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Post-Liberalism: The Problem of Political Form and Regime

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ABSTRACT

The application of Thomistic Aristotelian principles to contemporary constitutionalism has involved many shifts and transformations: from postwar Christian democracy to post-liberalism. In order to evaluate these changing assessments, the article discusses and compares the work of Pierre Manent and John Milbank who provide a useful long term historical perspective on the relevant issues. The article explores how Manent's emphasis on the theologico-political problem seems inescapable in one form or another in appraising the origin, development and the future of the liberal regime as well as any possible alternatives. Nevertheless, Milbank's work points to more fruitful post-liberal institutional forms capable of sustaining an Aristotelian conception of political association. Despite this, the theologico-political problem arguably still affects how such political structures are to be thought and developed with tensions involving the realization of cardinal and supernatural virtues intrinsic to the balances that need to be struck.

Introduction: Varieties of Aristotelian-Thomism

The Aristotelian tradition within postwar politics and constitutionalism has maintained an important but critical relationship with the liberal democratic institutions predominant (at least in Western Europe and in North America) during this period. At the beginning of the postwar period, Jacques Maritain (alongside other thinkers) famously developed a defence of the basic institutions of liberal democracy from a Thomistic-Aristotelian perspective.¹ There were two elements to this: the first consisted of the support for a representative-democratic theory of government and the second concerned religious liberty and the role of the state.

The development of a representative-democratic theory of government within natural law thinking was most clearly articulated by Yves Simon.² Simon argued in favor of the idea that the logical outcome of the Thomistic tradition of reflection on political authority (from Aquinas through to the Baroque scholastics) was that representative democracy flowed out of the idea that the community was seen as the source of the authority of its rulers. Whilst the consent of the community instituted concrete forms of government,

this was not a liberal 'social contract theory' in so far as the social life and sovereignty of the community was presupposed and was not itself constructed from a state of nature. Jacques Maritain was principally associated with the development of a new type of Thomistic approach to the vexed problem of Church-State relations. On the basis of a sophisticated distinction between personality and individuality, in which the former represented the existential core of human identity and dignity and the latter simply represented the person's inscription into various social institutions, Maritain argued that politics and the state were to be understood as an instrumental practice involving persons in their capacity as individuals.³ One crucial conclusion Maritain drew from this was that amongst a set of human rights, grounded on the dignity of the person, was a pivotal right to religious liberty as against the state.

Since the immediate postwar period, however, the Aristotelian view of politics itself has become increasingly critical of the practice of liberal democracy. This perhaps surfaced most clearly in the work of Alasdair MacIntyre and his book *After Virtue*.⁴ From the relatively institutional focus of the earlier Thomistic theorists of the postwar period, MacIntyre's work shifted the terms on which Thomistic thought

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approached liberalism. Liberalism, for MacIntyre, was not primarily a set of political institutions; rather, it was a distinct tradition of rational inquiry and associated set of moral practices. In short, it was a tradition of theoretical inquiry concerning the nature of moral practice and a tradition in which that inquiry was put into practice in various types of social structures. From this point of view, MacIntyre argued that liberalism in this sense was fundamentally defective in comparison with an earlier Aristotelian tradition of inquiry (in later work this was adjusted to an Augustinian-Thomistic tradition).⁵ MacIntyre's comprehensive critique of liberalism arguably paved the way for what is now termed 'post-liberalism'. 'Post-liberalism' consists of a range of different types of thinkers but a classic of the movement, such as Patrick Deneen's *Why Liberalism Failed* also takes the broad philosophical perspective on the problem of liberalism as pioneered by MacIntyre.⁶ Like other thinkers within the 'post-liberal' school, Deneen, places a renewed stress on the many connections between liberalism as a tradition of inquiry and the *political* as well as social practices linked with it. In so far as MacIntyre and now the post-liberals have problematized a broader individualistic and voluntarist conception of moral agency, this is arguably consistent with the philosophical commitments of Thomists like Maritain and Simon. However, this leaves the more political question of the analysis of liberal-democratic government – representative democracy conjoined with civil rights in suspense. To take Deneen, for example, he is critical of the way in which the modern state and economy, configured in terms of liberal moral theory, undermines communities of virtue. At the same time, he acknowledges alternative, more classical, possibilities for constitutional democracy interpreted as a tradition of virtuous political self-government.⁷

In this article, I will examine two strands of thinking that provide a useful way of navigating the questions surrounding the role of Aristotelian-Thomistic thinking in contemporary constitutionalism. On the one hand, there is the perspective more sympathetic to a qualified liberal constitutional framework developed by Pierre Manent. On the other, there is the more post-liberal framework developed by John Milbank which undertakes a critique of liberalism with more radical political implications. Both Manent and Milbank's work are characterized by a long-term view of the problem of liberalism and a sense of the extended antecedent problems that led to the rise of liberalism.

