossway Books, 1994), 16-17.

substance, and the denial of normative standards based on tolerance. I will make the case that the ideals of postmodernism, which go far beyond questioning normative standards and actually deny they exist, cannot result in true citizenship. True citizenship occurs when the reality attest to the fact that societies' institutions function well and reflect a movement in the direction of what Aristotle called "the good life".

What happens to the society that has been severed from its underpinnings, in which faith, culture, and politics have become fragmented and devoid of meaning and citizens have lost a shared basis for a common life together? The result is the loss of community, a declining social order, the erosion of trust in authority, and the increased assertion of human passion through power rather than reasoned judgment<sup>3</sup>

A return to *reasoned judgment* regarding how societies function best, needs to be examined without the charge of intolerance.

December, 2000

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<sup>3</sup> Don E. Eberly, "The Quest for a Civil Society", essay, ed , Don Eberly, *Building a Community of Citizens*. (Lanham: University Press of American, Inc, 1994),xxi.

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## CHAPTER 1

### DEFINING CITIZENSHIP: POSTMODERNISM VS. CLASSICAL AND TRADITIONAL

One of the greatest concerns of modern political theory is the concept of pluralism and its negative and positive effects on citizenship.<sup>4</sup> Today as cultures are assimilating due to globalization, there is an obsession to insure equality. Toleration of many competing concepts of citizenship has replaced normative standards that have throughout history influenced the models of citizenship.<sup>5</sup> In the classical and traditional ideals of citizenship, normative standards were recognized as necessary for successful societies.<sup>6</sup> Traditionalism is characterize here as,

It is a view about the political arrangements that would be most conducive to good lives in the context of a society where the primary values are on the whole protected by required conventions, so that the minimum requirements of good lives are met. Traditionalists defend the view that the political arrangements

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<sup>4</sup> Francis Canavan, *The Pluralist Game*, (Lanham: Rowman & Littlefield Publishers, INC., 1995), 63-65.

<sup>5</sup> Ibid, 66-74

<sup>6</sup> I will equate classical and traditional thought here based on the fact that they both accept normative standards for society, recognizing that they have unique distinctions.

should foster the traditions that have stood the test of time in the history of a particular society. The significance of traditionalism emerges by understanding the reasons for favoring what it does and the reason for opposing what it opposes.<sup>7</sup>

Normative standards being defined here as natural law, in the tradition of Thomas Aquinas. Aquinas reasoned in his Two Treatises of Government that there are laws that are so basic to mankind that citizens are always aware of them.<sup>8</sup> Examples would include laws against murder, theft, harming others, which often parallels the Mosaic Commandments. Even Christianity and classical thought concurred on the idea of normative standards,

The Biblical and the classical worldviews did not always fit together, but they were not completely and in every detail opposed to each other. They agreed that there was a transcendent reality beyond this world, to which this world owed its meaning. They agreed that the physical world was orderly and to some extent knowable; they agreed on the objectivity of truth and on intellectual absolutes.<sup>9</sup>

Cultures throughout history have recognized the natural law as a representation of objective truth. C.S. Lewis in The Abolition of Man chronicled the natural law (*Tao*) as being fundamental in all the major cultures of the world.<sup>10</sup> He argued however, "An open mind in questions that are not ultimate is useful. But an open mind about the

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<sup>7</sup> John Kekes, *The Case for Conservatism*, (Ithica: Cornell University Press, 1998), 205-206.

<sup>8</sup> J. Budziszewski, *Written on the Heart*, (Downers Grove: InterVarsity Press, 1997), 60-64

<sup>9</sup> Gene Edward Veith, Jr., *Postmodern Times* (Wheaton: Crossway Books, 1994), 31.

<sup>10</sup> C S Lewis, *The Abolition of Man*, (New York: Touchstone, 1996), 93-109.

ultimate foundations either of Theoretical or of Practical Reason is idiocy... Outside the Tao there is no ground for criticizing either the *Tao* or any thing else".<sup>11</sup> He insists that if the basic values are denied then all values must be denied because ultimately all values stem from the *Tao* (natural law).

Theories of citizenship that do not recognize normative standards are represented here as postmodern. Postmodernism is hard to define because it is a philosophy that appears in many areas of study, art, architecture, music, film, literature (deconstructionism), sociology and politics to name a few. As Wilfred M. McClay, Associate Professor of History at Tulane University acknowledged, "It is hard to think of a term in the lexicon of contemporary intellectual fashion, with the possible exception of "multiculturalism," that is more elusive. Yet the sprawling vagueness of such a term, like the sprawling vagueness of *Finnegan's Wake*, seems only to augment its market value in the strange world of academic discourse."<sup>12</sup> Nonetheless the following characteristics of postmodernism by Dr. Mary Klages, Associate Professor of English at the University of Colorado, prove constructive in defining the postmodern thinker:

Postmodernism then is the critique of grand narratives, the awareness that such narratives serve to mask the

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<sup>11</sup> C.S. Lewis, *The Abolition of Man*, (New York: Touchstone, 1996), 59.

<sup>12</sup> Wilfred M. McClay, "Books in Review", *First Things* 48, (December 1994), 51.



contradictions and instabilities that are inherent in any social organization or practice. In other words, every attempt to create "order" always demands the creation of an equal amount of "disorder", but a "grand narrative" masks the constructedness of these categories by explaining that "disorder", REALLY IS chaotic and bad, and that "order" REALLY IS rational and good. Post modernism, in reflecting grand narratives, favors "mini-narratives," stories that explain small practices, local events, rather than large-scale universal or global concepts. Postmodern "mini-narratives" are always situational, provisional, contingent, and temporary, making no claim to universality, truth, reason, or stability.<sup>13</sup>

Today, several influential philosophers have put forth theories that are postmodern in nature. Leading figures like Jean-Francois Lyotard, Jean Baudrillard, Jacques Derrida, Michel Foucault, and Nancy Scheper-Hughes have been associated with postmodernism.<sup>14</sup> Ideas from political thinkers such as John Rawls (*A Theory of Justice*), Herman R. van Gunsteren (*A Theory of Citizenship*), Robert Nozick (*Anarchy, State, and Utopia*), and others are used here to characterize the basic ideal of postmodern political thought. Although they all would consider their theories unique and strikingly different in their conceptions of citizenship, there are important factors they share in common with postmodernism. Although many of today's political theorists would not necessarily consider themselves postmodernists

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<sup>13</sup> Mary Klages, "Postmodernism", [Http://www.Colorado.edu/English2012Klages/pomo.html](http://www.Colorado.edu/English2012Klages/pomo.html)

<sup>14</sup> Shannon Weiss and Karla Wesley, "Postmodernism and Its Critics", <http://www.as.us.edu/ant/Faculty/muphy/436/pomo.html>, 4-5.

(including Rawls, Nozich, and van Gunsteren), it by no means detracts from the *evidence* that illustrates their ideas are postmodernist in nature. The intention here is to show this connection.

Much of postmodern philosophy rests on Kant's moral theory or Hume's utilitarian models and is represented in various ideologies ranging from neo-conservatism, progressive liberalism, libertarianism as well as others. Regardless of the appellation of the political ideology there seem to be only two rationales of citizenship at work, either there is an end greater than each citizen or each citizen is himself the end. Classical tradition affirms the former, while postmodernism views the purpose of citizenship as relative to the citizen. J. Budziszewski summed up the Aristotelean purpose of citizenship, which also describes the Traditional definition of citizenship in relation to the *polis*,

The *matter* of the City is a particular group of human beings, separate from others, whom we call its citizens.

Its *form* is partnership in a way of life, under the regulation of laws which are directed toward justice.

Its *power* is need, for people first come together in Cities simply to live in mutual security.

Its *end* is the good, or perfection, of its members.<sup>15</sup>

The postmodern thinker sees the world in a very different way than the classical thinker. Whatever the citizen in the postmodern

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<sup>15</sup> J. Budziszewski, *Written on the Heart*, (Downers Grove: InterVarsity Press, 1997), 16

world perceives as the purpose is in fact the purpose or end. For Joe the purpose might be to make as much money as possible, for Mary it might be to feel a sense of belonging to a certain group. The classical view on the other hand, views the purpose or end of citizenship as seeking the "good life". The "good life" in the classical sense does not mean seeking pleasure or satisfaction but rather *being good at life*. Human beings are good at life when they are functioning properly. In the classical view, the good of society is also related to the good of the individual. As Aristotle reasoned the individual is a part of a whole (society). In order for the whole to function properly the parts must also function properly. The purpose of citizenship is not based on the perceptions of the citizen but on normative orientations that society has deemed effective for acquiring the "good life". Aristotle noted that there are two kinds of actions for citizens 1) actions aimed at the good of the individual and 2) another at the good of society. Actions aimed at the good of society are considered the best and most noble. He writes,

Now if there exists an end in the realm of action which we desire for its own sake, an end which determines all our other desires; if in other words we do not make all our choices for the sake of something else,- for in this way the process would be futile and pointless- then obviously this end will be the good, that is, the highest good.<sup>16</sup>

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<sup>16</sup> Aristotle, *Nicomachean Ethics*, Book II, 1094a20

Christianity also would be in agreement with Aristotle (teleology) that there is a highest good that our actions should be directed, that highest good would be to glorify God through actions.<sup>17</sup>

The postmodernist does not accept that there is an end, which determines all other ends. Every end is an end unto itself (non-teleology). But, as Aristotle stated, that end is inevitably doomed to be “futile” and “pointless”. Why is it pointless? It is pointless because when individuals act only out of self-interest, according to Aristotle, they are no longer part of a community or society, at least in the classical and traditional sense.

In order to understand the purpose of citizenship, society must also have a defined purpose. For the postmodernist, society is only a tool to better facilitate individual desires. They insist that in order to achieve true worth for each citizen, society must advance self-actualization or self-fulfillment irrespective of society as a whole. Preferences are right or wrong only inasmuch as they contribute to the individual’s moral work of actualizing his or her worth in society.<sup>18</sup>

John Rawls’ conception of progressive liberalism in pluralist societies is clearly defined in his books, A Theory of Justice and Political Liberalism. His theory (which the author views has

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<sup>17</sup> Holy Bible, NASB, Philippians 2:3.11.

<sup>18</sup> John Davidson Hunter, *Culture Wars*, (New York: BasicBooks, 1991), 131.

postmodern) revolves around the adaptation of two fundamental principles of justice, which would guarantee a morally acceptable society.

Rawls places representatives of citizens behind a “veil of ignorance” in which no one knows what positions the persons represented will occupy when the veil is lifted and life in a real society begins. These representatives, who apparently believe their principals to be highly risk averse arrive at two principles of political justice:

- a. Each person has an equal claim to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all; and in this scheme the equal political liberties, and only those liberties, are to be guaranteed their full value.
- b. Social and economic inequalities are to satisfy two conditions: first, they are to be attached to positions and offices open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least advantaged members of society.<sup>19</sup>

In Rawls’ social contract, free people need to agree on some ground rules in order to live together in harmony and “The good is the satisfaction of rational desire”.<sup>20</sup> However, in order to come to some consensus in his society, he separates public reason and nonpublic reason. “Public” reason would include those things connected with governmental venues and function. Nonpublic reason would include nongovernmental venues and function-for example, with churches,

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<sup>19</sup> Robert Bork, “Justice Lite”, *First Things* 37, November 1993, 31

<sup>20</sup> John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971), 93.

universities professional groups and voluntary association in civil society.<sup>21</sup> Rawls is committed to a highly limited use of public reason, all for the sake of consensus in a pluralistic society. His theory restricts the critical function of reason in the public arena. If a citizen does make the mistake of using *all* of his reason, he is unreasonable in Rawls society. He writes,

Since many doctrines are seen to be reasonable, those who insist, when fundamental political questions are at stake, on what they take as true but others do not, seem to others simply to insist on their own beliefs... They impose their beliefs because, they say, their beliefs are true, and not because they are their beliefs. But this is a claim all equally could make; it is also a claim that cannot be made by anyone to citizens generally. So when we make such claims, others, who are themselves reasonable, must count us unreasonable.<sup>22</sup>

Here is the essence of what Rawls claims; ethical neutrality. J. Budziszewski explains that Rawls only attempts at neutrality,

We will have to make each fellow forget what he likes to eat, but teach him the true principles of nutrition and palatability; make him forget his social class, but teach him the true principles of sociology, make him forget his wants, but teach him the true principles of the human good; make him forget his religion; but teach him the true principles of his relation with God; and so on...More over it doesn't work...Although he tries to preserve the appearance of neutrality even here, calling this merely a "thin" theory of the good, it is not thin at all.<sup>23</sup>

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<sup>21</sup> John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 213-220.

<sup>22</sup> Ibid, 61.

<sup>23</sup> J. Budziszewski, *True Tolerance*, (New Brunswick: Transaction Publishers, 1992), 77-78.

Rawls in his theory of justice tries for a neutral but legitimate political answer to society, but legitimacy requires a position. Jean Hampton Professor of Philosophy at the University of Arizona criticizes Rawls attempt at neutrality,

So liberalism in this form eschews neutrality. It may prescribe tolerant attitudes generally, but it is intolerant of, and eschews neutrality with respect to, those normative beliefs that it takes to be definitive of justice and that define it. Indeed, when Rawls suggests that his "reasonableness" principle of legitimating political coercion is derived from the assumption of human freedom and equality, his rhetoric suggests his (in my view legitimate) intolerance of the views of those who would repudiate these assumptions.<sup>24</sup>

Rawls ideas are postmodern by Professor Klages definition earlier stated; "grand narratives" are rejected along with universality, truth, reason and stability.

Alan Bloom, author of The Closing of the American Mind, argues against the ideals of a postmodern society, "It does not demand fundamental agreement or the abandonment of old or new beliefs in favor of the natural ones. It is open to all kinds of men, all kinds of life-styles, all ideologies. There is no enemy other than the man who is not open to everything. But when there are no shared goals or vision of the public good is the social contract any longer possible?"<sup>25</sup> The

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<sup>24</sup> Jean Hampton "The Moral Commitments of Liberalism" ,essay , ed ,Don Eberly, *Building a Community of Citizens*, (Lanham. University Press of America, Inc , 1994),310.

<sup>25</sup> Alan Bloom, *The Closing of the American Mind* (New York: Simon & Schuster, 1987), 27.

classical view of society insists that the goal of society is not to facilitate individual needs (although this can be a result) but to facilitate unity by attempting to achieve the "good life". The reason the classical view of society insists on promoting unity is because common interests make a society more efficient as well as closer to achieving its desired excellence. Aristotle and Plato denied that the parts were separate from the whole. In his The Politics Aristotle's writes,

...since the whole is of necessity prior to the part; for, if the whole body be destroyed, there will be no foot or hand, except homonymously [*sic*], as we might speak of a stone hand; for when destroyed the hand will be no better than that. But things are defined by their function and power; and we ought not to say that they are the same when they no longer have their proper quality, by only that they are harmonious.<sup>26</sup>

Citizens that no longer have their *proper quality* are those who do not belong to the state harmoniously. However, Aristotle does not infer total unity as the kind found in fascism. He writes,

Is it not obvious that a state may at length attain such a degree of unity as to be no longer a state?-since the nature of a state is to be a plurality, and in tending to greater unity, from being a state, it becomes a family, and from being a family, an individual; for the family may be said to be more one than the state, and the individual than the family. So that we ought not to attain this greatest unity even if we could, for it would be the destruction of the state.<sup>27</sup>

Complete unity would not allow for the individual parts of the whole to function well. If the family were to behave exactly like the

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<sup>26</sup> Aristotle, *The Politics* (ed. by Lord Carnes, (Chicago: University of Chicago Press, 1984), 1253a20

<sup>27</sup> Ibid., 1261A15-20



city it would then be neglecting its proper function. The parts can never be the whole, only its part. When the parts violate their function, the state will not survive. The ultra unification of Nazism not only became dangerous it also resulted in the destruction of its society.

According to neoconservative Herman R. van Gunsteren you cannot continue to define citizenship or society in the traditional or classical sense because it no longer reflects today's society and "...cannot be restored simply by insisting on the value of those theories"<sup>28</sup> Even though past experiences of citizenship have shown value, they are irrelevant to the present situation. Why are past experiences of citizenship thrown out? In early times citizenship was based on a consensus of normative standards. For the postmodernist it is unacceptable to have a consensus of normative standards because this would violate their individual choice standard. It follows, if we cannot insist on the value of a theory or definition of citizenship, then neither can postmodernist insists on the value of *their* theory.

Gunsteren in his book A Theory of Citizenship also rejects the classical idea of unity or consensus. He writes,

For neorepublicans, the organization of problematic plurality is a central task, whereas many other conceptions define this contemporary problematic out of existence by opting for a

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<sup>28</sup> Herman R. van Gunsteren, *A Theory of Citizenship* (Boulder: Westview Press, 1998), 21.

substantive description of citizenship, the unity of which is the exact denial of plurality. Their strategy is to emphasize unity in order to reduce plurality to the point where it ceases to be a problem. The point of neorepublican citizenship is to increase competence in dealing with existing plurality.<sup>29</sup>

Unity in the classical sense is not a denial of plurality any more than the body is in denial of its individual parts. The fact that the parts exist is not in dispute. What is in dispute is the *purpose* of the parts.

Gunsteren goes even further than Rawls with the idea that consensus is not a requirement in a healthy society. Gunsteren writes, "...it does not follow, as many have implicitly assumed, that unity of values, virtues, or normative orientations is a requirement for viable citizenship."<sup>30</sup> For lack of consensus, what becomes primary is the virtue of toleration.<sup>31</sup> Toleration of conflicts becomes the new virtue. This virtue demands that the more differences a citizen can be exposed to, the greater the toleration required. Toleration then becomes the only true consensus. But if a society and its citizens do not need a unity of standards, how does a society construct and protect its very institutions. This is not simply a statement of political squabbles. How does a society construct and protect the institutions of

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<sup>29</sup> Herman R. van Gunsteren, *A Theory of Citizenship* (Boulder: Westview Press, 1998), 56

<sup>30</sup> Ibid, 152

<sup>31</sup> The virtue of toleration in postmodernism is really not a virtue in the classical sense because classical toleration does not tolerate all acts. Toleration is the *mean* according to Aristotle; repressiveness---*toleration*---indulgence.

family, education, media, law, and politics? According to Gunsteren's neorepublicanism, the more conflicts that arise over virtues and standards the better a society becomes. For Gunsteren, the only unity left is that of procedure—because basic moral principles are in conflict. He writes, "...to *organize plurality* is the primary task of neorepublican citizens; being able to do this competently is their primary virtue"<sup>32</sup>. The primary virtue is not honesty, good behavior toward other citizens, etc. it is organizing and tolerating all ideas. Never mind if these ideas or differences are evil or good for society, what matters is that all are organized in such a way as to be given equal respect. Again the fallacy returns, because there are conflicting truths, all must be true and therefore there are no truths. In his definition, society is effectively a loose collection of individuals who happen to live in the same region and who not just tolerate each other, but tolerate the society.

Seeking further insight into postmodern ideals of citizenship, Robert Nozick, the libertarian political philosopher, develops an elaborate theory of citizenship. In his theory the distribution of goods is *just* if everyone is *entitled* to the holding that they possess under distribution. Before Nozick can make this assertion he constructs a premise about the inalienable rights of each individual. Nozicks' rights

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<sup>32</sup> Herman R. van Gunsteren, *A Theory of Citizenship* (Boulder. Westview Press, 1998) 26

are far-reaching and any attempt by the state to violate those rights is unjustified. He therefore sees a minimalist state in which any function that goes beyond "protection against force, theft, fraud, enforcement of contracts" is unjustified.<sup>33</sup> He then asserts that only the minimalist state can best realize a utopian world. But what is this finely crafted utopia that Nozick envisions? He envisions a utopia of utopians in which there is no unified goal or purpose concerning the "good life". He writes,

The conclusion to draw is that there will not be *one* kind of community existing and one kind of life led in utopia. Utopia will consist of utopias, of many different and divergent communities in which people lead different kinds of lives under different institutions. Some kinds of communities will be more attractive to most than others; communities will wax and wane ... Utopia is a framework for utopias, a place where people are at liberty to join together voluntarily to pursue and attempt to realize their own vision of the good life in the ideal community but where no one can *impose* his own utopian vision upon others...Half of the truth I wish to put forth is that utopia is meta-utopia: the environment in which utopian experiments may be tried out; the environment in which people are free to do their own thing; the environment which must, to a great extent, be realized first if more particular utopian visions are to be realized stably.<sup>34</sup>

What Nozick envisions is a place that is neutral enough that one can design one's own utopia. However, one would need to find enough people willing to live and pay for this utopia. As utopias spring up the diversity would most likely be great; capitalism vs. socialist

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<sup>33</sup> Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, Inc., Publishers, 1974), ix.

<sup>34</sup> *Ibid*, 311-12

communities, sexually permissive vs. sexually rigid communities, etc. Now it seems that people would be able to experiment with different communities and some would find “better” communities than others. But what happens when particular communities fail and others flourish? Won’t certain communities be more excellent than others? And if some communities are more excellent than others, won’t communities be rejected? Nozick describes it in this way, “...communities will wax and wane...” But comparing a rejection of a society to the phases of the moon denies that a standard has been established as to what constitutes excellent communities, which are ultimately, the communities that are viable.