Whilst we will explore different and contrasting elements of their analysis in later sections of this article, it can be said that John Milbank's critique of liberalism is grounded in a theological-philosophical analysis of how certain positions in late medieval scholasticism – Scotist univocity, nominalism and voluntarism – combined to result in a politico-theological understanding of politics as related to a 'natural sphere' distinct from the supernatural sphere of grace.⁸ Pierre Manent's perspective in contrast is shaped by a more historical and political philosophical investigation of the development of the notion of *political form* in the West. With the end of the epoch dominated by the Greek city state and the Roman Empire, the order of Christendom put in place a distinction between the universal and supernatural order of the Church and the temporal order of the developing national kingdoms. In brief, the conflict of jurisdiction between these two orders led to the radical assertion of the autonomy of the temporal order, an assertion which was connected with the abandonment of Thomistic philosophy and metaphysics and the inauguration of the philosophical currents linked to liberalism. The long-term perspective of both these thinkers is important in approaching the scale of the phenomenon of liberalism in politics in a way that can properly weigh up its ambivalent contribution to the development of Western political thought over an extended period of time. This long-term perspective and the broader analysis generated by investigating liberalism as a multifaceted phenomenon should assist in developing a balanced analysis of the shifts within the Thomistic analysis of liberalism and of liberalism itself over the course of the postwar period.

In section one, the broad common ground shared between different Aristotelian analyses of political modernity will be set out, in particular in connection with the liberal-communitarian debate involving figures like MacIntyre and Taylor (the earlier stage in the development of Aristotelian post-liberalism). This common ground relates to an emphasis on the tensions between liberalism *as a tradition of moral inquiry* and an Aristotelian philosophical anthropology. However, as this discussion progressed, it became clear that the specifically political implications of this tension were not properly furthered within broader debates and initiatives of the time, although some elements of the communitarian critique of liberalism subsequently coalesced problematically with a developing liberal multiculturalism and a more radical 'politics of difference'. However, in the work of Pierre Manent and John Milbank, the possible political stakes of the Aristotelian critique are developed in a more

decisive manner. Two key dimensions of the post-liberal debate emerge in their work. The first concerns the issue of Church-State relations which is explored in section two and the second, the subject of section three, the fate of the nation-state and the problem of political form. The different approaches of Manent and Milbank to these topics, when read together, lead however to the disclosure of a new set of institutional possibilities but also a reinforced sense of caution regarding easy solutions to the theologico-political problem from the standpoint of contemporary Thomist political philosophy.

Section 1: The Necessary Political Stakes of Aristotelian Moral Theory

In this section, the basis for the Aristotelian critique of 'liberalism' as a broader tradition of moral inquiry will be set out and its political implications explored. Charles Taylor's distinction between ontology and political advocacy is useful as this point in distinguishing the problems of moral ontology from the related questions of political regime and form. By ontological issues, Taylor refers to the way in which political theories define the notions of moral agency that underpin their theories of legitimacy. By contrast, advocacy issues relate to the way in which political theories argue for a certain set of political institutions.⁹

The ontological problems posed by liberalism formed a central part of what might be termed a 'first wave' of Aristotelian criticisms of liberalism developed by thinkers like Michael Sandel and Alasdair MacIntyre during the 1980s. The current development of post-liberalism arguably builds on this work and certainly, this earlier body of work assisted in the revival of distinctively Aristotelian approaches to moral philosophy in the Anglo-American world. MacIntyre's Aristotelian-Thomistic perspective on moral agency in particular tended to highlight two key dimensions that formed a central part of the earlier liberal-communitarian debate and the current post-liberalism debate. At the level of more specific social practices, he discussed how moral rules and precepts should be understood in terms of the ends to which they are directed and in terms of their role in shaping the character virtues of the participants in the practice. At a second level, MacIntyre developed a relatively novel view, grounded in a reflection on Hegelian philosophy of history and J. H. Newman's theory of doctrinal development, that the social practices orientated to the good are themselves transmitted and developed through a tradition of *reflection on the*

practice itself. Such development at key junctures can incur 'epistemological crises' in which the resources of an alternative tradition of rational inquiry need to be called upon to overcome the limitations of an existing tradition.¹⁰ In that sense, MacIntyre's understanding of the traditionary character of Thomism introduced an element of historical development and revisability that seems to be in tension with the classical view that the goods aimed at by moral activity are fixed in terms of their principal elements by virtue of the ontological stability of human nature. MacIntyre however argues that moral realism is implied by his account: the very idea of rational revisions within a tradition of rational *inquiry* assume that a truth is being approached by a series of more or less adequate conceptions from the standpoint of human traditions of inquiry. Overall, then, it is perhaps fair to say that MacIntyre emphasized the importance of authoritative social institutions and practices in the formation of moral agency; an emphasis which was not an endorsement of moral relativism.