Here one can discern the true motive behind Nozick’s theory. First, he insists that the state has no moral authority beyond protecting each citizen’s inalienable rights (which origin is never really explained). What is left is a society that has no perceived moral foundation. If there is no perceived moral foundation or shared end in the community, then there are no rules to live by, which is exactly what Nozick wants. He says, “Utopia is a framework for utopias” in actuality it is rather that *Nozick’s foundation* is a framework for utopias.

*The Consensus of Postmodern Theories of Citizenship; The False Sense  
of Community*

In evaluating Rawls, Gunsteren, and Nozick the above evidence concerning their theories supports a general representation of postmodernism. First, the only virtue that is considered a virtue is toleration. Secondly, because there is pluralism there can be no truth. Thirdly, society is secondary and the individual is primary. These three factors permeate most if not all-postmodern theories of citizenship.<sup>35</sup> It has already been shown how different these conceptions of citizenship are from the classical view. At first glance the postmodern society in recognizing pluralism seems relativistic in its openness toward accepting all types of communities. However upon closer examination, these communities are far from *open*. In other words, there really is a belief in a universal value system, far from its relativistic appearances.<sup>36</sup> There are situations in everyday life in which it is impossible to tolerate certain acts. Therefore the true nature of toleration is such that one has toleration so as to *search* and *evaluate* the truth. However the truth one finds is not—that one is tolerant (as the postmodernist believes) but that one is tolerant, in order to find the truth of values associated with the “good life”. The

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<sup>35</sup> The authors conclusion.

<sup>36</sup> J. Budziszewski 's argument in his book *True Tolerance*, 1992

"good life" cannot include the Hitler, rapists, murderers and other base individuals. It is apparent then, that openness to all ways of life is impossible to put into practice and this makes relativism impossible. As Robert Kane, professor of philosophy at the University of Texas at Austin puts it,

...starting with these very modern attitudes— we do not arrive at relativism or indifference but rather at ethical principles like the Golden Rule and the mosaic commandments that are deeply embedded in virtually all major religions and wisdom traditions of human history. And we also arrive at ideas of universal human rights (to life, liberty, and the pursuit of happiness) that underlie modern free and democratic societies from the very same principles.<sup>37</sup>

Or as G.K Chesterton once said, "the old hypocrite...was a man whose aims were really worldly and practical, while he pretended that they were religious. The new hypocrite is one whose aims are really religious, while he pretends that they are worldly and practical."<sup>38</sup> Chesterton saw the deceptive nature of this new philosophy and warned that motives are important in defining ideas.

So why do postmodernist insist on toleration as their ultimate virtue? It is precisely because they can construct *their* moral community or utopia without argument. If you insist that there is no truth then all debate ends on what is truth. It would be as if two scientists argued whether it was the earth that orbited the sun or the

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<sup>37</sup> Robert Kane, "What is Worth Believing?", *Texas Alcade*, September/ October 1997,24.

<sup>38</sup> G.K Chesterton, *What's Wrong with the World*, (San Francisco: Ignatius Press,1910), 23.

sun that orbited the earth, and in walked a third scientist, who proclaimed that they were both wrong because there was no sun. Now the discussion is focused not on the truth of the sun's laws, but rather on the very existence of the sun. The point here, however, is that there is a sun. The other two scientists should reject the idea that there is no sun and continue to debate the sun's laws. Postmodern concepts regarding toleration and truth should not restrict debate on what is true—in order to promote their own truth.

The third similarity of postmodern theories of citizenship is the assertion that individuals are primary and society secondary. Again, the classical view states that it is not a matter of the citizen being primary to society, or society primary to the citizen, but rather both the citizen and society—function as a whole. There should be no competition between them. When postmodernism places the conflict of competition on citizenship, citizens are separated and confused as to the purpose of achieving the “good life”. They are told they are primary in all things, yet they cannot function properly when they do. Citizens can deny the importance of community but it does not change the fact that individuals need the community to exist well. So what is the purpose of theories that insist on the primacy of individuals? Could it be their pleasures are not satisfied with the restrictions of normative standards? Hoping to adopt societies where individuals can do what



they please without consequences, postmodernist attempt to construct a false sense of community. This false sense of community has far reaching affects on individuals as well as society's institutions, which directly affect the citizenship.

## CHAPTER 2

### THE FAMILY AND CITIZENSHIP

The first and foremost institution of any society is the family. President Lyndon Johnson in a message to Howard University in 1965 said, "the family is the cornerstone of our society. More than any other force, it shapes the attitudes, the hopes, the ambitions, and the values of the child. When the family collapses it is the children that are usually damaged. When it happens on a massive scale the community itself is crippled."<sup>39</sup>

Few will argue the importance of the family but today we face a crisis even in defining what constitutes a family or at least no ideal family type. The postmodern culture struggles through a sea of definitions as they come to rest on the idea that there is no definition for family.<sup>40</sup> Why do they insist that there is no real definition? They insist because it is too communal of an institution for the divine individual. Individualism accepts changing ideals when it is apparent

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<sup>39</sup>Quoted in James Davison Hunter, *Culture Wars*. (New York: Basic Books, 1991), 195

<sup>40</sup> *Ibid*, 177-180.

that the individual no longer feels compatible or even pleasure in his circumstance. The classical ideal of the family as parts working together for the good of the whole is inconsistent with the divination of the will.<sup>41</sup>

Societies must decide the nature and structure of the family. Who has the authority and the moral obligations of parenting and of marital commitments? What are the sexual boundaries? What is the legitimacy of homosexual 'marriage'? What of reproductive issues like abortion? Societies do define the family both legally and socially. Aristotle saw the important connection between society and the family, "Concerning husband and wife and children and father and the sort of virtue that is connected with each of these, and what is and what is not fine in their relations with one another and how one should pursue what is well and avoid the bad, these things must necessarily be addressed in the [discourses] connected with the regimes."<sup>42</sup>

In 1910 a book by G. K. Chesterton called *What's Wrong with the World*, was published and yet remained relatively unheeded. In his book he warned that the institution of the family was evolving from communal to individualistic in nature. He argued that the Industrial Revolution along with the philosophy of individualism was a major

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<sup>41</sup> John Locke, *Two Treatises of Government*, ed. Peter Laslett, (New York: Cambridge Press, 1994), 210.

<sup>42</sup> Aristotle, *The Politics*, ed. Carnes Lord, (Chicago: University of Chicago Press, 1984) 1260a1 10.

reason the age-old definition of the family (whether pagan or Christian) was degenerating. Not only did the philosophy of individualism change the economics of the western world, it also changed the ancient concept of the family. A father was no longer master of his home. Now an industrial boss decided when he would come home, what he would make, and when he would make it. Because women could supply needed cheap labor, they also left the home. They now submitted themselves to a complete stranger who may or may not have cared about their existence other than to create effective products for profit. Children lost intimate contact with their true teachers in the school of life, their mothers and fathers. Now the state needed to step in because fathers and mothers were not always there thus government education was conceived. Chesterton saw the political confusion of his day concerning the family— both from the conservative viewpoint (Tory) and the liberal viewpoint (Socialist). He wrote,

The Tory says he wants to preserve family life in Cindertown; the Socialist very reasonably points out to him that in Cindertown at present there isn't any family life to preserve. But Hudge, the Socialist, in his turn, is highly vague and mysterious about whether he would preserve the family life if there were any; or whether he will try to restore it where it has disappeared...The Tory sometimes talks as if he wanted to tighten the domestic bonds that do not exist; the Socialist as if he wanted to loosen the bonds that do not bind anybody. The question we all want to ask of both of them is

the original ideal question, "Do you want to keep the family at all?"<sup>43</sup>

According to John Rawls the question Chesterton raises is a troubling one in light of his theory of "fair opportunity". He writes,

The consistent application of the principle of fair opportunity requires us to view persons independently from the influences of their social position. But how far should this tendency be carried? It seems that even when fair opportunity (as it has been defined) is satisfied, the family will lead to unequal chances between individuals. Is the family to be abolished then? Taken by itself and given a certain primacy, the idea of equal opportunity inclines in this direction. But within the context of the theory of justice as a whole, there is much less urgency to take this course.<sup>44</sup>

This statement is compelling in that Rawls does not insist that the family be preserved but rather that it is "less urgent" at present that it be "abolished".

### *The Gender Rebellion*

The Industrial Revolution and all its social trappings represented only one dimension that resulted from eighteenth century philosophies. The disintegration of the family came incrementally and exactly where to look for the beginning of the change in the family is rather impossible. It is evident that with the changes in family structure came changes in the political structure of society. This would confirm Aristotle's point that "the village seems to be above all an

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<sup>43</sup> G. K. Chesterton, *What's Wrong with the World*, (San Francisco: Ignatius Press, 1910), 188.

<sup>44</sup> John Rawls, *A Theory of Justice*, (Cambridge: Harvard University Press, 1971), 511.

extension of the household"<sup>45</sup> It is not the family that is the extension of the village. This is an important distinction. Changes take place first at the family level and eventually these changes find their way into the political structures. An example of this is the women's suffrage movement. The Nineteenth Amendment came *after* women changed their conception of themselves as individuals, separate from their families. The women's suffrage movement was not so much a debate on how capable women could participate politically but rather it was a debate on why they needed a break away vote apart from the family. Before the Nineteenth Amendment men voted for what they reasoned was best for the family as a whole, not any one individual cause. Feminism was a philosophy that separated the woman from the family, both politically and socially. The philosophy changed how women thought of themselves and the "new" women in turn worked to change political structures.

John Stuart Mill's essay, *On Liberty*, was published in 1859. As many more women became educated in the western world, *On Liberty* was read and discussed by women as well as men. Women would sit in parlors and secretly discuss the scandalous ideas espoused by Mill and others. Ideas like the following, "If a person possesses any tolerable amount of common sense and experience, his own mode of laying out

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<sup>45</sup> Aristotle, *The Politics*, ed. by Lord Carnes, (Chicago: University of Chicago Press, 1984), 125bl 15.

his existence is the best not because it is the best in itself, but because it his own mode."<sup>46</sup> And, as many knew in England, Mill was throughout his life a champion of the emancipation of women, "The almost despotic power of husbands over wives needs not be enlarged upon here, because nothing more is needed for the complete removal of the evil that wives should have the same rights, and should receive the protection of law in the same manner as all other person; and because, on this subject, the defenders of established injustice [men] do not avail themselves of the plea of liberty, but stand forth openly as the champions of power."<sup>47</sup> Fifty years later his philosophy of individualism became the battle cry for twentieth century feminism.

The rise of feminist philosophy (Elizabeth Cady Stanton, Margaret Sanger and others) began with the philosophy of individualism that women must have "...his [her] own mode of laying out his [her] existence" Feminism is individualism manifested in gender expression. The traditional ideal espousing that women are *better* individually when they function together as a family unit—is rejected.

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<sup>46</sup> John Stuart Mill, *On Liberty*, ed. David Spitz, (New York. W.W. Norton & Company, 1975) ,64.

<sup>47</sup> *Ibid*, 97.

### *The Sexual Revolution*

Nothing has more consequence to family than that of sex. Sex has never been, either in tribes or civilizations, an act without a framework or bond of some sort. How the framework or bond is represented may be different, but surprisingly, in every civilization known, sex has been socially and morally given a remarkably similar framework. Adultery, rape, incest, homosexuality, and fornication have throughout history been considered immoral acts. Marriage (between man and woman) has been throughout history, the highly honored framework for sex. Laws upheld and supported this framework as necessary for the survival of the state as well as the species. This is not to say that adultery, rape, incest, homosexuality, and fornication have not taken place, for the evidence is to the contrary, but these acts have rarely been honored by societies as a whole. Sex equated to reproduction of the species and was perceived as necessary to survival.<sup>48</sup> All cultural aspects of societies based their religion, education, and laws on this fact. Sex was never considered a "mere universal detachment".<sup>49</sup>

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<sup>48</sup> Aristotle, *The Politics*, ed. by Lord Carnes, (Chicago: University of Chicago Press, 1984), Book I, 1252a25-30.

<sup>49</sup> G.K. Chesterton, *What's Wrong with the World*, (San Francisco: Ignatius Press, 1910), 44



So how does sex come to be considered a "mere universal detachment"? Like many other desires or appetites of human life there is both the survival aspect as well as the pleasure aspect of the act. Not only does sex produce offspring it also can produce pleasure. Sex becomes universally detached when pleasure of the individual is the goal and purpose. Much like food that is eaten for survival, because it produces pleasure, can go far beyond its intended goal of subsistence and exemplify gluttony. Plato gave insight into those who allow their desires to rule when he described the democratic man who lived for equality of pleasures. He wrote,

...He lives his life in accord with a certain equality of pleasures he has established. To whichever one happens along as though it were chosen by the lot, he hands over the rule within himself until it is satisfied; and then again to another, dishonoring none but fostering them all on the basis of equality. ...he doesn't admit true speech or let it pass into the guardhouse, if someone says that there are some pleasures belonging to fine and good desires and some belonging to bad desires, and that the ones must be practiced and honored and the others checked and enslaved. Rather, he shakes his head at all this and says that all are alike and must be honored on an equal basis.<sup>50</sup>

Robert Nozick and his utopian world mirror what Plato described above. Nozick cannot envision successful societies in which pleasures (equality of pleasures) are not fulfilled. He argues, as stated earlier, that people are incredibly different and that the only way certain individuals can live out a happy existence is to not be forced into

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<sup>50</sup> Plato, *The Republic*, tran Alan Bloom, (United States: Basic Books, 1991), 239.

someone else's vision of happiness. He lists in detail various personality conflicts ranging for example, Picasso, Moses, Gandhi, Elizabeth Taylor, etc., and then asks "Is there really *one* kind of life which is best for each of these people?"<sup>51</sup> He then goes on to describe the problems he foresees,

What would relations between the sexes be like? Would there be any institution similar to marriage? Would it be monogamous? Would children be raised by their parents?...Will sensual pleasures or intellectual activities predominate?<sup>52</sup>

The true question Nozick implies is the following, 'Is there really one kind of *pleasure* that is best for each person?' Here rests the trouble for Nozick as Plato rightly prophesied, he "shakes his head at all this and says that all are alike and must be honored on an equal basis". Nozick cannot permit a community to exist within his framework if each person cannot achieve their conception of pleasure. So what of sex in Nozick's utopia? Sex has no other framework other than to be sure that it has no framework.

As with feminism, when men and women change their conception of sex from within the time-honored framework of marriage, political structures also change to represent the new ideals. Same sex marriages are legitimized; divorce, rape, and adultery laws are changed to favor the individual rather than the family as a whole. Even

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<sup>51</sup> Robert Nozick, *Anarchy, State, and Utopia*. (New York. Basic Books, 1974), 310.

<sup>52</sup> *Ibid.*, 311.

religion and education can change to reflect this new understanding of sex.

When sex becomes important only so far as pleasure is concerned, the meaning of marriage changes. That is why it is first necessary to define the role of sex, for sex in many ways defines marriage. Postmodernism changes not only the ideal of sex from its former meaning, it in turn changes the ideal of marriage. The very definition of family is challenged and redefined. As this philosophy has permeated, new laws have supported the alteration of family. An example of this sentiment is "no-fault" divorce, which clearly tells of the new direction in the goal of marriage,

Socially, the terminology of no-fault tells us that marital formation and dissolution is a private matter, designed essentially for the fulfillment of the individual spouses. Other prospective stakeholders in the relationship—such as children or even the society as a whole—are understood to be at best minority shareholders whose claims should be effectively without standing and therefore unenforceable.<sup>53</sup>

Marriage is accepted as long as it does not produce an unwarranted infringement on personal liberty. The problem with this view of marriage and ultimately sex is that *obligation* has almost disappeared from the horizon of family life. Why should husbands or

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<sup>53</sup> Barbara Dafoe Whitehead and David G. Blankenhorn, "Man, Woman, and the Family: Difference and Dependency in the American Conversation" essay, ed., Don Eberly, *Building a Community of Citizens*, (Lanham: University Press of America, Inc., 1994), 214.

wives take responsibility for one another? For their children? If individuals within this philosophy have no normative standard of obligation for those who are closest to them, why would they have normative standards of obligation as citizens of a state? If all behavior is acceptable without a standard that society deems is in the best interest of everyone, why should anyone be concerned about the rights of others, or justice, or equality?

### *The Children*

For thousands of years the purpose of family life was to nurture children. In doing so, it fostered the competence and character of the next generation. As this ideal has changed to favor adult gratification, parental sacrifice, which is necessary for fostering children, has been denounced as oppressive in today's culture. Abortions on demand, institutionalized child-care, and child abuse have all been rather recent terms associated with children.<sup>54</sup> Pregnancy was once thought of as a "blessed event" conveying a positive meaning. Now it is too often considered an unwelcome dependency. Children are mere choices on a long list of other pleasurable experiences. The problem is that children are not always pleasurable; in fact it is only by surviving the unpleasurable in raising them that the pleasurable appears. Children

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<sup>54</sup> William Bennett, *Index of Leading Cultural Indicators*, New York: Touchstone, 1994), 8.

are an economic burden, a physical burden, and an emotional burden. The postmodern rationale for having children is very bleak given the lack of freedom involved. When children stand up against the utilitarian pleasure/pains model, the pains outweigh the pleasures — at least when adults are looking for a return on their investment. This fact is why fewer children are encouraged. Ultimately children represent an enigma to the postmodern soul. They want freedom and yet to have total freedom responsibility loses its hold. Without parental responsibility children are lost in the plethora of choices their parents advocate. In order for any society to exist and be legitimate, it must be able to reproduce itself over time. The Postmodernist insists that children can flourish in a free world apart from normative standards. In former times, children have been the glue that kept communities together. Societies feel an obligation to the upcoming generation. They have fought wars for the sort of future their children will hold. The Postmodernist will argue that lack of normative standards is what is *best* for the future generation in order for them to reach their full potential. Yet simultaneously their pleasure/pain model devalues the next generation. What is left is a philosophy of selfishness in the name of what is *best for the children*. The following examples of current dialogue concerning children illustrate this point:

*We should divorce because it is not good for children to be in an unhappy home.*

*I don't want to marry you because my kid already has a father so let's just live together.*

*My child loves daycare, he only cries at first when I drop him off, but he really enjoys the environment. They have computers at his center.*

*Abortion is the best alternative. This child would suffer because I could not give it all the things it deserves.*

*I am away a lot from my kids. But, it's quality time that counts not quantity.<sup>55</sup>*

In association with the above views concerning children is the view espousing the child as *autonomous*. No longer are children's needs the main issue; rather the main issue is whether the child is given sufficient choices to better fulfill his desires. This movement insists that children are people too and they deserve the same rights and freedoms as adults. In 1989 the United Nations General Assembly adopted a new covenant concerning children called the Convention on the rights of the Child. It was adopted without a vote and some 175 nations have embraced the CRC declaration. This declaration includes an unprecedented approach to the autonomy of children. Demanding

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<sup>55</sup> Informal interviews by author.

separate rights for children as well as asserting that the government has the responsibility of protecting the child from parental authority in cases where the child's best interest is at stake. But what do they consider a "child's best interest"? This places both the child and the parent equally entities in the eyes of the state. Children have freedom of choice of religion, speech, and sex, as would an adult citizen. Article Thirteen allows children "the right to freedom of expression, including the right to seek, receive, and impart information and ideas of all kinds, regardless of frontiers...through any medium of the child's choice."<sup>56</sup> Article Fourteen gives parents, at first glance, some say in their child's upbringing but insists on "the right of the child to freedom of thought, conscience, and religion."<sup>57</sup> By destroying the age-old concept of parents as the primary nurturers of children and the idea of age appropriateness, governments now intervene in the once private sphere of family tradition (violating the principle of subsidiary). These tenets appear as adult interests at the expense of children and adolescents. It deflects responsibility and obligation of parents as well as the responsibility of children toward parents. If the child is free to find his own way then the parent is free not to raise the child, which is

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<sup>56</sup> Bruce C. Hafen and Jonathan O. Hafen, "Abandoning Children to Their Rights," *First Things* 55 (August/September 1995) : 22

<sup>57</sup> Ibid

often the intended goal. This justification has consequences both for the state and the family. Not only will the family cease to exist; the state will be ever burdened with the daunting task of nurturing children into competent citizens. More than likely they will develop children into incompetent slaves whom look to the state for direction.

The evidence indicates that the age-old definition of family has changed into a postmodern conception. Families are more individualistic —individuals that make up family are more important than the family as a whole. Feminism and sexual freedom as well as child autonomy have all helped to redefine family. But the family does not change without affecting the state. The state is made up of citizens and when citizens change their first and foremost institution, the family, citizenship also changes. The state changes to reflect the new family philosophy and it does this through education and law.