The liberal-communitarian debate as it evolved over the course of the 1980s and into the early 2000s, arguably stalled in its broader impact until the recent discussions over post-liberalism. In practical terms, a 'Rortian-pragmatic' sense developed that the ontological and philosophical issues posed by writers like MacIntyre were detachable from political advocacy issues that could still be framed in accordance with adjusted liberal-egalitarian principles. Will Kymlicka's work is emblematic of this type of response: what changes is that 'group rights' are now seen as a key component of a constitutional democracy still orientated to the project of individual autonomy and the on-going structural possibility for individual critique, revision and rejection of variable conceptions of the good.¹¹ The problem with this 'resolution' to the liberal-communitarian debate was that it glossed over the philosophical challenge posed by MacIntyre's critique of liberal moral theory and ignored the role of political as well as social community in providing a forum for deliberation and authoritative resolution concerning questions of the good. An Aristotelian moral theory presupposes not only a set of social practices for attaining common goods and associated virtues but also political forms and regimes capable of providing a forum for deliberation and resolution concerning the good and conflicts concerning its appropriate standards.

To conclude this section, the problem of the ontology of moral agency in the broad sense and the question of political form and regime cannot be separated. This was true for those egalitarians who expanded

liberal principles to embrace a politics of difference and for the Aristotelian communitarians. Politics is integral to moral agency; not so much in the sense that particular coercive institutions take priority in a material sense to questions relating to moral self-understanding or of ethical development but in the sense that the comprehensive ability to shape a set of social practices through deliberation is central to attaining knowledge, understanding and realization of the common good: a key element in the good of human life at large. An Aristotelian understanding of human ethical agency arguably needs to extend into the investigation of political regime and form in order to avoid its renewed emphasis on community from being assimilated into an egalitarian 'politics of difference'.

Section 2: Church and State

In order to advance the debate regarding the Aristotelian critique of liberal moral ontology, it is accordingly necessary to frame some more specific topics regarding the resultant implications for problems of political form and regime. The work of Pierre Manent and John Milbank provide a first essential point of orientation in the topic of Church-State relations. This is a useful starting point for discussion since the problem of Church-State relations was critical to the emergence of the modern state and politics. The influential postwar Christian democratic movement that shaped the early stages of a developing postwar liberalism was an attempt at a rational reconstruction of the later scholastic understanding of Church-State relations without discarding its underlying theory of political authority. Maritain, in particular, argued that the idea of personal dignity implied that any political authority could have no jurisdiction over religious questions except in so far as the issues involved also related to the order of temporal affairs. The primacy of the spiritual good was now to be understood as guaranteed by the right of the Church to religious freedom from the State and was to be advanced primarily by Christian citizens in the context of civil society activity.¹² However, in the light of the preceding section, we might ask whether this involved an artificial division between the sphere of civil society and the sphere of political resolution.

It is here that Pierre Manent's work can take up the debate.¹³ According to Manent, 'liberalism' as a movement is best understood as undertaking a solution to the theologico-political problem as inherited from the medieval period and carried through into

early modernity. Manent sets out the problem as one of the history of political forms and as a problem related to the doctrinal content of the Christian religion. In this sense, the Church occupied a particular structural and a circumstantial position. The circumstantial position related to the fact that the Church undertook a number of key secular or temporal political and social functions in the light of the breakdown in Roman imperial administration. The second structural point was that the Church made a distinction between goods related to salvation and eternal life which it administered and temporal goods on the other (the province of 'secular' rulers). However, any act in the temporal order could never be indifferent with respect to man's final aim and therefore the Church claimed the authority to guide and correct action in this domain.¹⁴ Accordingly, there was something of a paradox in this situation: that the Church sought to establish a type of distinction of the sphere of secular politics, but at the same time, it attempted to control the operation of that sphere.