## CHAPTER THREE

### EDUCATION AND CITIZENSHIP

Education is perhaps the truest indicator of how a society envisions itself for the future. Moral conflicts over how citizens are educated (structure and content) can have critical consequences on society. As David James Hunter expressed in his book *Culture Wars*, "The education of the public at every level—from elementary school through college—is not a neutral process of imparting practical knowledge and technical skills. Above and beyond that, schools are the primary institutional means of reproducing community and national identity for succeeding generations..."<sup>58</sup> One point of consensus between democratic political theorists, if one can call it a consensus, is that citizens need to be educated in some form in order for society to function best. Aristotle wrote, "That the legislature must, therefore, make the education of the young his object above all would be disputed by know one. Where this does not happen in cities it hurts regimes...The best laws, though sanctioned by every citizen of the

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<sup>58</sup> James Davison Hunter, *Culture Wars*. (New York: Basic Books, 1991), 198.

state, will be to no avail, unless the young are trained by habit and educated in the spirit of the constitution.”<sup>59</sup> In 1848 Alexis de Tocqueville noticed that citizens in America were being taught the “elements of human knowledge”, the history of the country and the main aspects of the Constitution. He also observed that it was rare to find a citizen who did not know of these things.<sup>60</sup> Today in modern democracies this is no longer the case. Plurality of citizenship has come to mean that educating citizens about the foundation of their country may be intolerant to those who may or may not have originated in that country. Multicultural education has directed education away from the traditional elements of societies. Often this can include the foundations and traditions of specific governments. Multiculturalism has created much of the sentiment against the teaching of normative standards in the public schools. Many claim that societies are becoming too diverse to instill common values. Madison wrote in the *Federalist* No. 10, competing interests could help ensure that liberty is not lost. But there is common subject matter that can be taught to everyone who wants to be a successful member of the human race. Reading, writing, history and mathematics are valuable to

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<sup>59</sup> Aristotle, *The Politics*, ed. by Lord Carnes, (Chicago: University of Chicago Press, 1984), 1337a1 and 1310a15.

<sup>60</sup> Alexis de Tocqueville, *Democracy in America*, trans. George Lawrence, edit J.P. Mayer, (New York: Harper & Row, 1969), 302.

all regardless of one's cultural background. How these subjects are taught can be a more difficult in a diverse culture in that all subjects are taught from a certain biased perspective. Yet even with bias perspective these subjects can be taught to benefit all citizens especially if critical thinking skills were allowed to be included. And, concerning moral education, there are crucial common elements. What society does not value honesty, fairness, self-discipline, personal responsibility, and belief in the principles of equality, freedom and liberty? Whether the rejection of normative standards is due to plurality or a change in philosophy, if there are no basic normative orientations, how does society teach citizens to be competent, to be virtuous?

### *Choices and Critical Thinking*

One of the consequential characteristics of democratic governments is choice. Because freedom is representative of democracy many ideas compete for dominance. It is precisely this choosing of ideas that constitutes democratic citizenship. It is therefore essential that citizens be taught how to distinguish good ideas from bad ideas. (For clarification of what the good and the bad represents, Plato in his *Republic* seems to have an appropriate definition; the *bad* as being "What destroys and corrupts everything"

and the *good* as "What saves and benefits").<sup>61</sup> In order for true citizenship to exist in a democracy, citizens must use critical thinking in order to participate in government, anything less than critical thinking invalidates the whole meaning of what freedom in a democracy represents. Critical thinking is the process by which a person (citizen) makes judgments, by either approving or rejecting concepts. Critical thinking is a search for the things that are true and truth is what is good.

There are only two possibilities as to why a democratic society would not educate its citizens in critical thinking. First it may do so deliberately to keep certain groups in power. Secondly, it may do so unconsciously thereby allowing education to champion choice as an end in it self. As Robert Nozick contends, children "... must be insured that they are *informed* of the range of alternatives in the world".<sup>62</sup> Informed is synonymous with education. Education today in most democracies is centered on choice. Choice education has been promulgated as an end in it self. Aristotle warned that choice is not an end.

Choice is the starting point of action: it is the source of motion but not the end for the sake of which we act. The starting point of choice, however, is desire and reasoning directed toward some end. That is why there cannot be choice either without intelligence

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<sup>61</sup> Plato, *The Republic*, tran. Alan Bloom, (United States: Basic Books, 1991), 608d.

<sup>62</sup> Robert Nozick, *Anarchy, State, and Utopia*. (New York: Basic Books, 1974), 330.

and thought or without some moral characteristic: for good and bad action in human conduct are not possible without thought and character. Now thought alone moves nothing; only thought which is directed to some end and concerned with action can do so.<sup>63</sup>

Why has critical thinking lost its emphasis on the education of citizens? Most likely its cause has been both deliberate and unsuspecting, yet beyond blame it is enough to examine its consequences on citizenship.

J.K Rowling, the British author of the immensely popular children's series of books *Harry Potter*, when asked in an interview about concern parents had over values expressed in her books (wizardry, lack of respect for authority) she replied, "I don't think you should censor kids' reading material. Its important just to let them go do what they need to do"<sup>64</sup> Two assumptions are expressed in her statement. First, children are just as capable as adults in choosing appropriate reading material. Secondly, Rowling denies that there is bad reading material for children; everything is acceptable. What is important Rowling says, is that children go "do what they need to do". This exemplifies choice as an end in it-self and the rejection of critical thinking. Indeed the word censor has now come to have a negative connotation. The definition of censor, as most dictionaries maintain is "A person authorized to examine books, films, or other material and to

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<sup>63</sup> Aristotle, *Nicomachean Ethics*, Book VI 1139a30-35.

<sup>64</sup> Quoted in John Andrew Murray, "The Trouble with Harry", *Citizen*, May 2000 <http://www.family.org/cforum/>

remove or suppress what is considered morally, politically or otherwise objectionable”<sup>65</sup> According to Rowling people are not authorized to examine media for moral content. Critical thinking is not permitted.

Tyranny is often associated with regimes that do not allow discernment of its citizens. Ideas that assert that it is morally wrong to judge government policies, books, films, etc. have throughout history been used as a tool to subjugate citizens. To insist that all ideas are moral *except* ideas that evaluate the government’s ideas (i.e. educational choice) cannot be considered true to liberty in the democratic sense. Plato knew that true intelligence involved the use of evaluation. He insisted that

Unless a man is able to separate out the idea of the good from all other things and distinguish it in the argument, and, going through every test, as it were in battle—eager to meet the test of being rather than that of opinion—he comes through all this with the argument still on its feet; you will deny that such a man knows the good itself, or any other good?<sup>66</sup>

True democratic freedom allows judgment of ideas to be accepted and encouraged if tyranny is to be avoided. Education must promote critical thinking of its citizens. In this way ideas will be discerned and thoughtfully examined for excellence in the market place of ideas.

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<sup>65</sup> *The American Heritage Dictionary of the English Language*, Third Edition Copyright © 1992 by Houghton Mifflin Company

<sup>66</sup> Plato, *The Republic*, tran. Alan Bloom, (United States: Basic Books, 1991), 534c.

### *Educating to What Form of Government?*

Without the use of critical thinking democratic citizenship has no meaning. But it does have meaning if the educational goals are for tyrannical government. Tyrannical government is a government that thinks for the people by informing them what they need or want. A tyrannical government subjugates citizens to its will. Behind every educational philosophy is a theory of government. Many times it is deeply embedded in the philosophy, but it always exists because philosophers know the goal of education is the creation of citizens. The type of citizens being created is what is at stake. Does the educational philosophy *reproduce* or *restructure* citizens?

John Dewey believed in the restructuring of citizens through education of the young. He rejected the "indoctrinations of conscious dogma and of the unconscious bias of tradition".<sup>67</sup> As with John Rawls, Robert Nozick and Herman R. van Gunsteren, experimentation and concentration on procedure became his objective. Dewey admired socialism and many of the concepts of socialism dominated his educational philosophy. He scorned capitalism as a promoter of social and material inequality. He knew that in order to realize his political

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<sup>67</sup> John Dewey, *The Later Works, 1925-1953*, Ed. Jo Ann Boydston, (Carvondale: Southern Illinois University Press, 1989), 76.

goals, education would have to play the role of restructuring citizens.

He wrote,

Not merely the material welfare of the people, but the cultural and moral values, which are the express concern of the educational profession, demand a reorganization of the economical system, a reconstruction in which education has a great part to play...we can revolutionize education—and perhaps in time society—by preparing our students for the tasks involved...The outworn and irrelevant ideas of competitive private individualism, of laissez faire, of isolated competitive nationalism are all strenuously inculcated. We are demanding the abolition of all such indoctrination...<sup>68</sup>

Dewey rejected conscious dogma yet his proclamations were a form of conscious dogma. Dewey separated dogma from education when it suited him to do so. But dogma is actually the only thing that cannot be separated from education. Again terms and definitions are important, dogma means “an authoritative principle, belief, or statement of ideas or opinion, especially one considered to be absolutely true”<sup>69</sup> A teacher cannot teach if he/she is not dogmatic about what is being taught. How can a teacher teach, if he does not believe in what he is teaching is true? Dewey advocated a dogma that required reconstruction of citizens away from the traditional economic and religious philosophies— to a progressive economic (socialism) and humanistic philosophy.

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<sup>68</sup> John Dewey, *The Later Works, 1925-1953*, Ed. Jo Ann Boydston, (Carbondale: Southern Illinois University Press, 1989), 73-75.

<sup>69</sup> *The American Heritage Dictionary of the English Language*, Third Edition Copyright © 1992 by Houghton Mifflin Company.



Along with Dewey a minority of other thinkers advocated progressive philosophies and most of these thinkers were found in the universities. The Bohemian sub-culture found freedom within the walls of academia. This became a problem in that the minority was imposing their educational theories, as well as theories of government, on the majority. Within fifty years the dogma of the minority filtered down through the newly trained teachers to become the standard for the majority even while the majority often questioned their immoderate educational practices.

Today in teacher preparational texts throughout modern democracies the focus on education revolves around humanism and the idea that the child requires as many experiences as possible to find self-actualization. Most references to traditional philosophies i.e. patriotic, religious, classical have been deleted or sanitized of all true meaning. It views the child as the center of authority in education, "In this book, however, children are the guiding stars of the curriculum development and teaching process. They will lead us in our quest for what is and is not appropriate to teach them"<sup>70</sup> If children define what is appropriate to teach them, why is there even a need for teachers? This concept of questing for what is appropriate to teach is found throughout modern educational methods. Outcome Based Education is

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<sup>70</sup> George S. Morrison, *Contemporary Curriculum K-8*, (Needham Heights: Allyn and Bacon, 1993), 11.

one example. In the OBE method, children are the authority in the classroom. They define the rules, how they are to be graded, what they are to learn and when they are to be taught specific subjects. Student self-esteem is more important than the subjects being taught. Almost all the theories of education in modern teaching manuals promote theories from humanistic, relativistic, and Freudian psychoanalysis perspectives.<sup>71</sup> The humanist, Abraham Maslow developed the *Hierarchy of Needs* and it is often quoted in texts to explain why people cannot learn—if all their needs are not met. And, all their needs cannot be met without socialism because with capitalism comes the inevitable inequalities. Yet there are stories throughout history of people who have contributed in amazing ways while they have had very little food or money. Not that having one's needs met is not an ideal, but it does not follow that one cannot learn if all their needs are not met. Necessity has often times bred invention!

So what is the consequence of such teaching methods on democratic citizenship? If students are taught that there are no normative standards to live by—other than the standard that they must be assured a wide range of choices—then the standards of democratic government have no meaning. They have been taught that

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<sup>71</sup> Cal Thomas, *The Things That Matter Most*, (New York: HarperCollins, 1994), 160-166

laws have no meaning if they do not benefit the individual. They have been taught that rules based on standards are intolerant. They have been taught that to experiment with everything and anything as an end in itself. They have never truly been taught subjects for subject's sake. They have been taught that self-esteem or self-actualization can only be realized if all their needs are met and their needs list is ever expanding. They have been taught that critical thinking is judgmental in the negative sense, so they do not know right from wrong, good from bad. Intuitively they realize that society has no real meaning other than individuals occupying the same geographical area. Could this be why political apathy has increased in almost every democratic country that has promoted this type of education?

### *The Search for Values*

Recognizing the problem of not teaching values has been at the forefront of modern education. With student violence, teen pregnancy, cheating, alcohol and drug abuse, teen suicide, all at record breaking levels<sup>72</sup>, educators are being forced to re-evaluate education that lacks normative standards. In an effort to elevate this problem of amorality that plagues modern educational establishments, administrators and counselors have sought to include "values clarification" curriculum or

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<sup>72</sup> William J. Bennett, *The Index of Leading Cultural Indicators*, (New York: Simon & Schuster, 1994).

“character education” to help halt the immense problems associated with the current behavioral trends.

There was a time when schools taught citizens values and character through the ideals of real heroes and heroines. Benjamin Franklin represented inventiveness, George Washington represented honesty as well as Lincoln, King Arthur, Hercules, Mozart, Madam Curie, Florence Nightingale, and many more all of which represented some aspect of virtue in which to aspire. Today cartoon characters have replaced real heroes and heroines that once set the examples of virtue. Dennis Denenberg, professor and director of student teaching programs at Millersville University in Pennsylvania has studied this phenomenon. He found that through the wonders of media and advertisement they have created mascots that have essentially replaced the real heroes and heroines of the past. Disney characters and other cartoon characters have now replaced real people in the classrooms. Children are surrounded everywhere by these fad figures from TV to posters, worksheets, backpacks, and even the cereal they eat— all tempting them into the cartoon world of make-believe.<sup>73</sup> Denenberg has done tests to see if six to seven-year olds can describe a stegosaurus and he found that not only did they know what kind of

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<sup>73</sup> Dennis Denenberg, “The Role of Heroes and Heroines in the American Story” essay, ed., Don Eberly, *Building a Community of Citizens*, (Lanham: University Press of America, Inc, 1994), 108-111.

dinosaur it was, they were also eager to describe in detail about Tyrannosaurus Rex. But when asked who Thomas Jefferson was, the overwhelming responses were that they did not know. Denenberg explains why,

Because neither in our schools nor in our homes do children learn about the great men and women who have made positive contributions to our nation and our world. We teach dinosaurs “ad nauseam” in the elementary grades because they arouse kids’ imaginations. Meanwhile, all-pervasive advertising industry uses cartoons to capture kids’ hearts and minds. But we ignore the many wonderful real people—HEROES—from whom children could learn so much.<sup>74</sup>

These new icons now have the job of imparting character education in the modern classroom. Up in front near the teacher inevitably rest a poster something like a purple monster that imparts the great wisdom “BE HONEST”. But purple monsters are not real and children know this fact. These are values that have no meaning. The purple monster has no history of being honest. He does not tell a student why being honest is a virtue. They are just supposed to know what honesty is merely by the purple monster saying so. Ultimately children learn that “HONESTY” is not real, they equate honesty with the make-believe world, and therefore it loses its significance. What the postmodern educational philosophy is communicating is valueless virtues. Virtues must have genuine examples in order for

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<sup>74</sup>Dennis Denenberg, “The Role of Heroes and Heroines in the American Story” essay, ed., Don Eberly, *Building a Community of Citizens*, (Lanham: University Press of America, Inc, 1994), 108-111.

understanding to occur. As William Bennett stated when asked how schools should teach virtue, "It is by exposing our children to good character and inviting its imitation that we will transmit to them a moral foundation. This happens when teachers and principles, by their words and actions, embody sound convictions."<sup>75</sup> But for Postmodernist the examples of virtuous citizens of the past (even the present) represent the antithesis of their belief system, normative standards. The new educators resemble C. S. Lewis' "Conditioners" who will choose for the rest of mankind the artificial *Tao* and "They will be the motivators, and the creators of motives."<sup>76</sup>

Charles L. Glenn & Joshua Glenn did a study of undergraduate students (94) at one of the most selective schools of education.

Suppose you were asked to teach a 7<sup>th</sup> grade course or unit in moral education. *Question 1*: If you had to choose between one of the two models below, which would you choose? *Question 2*: Would you agree to teach the course if B were the only option given?

- A. The first approach encourages students to develop their own values and value systems. This approach relies on presenting the students with provocative ethical dilemmas and encouraging open discussion and exchange of opinion. The ground rule for discussion is that there are no right or wrong answers. Each student must decide for himself/herself what is right or wrong. Students are encouraged to be nonjudgmental about values that differ from their own.
- B. The second approach involves a conscious effort to teach specific virtues and character traits such as courage, justice,

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<sup>75</sup> William J. Bennett, *The De-Valuing of America*, (New York: Touchstone, 1992), 58.

<sup>76</sup> C.S. Lewis, *The Abolition of Man*, (New York: Touchstone, 1996), 72.

self-control, honesty, responsibility, practicing charity, obeying lawful authority, etc. These concepts are introduced and explained and then illustrated by memorable examples from history, literature, and current events. The teacher expressed a strong belief in the importance of these virtues and encourages his/her students to practice them in their own lives.<sup>77</sup>

What Charles L. Glenn and Joshua Glenn discovered was that 88 percent of these future teachers selected A., the first method, 9 percent, the second. Nearly half of the students said they would refuse to teach B., the second method.<sup>78</sup>

It appears the real reason for not accepting B, the approach that teaches specific virtues, is fear of not being tolerant. But A, does not impart virtues to students because as stated there are “no right or wrong answers” to find. What this communicates to students is that there are no right or wrong acts, which negates the very purpose of imparting right behaviors and wrong behaviors i.e. the virtues.

Postmodernism cannot have the *affects* of virtuous citizens and not teach virtue. Educators are shrinking from the age-old duty of affirming the truths of life, the truths that human tradition has affirmed since the beginning of time. How is it that there is no regard for the thousands of years of wisdom that has historically shown that good and bad ideas, right and wrong acts, are inherent in the success or failures of societies? Plato understood today’s educators,

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<sup>77</sup> Charles L. Glenn & Joshua Glenn, “Schooling for Virtue”, *First Things* 35 (August/September 1993), 45

<sup>78</sup> *Ibid.*, 45-46

Knowing nothing in truth about which of these convictions and desires is noble, or base, or good, or evil, or just, or unjust, he applies all these names following the great animal's opinions—calling what delights it good and what vexes it bad. He has no other argument about them but calls the necessary just and noble neither having seen nor being able to show someone else how much the nature of the necessary and the good really differ. Now, in your opinion, wouldn't such a man, in the name of Zeus, be out of place as an educator?<sup>79</sup>

True education in a society acknowledges and teaches its citizens critical thinking. True education —is being sure of something so much that one can pass it on to the next generation with all authority knowing that its goal is to better society as a whole.<sup>80</sup>

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<sup>79</sup> Plato, *The Republic*, tran. Alan Bloom, (United States: Basic Books, 1991), 493b.

<sup>80</sup> G.K. Chesterton, *What's Wrong with the World*, (San Francisco: Ignatius Press, 1910), 143.



## CHAPTER FOUR

### LAW AND CITIZENSHIP

Family and education all must deal with the law. It is at this juncture that the community morally defines these institutions. In every society that hopes to succeed, the rule of law, with its authority and its adherence is fundamental. Laws are practical and their "purpose is to enhance, the welfare of the community by promoting those human values for which society exists; and this is surely a moral purpose"<sup>81</sup> Laws reflect what society judges as necessary to protect. This may or may not include all its citizens. As Aristotle argued, true forms of government will have just laws and perverted forms of governments will have unjust laws. The laws that are enacted become value judgments based on right actions and wrong actions. But where does society's perception of right or wrong actions come from? The Postmodernist will answer, "Right or wrong is relative to each citizen". The Traditionalist will answer, "All citizens through the 'natural law' or 'divine law' will know what actions are right or wrong." How society

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<sup>81</sup> Canavan, Francis, *The Pluralist Game*, (Maryland; Rowman and Littlefield, 1995), 11.

perceives human nature and the foundations of its laws becomes the purpose for which laws are made. Once laws are enacted, they indirectly teach citizens what society deems appropriate and inappropriate.

### *Human Nature*

The first step in how citizens interpret and obey law requires an understanding of human nature. There are basically two positions this author sees concerning man's nature and they weigh heavily on how laws in society are structured. The first views man as weak or fallen with the potential for evil. This view also holds that man is capable of great good but law becomes necessary to restrain those that may harm the virtuous. The second view holds that man is neither good nor evil (because good and evil are relative) and that he requires protection against those who would try to take his freedom. Now in most societies it is often the case that these views of human nature are sometimes brought together. In other words some laws may be passed with the idea that man can be evil while other laws in the same government may be passed with the idea that man is good. However taken as a *whole*— law in society can be distinguished by the bias originating from one of these two views on human nature.

The view of the Traditionalist is one in which man has the potential for evil and requires correction and protection. The purpose of law here is to protect, deter, and educate against evil. Aristotle argued that citizens are swayed by compulsion and punishment rather than argument and a sense of what is noble. For Aristotle, law existed wherever there was injustice. If there were no injustices law would not be required. But clearly there are injustices as Aristotle acknowledged. However, it is the hope that citizens who have been taught virtues by habit, will listen to the law that supports what they have learned. The virtuous will accept reason while the less virtuous will be corrected by pain. Chastisement and penalties should be imposed on those who do not obey the rule of law and those citizens who are completely unvirtuous, Aristotle reasoned, ought to be banished from society. However, as Phillip Johnson puts it,

Coercion is one aspect to law, but it is far from the whole story. Apart from coercion, law provides symbolic public affirmation for some worldviews and values and implied public repudiation or denial of others. Traditional law prohibited bestiality not because the lawmakers thought the threat of criminal punishment was particularly effective in deterring this vice, but because the enactment of such a law symbolized the state's endorsement of a particular understanding of human sexuality.<sup>82</sup>

The Mosaic laws, as well, come from the starting point that man is capable evil. According to the Biblical account in Genesis, God made

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<sup>82</sup> Phillip E. Johnson, *Reason in the Balance*, (Downers Grove: InterVarsity Press, 1995), 141

man good,<sup>83</sup> yet because of man's free will he does not always choose the good. The Ten Commandments, which were imitated in some sense throughout societies in ages past,<sup>84</sup> also recognized man as having the potential for evil and in need of correction. The commands, not to murder, steal, lie etc. reflect the notion that man is capable of such acts.

Most democratic governments based their politics on the fact that man was capable of evil and that government should guard against that fact. In England during Anglo-Saxon times, English rulers and their subjects developed a form of limited, representative government under the rule of law. Recognizing the sometimes-corrupt behavior of their kings, the people wanted to limit the king's power. The influence of the English people on their nation's government checked the power of their kings and moved the nation toward rule by laws rather than rule by men who had the propensity for corruption.<sup>85</sup>

In America, the founder, Alexander Hamilton wrote (*The Federalist #15*), "Why has government been instituted at all? Because the passions of men will not conform to the dictates of reason and

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<sup>83</sup> Augustine remarked on this fact in his Confession, that all that God had made was in fact good, Book 7.

<sup>84</sup> C.S. Lewis, *The Abolition of Man*, (New York: Touchstone, 1996), 101-109.

<sup>85</sup> *American Government*, 2<sup>nd</sup> ed. ed. William R. Bowen et al., (Pensacola: Abeka, 1997), 40-43

justice without constraint."<sup>86</sup> In concurring with Hamilton, James Madison wrote (*The Federalist* #51) regarding human nature and democratic government,

Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection of human nature that such devices should be necessary to control the abuses of government. But what is government itself but the greatest of all reflections on human nature? If men were angels no government would be necessary.<sup>87</sup>

In contrast the postmodern view of human nature revolves around both the idea that man is neither good nor evil. Postmodernism acknowledges at times, that there are evils. Yet evil is abstract in the sense that it is *ideas* that are evil rather than *actions*. When John Rawls states that it is evil not to allow alternative lifestyles he represents evil as being intolerance. It becomes very difficult for the postmodernist to accept that certain acts are evil because they do not accept normative standards other than toleration. Toleration does not concern itself with judgment. Human nature for the Postmodernist is shaped by experiences, and it is those experiences that hold the key to what is human success or failure. It is difficult also to use the terms good and evil because they are rejected as being real. What is real is the success and failure of a human being. In other words it would be a

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<sup>86</sup> Alexander Hamilton, *The Federalist Papers*, (No. 15) ed. Clinton Rossiter, (New York: Mentor, 1961), 110.

<sup>87</sup> James Madison, *The Federalist Papers* (No.51) ed. Clinton Rossiter, (New York: Mentor, 1961), 322.

human failure if Joe murdered John, not an evil. Likewise it would be a human success if Joe helped John financially when he was in need.

Rousseau assisted the postmodern conception of human nature. He portrayed the natural man as a creature of good instinct and simple tastes who has been corrupted and deprived of happiness by civilization, and particularly by urban life, class distinctions, and governmental tyranny.<sup>88</sup> Again the type of government Rousseau advocated (direct democracy not representative democracy) symbolized his view that human nature was good and capable of success if given the right circumstances.

Karl Marx in the Communist Manifesto stated, "When...class distinctions have disappeared, and all production has been concentrated in the hands of a vast association of the whole nation, the public power will lose its political power."<sup>89</sup> Here Marx infers that political power (including laws) will not be needed because human nature will not have injustice— if the right circumstances are met i.e. Communism.

How human nature is understood has direct influence on the type of political structure being advocated. As the current trend aims closer to the postmodern conception of human nature, laws in modern

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<sup>88</sup> Allan Bloom, *The Closing of the American Mind*, (New York. Touchstone, 1987) 168-177.

<sup>89</sup> Karl Marx, *The Communist Manifesto*, (New York: International al Publishers Co., 1948), 31

societies have begun to take on the characteristic that man is basically good. It is circumstances (experience) that hold importance in designing law. The idea that *man* has the propensity for evil and at times in need correction and punishment, has been replaced with the idea that *circumstances* are evil. Now it is believed that by bettering the environment, man will have the propensity to be good (successful). Law has taken on the role of *provision* rather than *protection*.<sup>90</sup> The impact this has on citizenship has been that citizens look for law to provide their needs rather than protect what they already have. This is substantiated by the explosive escalation of rights cases in the modern world. Prisons have changed their former purpose of punishing unlawful citizens to rehabilitating unlawful citizens. The line between the victim of crime and the criminal has become blurred. Was the criminal at fault for the crime or is society at fault for the crime? Now the citizen sees the responsibility for his behavior not at the door of his own house but at the columns of government. This view of human nature in relation to government has profound effects on law and especially on how law is obeyed. Personal responsibility is necessary for a successful society. If every citizen did what he wanted to others without having consequence, it would be hard to imagine a community surviving under such anarchic

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<sup>90</sup> *American Government*, 2<sup>nd</sup> ed. ed. William R. Bowen et. al, (Pensacola: Abeka, 1997), 18

conditions. Law would have no reason to be obeyed. Why have a law that tells a citizen to be responsible toward others and then exhort through the courts that it is society who is responsible. If a citizen is not ultimately responsible for bad behavior, then why should he resist bad behavior? The Postmodernist will most likely argue from Kant's morality "we ought always to act in such a way that by our actions we treat others never only as means to our ends, but always also as ends in themselves".<sup>91</sup> The Traditionalist will say that man is not an end unto himself but that there is a higher end apart from man which should be our aim.

### *The Foundations of Law*

The second step in how the citizen interprets and obeys law requires an understanding of the law itself. All laws have reason for being. This reason is the foundation of law or the ethics behind the law. The law that states that it is wrong to murder another human being, must beg the question, why is it wrong to murder? The answer to the question is ultimately the ethical foundation for which the law is based. Historically these questions of law have been answered by a society's religion. But there have been through the ages many distinct religions. How is it that the majority of societies have come to the

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<sup>91</sup> Quoted in J. Budziszewski's, *True Tolerance*, (New Brunswick: Transaction Publishers, 1992), 234.



same conclusions that for a citizen to murder, steal, or lie, etc. is wrong?

Antigone in *Sophocles* tragic play, when asked why she disobeyed the king's edict replied,

*Antigone*

Sorry, who made this edict? Was it God?

Isn't a man's right to burial decreed

By divine justice? I don't consider your

Pronouncements so important that they can

Just ... overrule the unwritten laws of heaven.

You are a man, remember.

These divine laws are not just temporary measures.

They stand forever.<sup>92</sup>

It was Thomas Aquinas who reasoned that there were laws that all humans know to be true<sup>93</sup>, the *natural law*—the basis of all moral knowledge. Aquinas believed that there was also *divine law* and *human law* but that all laws, including the *natural law*, were based on the *eternal law*, the principles by which God made and governed the universe. He therefore reasoned that even if man did not believe in the

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<sup>92</sup> Sophocles, *Antigone*, trans. Michael Townsend, (New York: Harper—Collins Publishers, 1962), 12.

<sup>93</sup> Mentioned in the Bible in Romans 2:14-15.

divine law or the eternal law, the natural law was found in every human as a guiding rule to direct him toward the good.<sup>94</sup>

Aristotle whom Aquinas referred to as *the Philosopher* pointed to a law known by every human. He called it just by nature,

What is just in the political sense can be subdivided into what is just by nature and what is just by convention. What is by nature just has the same force everywhere and does not depend on what we regard or do not regard as just.<sup>95</sup>

The history of the natural law tradition is a long history. Different philosophers have had, and still have, diversified opinions on the natural law. Some believe that the natural law comes from God and explain the law in religious ways (Aquinas). Others believe in the natural law apart from religion. Although the origin of the natural law has been of great controversy, all natural law thinkers agree that there is a law "written on the heart"<sup>96</sup> that directs man to do good.

The natural law is seen in the foundations of laws as well as custom. Aristotle said laws couldn't reach every vice. It is the natural law that can permeate where political law cannot. Similarly, religion often checks those areas that otherwise could not be reached by law. Human law only reaches the outward acts of man and can never reach

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<sup>94</sup> Thomas Aquinas, *On Law, Morality, and Politics*, ed. William P. Baumgarth and Richard J. Regan, (Cambridge: Hackett Publishing Company, 1988), 11-74.

<sup>95</sup> Aristotle, *Nicomachean Ethics*, Book V 1134b-20.

<sup>96</sup> J. Budziszewski, *Written on the Heart*, (Downers Grove: InterVarsity Press, 1997), 11.

the inward motive for acts. Tocqueville recognized the indispensable hidden hand behind law—he called it societies *mores*.

I am convinced that the luckiest of geographical circumstances and the best of laws cannot maintain a constitution in despite of mores, whereas the latter can turn even the most unfavorable circumstances and the worst laws to advantage. The importance of mores is a universal truth to which study and experience continually bring us back. I find it occupies the central position in my thoughts; all my ideas come back to it in the end.<sup>97</sup>

Human laws, as Tocqueville pointed out, can be bad. But even in cases of bad law, the natural law, which is always found in the mores of society, can help overcome bad law. It is true that Tocqueville believed in divine law as the main basis for a society's mores. Regardless of whether he thought mores originated from God, he recognized the hidden laws that direct men's actions as "universal truth". It was this universal truth or mores that he saw within the framework of American society. It was their mores that *maintained* their laws. This was the main message that Tocqueville wanted to convey in *Democracy in America*, "If in the course of this book I have not succeeded in making the reader feel the importance I attach to the practical experience of the Americans, to their habits, opinions, and in

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<sup>97</sup> Alexis de Tocqueville, *Democracy in America*, trans. George Lawrence, edit. J P. Mayer, (New York. Harper & Row, 1969), 308.

a word, their mores, in maintaining their laws, I have failed in the main object of my work."<sup>98</sup>

Machiavelli also saw the need for the moral foundations of law,

In truth, no maker of extraordinary laws who did not have recourse to God has ever existed in any society because these laws would not otherwise be accepted, and because these things in themselves lack the self-evident qualities that can persuade others.<sup>99</sup>

There are two recourses that Postmodernists take concerning the natural law. Either they insist that core principles are not right for all, or they say core principles are right for all but insist that they cannot be understood by all. These ideas have impact on citizenship just as the society that recognizes the natural law as true and knowable had impact on citizenship. The postmodern conception of law usually rests on utilitarianism or Kant's moral universe. John Rawls argues that there is a "burden of reason" when it comes to political judgment. He asserts six reasons why we cannot know the natural law. 1.) The evidence concerning particular cases maybe conflicting and hard to evaluate. 2.) Even if we agree about values we will disagree on the weight that should be given to each. 3.) All values are indistinct and therefore reasonable people will disagree. 4.) Moral values are

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<sup>98</sup> Alexis de Tocqueville, *Democracy in America*, trans. George Lawrence, edit J.P. Mayer, (New York Harper & Row, 1969), 308.

<sup>99</sup> Niccolo Machiavelli, *Discourses on Livy*, tran. Julia Conaway Bondanella and Peter Bondanella, (Oxford: University Press, 1997), 52.

dependent on experience and because each person has different experiences there will not be a consensus. 5.) Because there will be different considerations of what is valuable it will be difficult to get an overall assessment. 6.) It is extremely unlikely that *reasonable* people can come to the same conclusion on values.<sup>100</sup>

Yet somehow the virtue of toleration is knowable. If what Rawls says is true then how can toleration be known as a value? Also it is apparent that all the great thinkers of the past who had opinions on the good and the evil; the true and the false; are all unreasonable. One is unreasonable —not for specific views on normative standards but for having a view in the first place about normative standards.

J. Budziszewski, professor of political science at the University of Texas at Austin, argues against this idea that citizens can't know normative values. He maintains that it is impossible *not to know* the natural law. Those who say they can't perceive true values only want to be blameless for their actions by the excuse — they don't know any better. He writes,

All this sounds persuasive, yet it is precisely what the older tradition, the natural law tradition denies. We do know better; we are not doing the best we can. The problem of moral decline is volitional, not cognitive; it has little to do with knowledge. By and large we do know right from wrong, but wish we didn't. We only

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<sup>100</sup> John Rawls, "The Domain of the Political and Overlapping Consensus", *The Idea of Democracy*, ed David Copp, Jean Hampton and John E. Roemer, (New York. Cambridge University Press, 1995), 248

make believe we are searching for truth—so that we can do wrong, condone wrong, or suppress our remorse for having done wrong in the past.<sup>101</sup>

For the citizen, the question arises, if citizens can't know what values are important in society, why are there laws in the first place? If laws cannot be practical representatives of values, why should the citizen trust and obey laws that society demands?

Society cannot hope to succeed if it does not have a universal foundation for its laws. The natural law or divine law provides stability where human law can fail. It also provides purpose for law, which is necessary for reasonable citizens to obey. It also provides expectation that citizens will obey the law.

### *The Law Instructs*

Laying aside the arguments of whether the purpose of law is to protect or to provide, or whether it has a foundation that supports it, allows one to examine an indirect effect of law. Beyond its purpose laws have the important function of instructing citizens on what society values and does not value. For example, when murder is against the law, it teaches citizens that murder is an unacceptable act. But the law goes beyond the fact that it is unacceptable to murder. It is unacceptable to murder because society must value life. So the law

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<sup>101</sup> J. Budziszewski, "The Revenge of Conscience", *First Things*, # 84 (June/July 1998), 22

against murder also teaches that life is valuable. All laws have this dual teaching effect in that it teaches what is wrong as well as what is right. If in some cases it is against the law to lie (libel), then not only does this teach that lying is an unacceptable act, but that truth is valued. It is the same with the laws of mathematics, if  $1+3=7$  is incorrect then there must be a correct value for  $1+3$ , that being the value 4.

However, the correct value may not always be understood as in the case of the young. The young do not know *why* mommy has the law to hold her hand when crossing the street— they first obey by habit. Aristotle reasoned that laws help man to be virtuous. Man requires help in attaining virtue. He is not born virtuous but he can learn to be virtuous by the good habit of obeying laws. At first he obeys because he is told it is necessary and so he develops the habit of following the law i.e. of holding mommy's hand. Later as he matures he is told *why* holding mommy's hand is necessary and good— it is necessary to protect against fast moving traffic that could injure life, which is valuable. For Aristotle, when laws are obeyed by habit, then, combined with practical reason (understanding the purpose of the law), good actions follow and virtue is attained.

Now a dilemma arises when a society views law from differing philosophies. When the view of human nature and the view of the

foundations of law are in confusion, the teaching aspect of law is also in confusion. Usually this is first seen with the enforcement of the law itself. How laws are enforced equate to the legitimacy of the law. Inconsistency in enforcing the law teaches citizens that either the government is inept or that the law itself is not legitimate. For example, when it is against the law of society to murder another citizen, and the law is either never enforced, or enforced on an inconsistent basis, the law itself is perceived as having no force behind it for correction. Where there is no force behind law there is no law. Laws are standards that society deems important and if the standard is not upheld then it is no longer a standard.

One historical example of the above concept is the American Revolution. The colonists retained enough independence for the first 150 or so years that England had trouble enforcing laws (often exasperated by the distance) and the colonists had trouble obeying. When England began to put teeth behind the laws, the colonists reacted with a revolution. The reason for independence stemmed from the fact that the colonists were *taught* by England's lack of enforcing colonial law to disregard them as illegitimate. The colonists had no significant habit of obeying the Crown. For the colonists, revolution was justified by the fact that England's standards were no longer their



standards, as proven by England's prior indifference.<sup>102</sup> Machiavelli once said, "I do not believe there is any worse example in a republic than to make law and then not to observe it—especially the one who made it"<sup>103</sup>

In pluralist societies there lies the conclusion by Postmodernists that, although citizens come from differing perspectives on the foundation of law and of human nature, the law should teach its citizens tolerance. All laws should teach tolerance. The law against theft, murder, divorces; child abuse, etc. would in affect teach tolerance. If the goal in every law is to teach tolerance rather than correct behavior of the specific law then in actuality there is only one law in the land. If the law against murder is promulgated by the fact that it is unacceptable because it is intolerant and the law against theft is promulgated as intolerant, the wrong in society is defined as being intolerant. Each act against the law in a postmodern society is not wrong in and of itself. In other words the act of murder is not wrong because it is wrong to take a valuable life, it is wrong because it is intolerant.

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<sup>102</sup> Robert Divine, et al, *America Past and Present vol. I to 1887*, (New York: HarperCollins College Publishers, 1995), 134-5.

<sup>103</sup> Niccolo Machiavelli, *Discourse on Livy*, trans. Julia and Peter Bondanella, (Oxford; Oxford University Press, 1997), 116.

The problem with the above conclusion is that toleration does not address the rightness or wrongness of certain actions. For the Postmodernist, all wrong actions are represented by a certain equality of vices. Murder is seen as intolerant, as is speaking out against sexual freedom. What is promulgated by this philosophy is that all acts considered intolerant are equally unjust. Toleration as an ideal in actions can never teach why actions should be virtuous or good. Why should Dan not murder? Because it is intolerant says the Postmodernist. But why is it intolerant? This is the crux of the problem. The postmodern toleration ideal cannot teach the reason for correct behavior, which is necessary for the understanding of true justice.

As the current laws in society teach the toleration ideal, citizens are now confused as to why they should obey law. Effective laws have the dual effect of not only teaching what is wrong but *why* it is wrong, hence the right action. When laws only aim at what is wrong without a standard as to *why* it is wrong, then citizens sense the incompleteness of the laws and find room to question its validity and purpose. Aristotle understood this when he stated, "For the great majority of lawful acts are ordinances which are based on virtue as a whole: the law commands to live in conformity with every virtue and forbids to live in conformity with any wickedness. What produces virtue entire

are those lawful measures which are enacted for education in citizenship."<sup>104</sup> When citizens begin to question what is virtuous in obeying the law, it is only a matter of time before anarchy or revolution takes over the tolerant society.

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<sup>104</sup> Aristotle, *Nicomachean Ethics*, Book V 1130b 20-25.

## CHAPTER FIVE

### RECOMMENDING A RETURN TO REASON

There is no refuting the reality that classical or traditional political philosophy is evolving into a new postmodern political philosophy. All that will soon be in existence will be a mere ghost of what once represented normative standards for its citizens. Like a ghost, the image fades in and out, and citizens are forced to conclude that time-tested tradition really is dead. It has been shown in the preceding chapters that lack of normative standards has far reaching consequences for citizenship. As Aristotle warned, "Let us remember that we should not disregard the experiences of ages; in the multitude of years these things if they were good, would certainly not have been unknown; for almost everything has been found out, although sometimes they are not put together; in other cases men do not use the knowledge they have"<sup>105</sup>

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<sup>105</sup> Aristotle, *The Politics*, 1264a.

Plurality is a certainty that exists in most modern societies and it is foolish not to develop a political philosophy around that reality. Thomas Jefferson once said, "We are not afraid to follow truth wherever it may lead, nor tolerate any error so long as reason is free to combat it"<sup>106</sup> In a society with competing political and moral ideas there must be open and honest debate on which ideals are the best for society as a whole as well as which are best for the citizen individually.

No reasonable philosophy would advocate not using reason as a method for defining the best society possible. Aristotle defined both the irrational element and the rational element of the soul. The irrational element as, "vegetative and has no share in reason" and the rational element, "it listens to reason as one who would listen to a father"<sup>107</sup> If a culture does not allow reason to separate out what is excellent for a society then how can a society hope to survive? It does not follow that because there are competing philosophies that we should not use reason.

There has been confusion of late in that advocating an ideal is the same as imposing that ideal. The charge is all too familiar, "don't impose your politics or morality on others!" Yet it is only after it enters

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<sup>106</sup>Thomas Jefferson, Quoted in Phillip E. Johnson. *Reason in the Balance*, (Downers Grove: Intervarsity Press, 1995), 198.

<sup>107</sup> Aristotle, *Nicomachean Ethics*, 1102b-30-1103a-4.

the government apparatus that an idea can be imposed. There must be freedom to advocate ideas, anything less retards the one characteristic that separates man from the rest of the planet's inhabitants, his ability to reason.

Ideas that work should be examined. Ideas that do not work, as Jefferson claimed, should be fought against. The current atmosphere in modern societies is to discover everything about family, education, and law except for their purpose. Family ultimately exists for a reason. It does not exist without purpose. The same holds for education and law. Each of these three facets of society has an ideal function for its citizens. Most would agree that the family is in trouble. Most would also agree that laws and education are not working as well as they should. What does promote healthy families? Successful education? Good law? Has there been anything from humanity's long history that can help judge the social ideal? First it is important to admit that a thing is not functioning well. The next step would be to admit there *could be* an ideal function. Then, institute normative standards to help reach the ideal, while understanding that normative standards at times fall short of their goal.

It is the responsibility of citizens to owe allegiance to their governments and it is the responsibility of their governments to protect them. Normative standards protect citizens in that they direct

what best represents family, education and law. Governments should promote ideals. Postmodern toleration can never be the ideal in family, education, and law and therefore can never be the purpose of true citizenship. True citizenship enjoins the very purpose of politics. As Aristotle once said, "...the end of politics is the best of ends; and the main concern of politics is to engender a certain character in the citizens and to make them good and disposed to perform noble actions... To leave the greatest and noblest of things to chance would hardly be right."<sup>108</sup>

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<sup>108</sup> Aristotle, *Nicomachean Ethics*. 1099b24-30.

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