Manent then follows the course of this story through. At one level, part of the history is that there is a question over which type of secular political form will survive to meet this complex challenge (this is the nation state, to be discussed in the next section). For immediate purposes, what Manent terms 'liberalism' emerges as part of an ideological solution to the theologico-political problem. He explains how a liberal approach to politics developed because the Aristotelian system, even when applied to buttress the independent authority of secular rulers (such as in the case of Marsilius of Padua) operated in way that made it difficult to separate the basis and legitimacy of secular power from the jurisdiction and authority of the Church. The reason was that the teleological structure of Aristotelianism in which moral practice was understood in relation to the attainment of the good, placed it directly in relation to the Church's claim to provide a higher, supernatural good.¹⁵ Machiavelli, whose thought emerged out of the experience of the attempts to maintain the independence of the Italian city states, is accordingly the first 'liberal' thinker in that he attempts to develop a way of thinking about politics that entirely detaches it from the Aristotelian framework. Eventually, this results, following the work of Hobbes and Locke, in a more formal set of 'liberal' political ideas such as the state of nature, the concept of the individual and the idea of a sovereign state ruling over a distinct civil society.

Within the liberal system, there is also a separation of Church and State in so far as the sovereign state is intended to guarantee the rights of the individual

rather than to support what Manent describes, using the liberal terminology, particular religious opinions. Religion is now pursued in voluntary associations within civil society. Manent broadly welcomes this transference of religion to the sphere of civil society but is wary of the problems posed by the 'state of nature' ontology, the replacement of natural law with natural rights and the individualism that undermines the Aristotelian view of politics as centered on the common good.¹⁶ For Manent, a fortunate feature of Europe's political landscape ensures that the disaggregating tendencies of liberalism do not go too far: the nation.

Before going on to discuss the role of the nation and the sovereign state in Manent's work, Milbank's contrasting approach to the Church-State relationship will be outlined.¹⁷ For Milbank, Manent overstates the extent to which the medieval tension between clerical and lay power was underpinned by a strong theological and philosophical distinction between the supernatural and natural order. In other words, Milbank is cautious, based on his reading of the historical theological understanding of lay and clerical power, to project back on to it a sharp distinction between the secular and the supernatural which is essential to the dynamic of the theological-political problem as, Milbank argues, Manent conceives it. Milbank instead views the distinction between lay and clerical matters as a jurisdictional issue related to but still different from the ontological sphere of the temporal or natural and the sphere of the supernatural. His reading of the historical record in this respect is shaped by his view that there is no sharp distinction of spheres between the natural and the supernatural. Instead, although capable of being distinguished, they are principles of interaction within the same sphere of human activity. In that sense, there was a supernatural element to lay temporal activities of family, work and politics and the order of clergy built its supernatural role on the sphere of nature.

In accordance with this interpretation of the historical record, Milbank thinks that the theological-political crisis of early modernity presupposed the further differentiation of lay and clerical power and a consequent increase in the tension between them. The principal reason for this, however, is a *theological* development which is consistently highlighted across Milbank's work as a whole; namely, the Scotist rejection of the Thomist conception of the analogy of being in favor of the univocity of being. The shift away from the Thomist analogical-participationist metaphysics had implications in turn for the way in which the nature of civil

and political life was conceived. The absolute distinction between the secular and the natural and the order of the supernatural which had already been secured by Scotist univocity (and was further reinforced by nominalism and voluntarism) resulted in a sharper distinction between the sphere of lay activity (now linked to a distinct and autonomous type of natural order) and the sphere of clerical activity (linked to the supernatural order or the order of grace). With this theological-philosophical turn, it can be seen how the chain of events, described by Pierre Manent, in terms of the 'birth of liberalism' can now take effect. Milbank himself also acknowledges these changes, involving a further differentiation of a distinct and autonomous conception of the secular this time drawing on the nominalistic and voluntaristic rejection of the Aristotelian teleological and political conception of human nature.

When it comes to the political implications of this reading of the origins of the political-theological problem, Milbank seeks to return to the underlying theological problem which he sees as the turn away from the Thomistic participationist ontology and an accompanying view of moral and civic life as a unified supernatural and temporal whole. Milbank argues that an acceptance of the inevitability or even the desirability of the Church-State separation involves a rejection of the real possibility of a co-operative relation between laity and clergy. This leads to the question of whether Milbank is proposing a return to the 'integralist' papal primacy model of this relationship characteristic of medieval Christendom before the Scotist deviation. As an Anglican theologian, he seeks to tread a careful line here. He believes the more juridical understanding of the papacy's claim to authority over the secular ruler, already expressed a problematic 'naturalization' of the concept of papal primacy in which jurisdiction was modeled on a temporal rather than spiritual notion of power. However, he also challenges the Anglican church's rejection of the universal role of the papacy and its emphasis on the role of the monarch in providing for the 'external' governance of the Church. Ultimately, Milbank is in favor of a more fluid model of the political role of the Church than is possible under strict liberal conditions but the exact pattern of these relations is tentative and presupposes more a change in ethos than a particular set of new institutional arrangements.

We might conclude this discussion with the following set of observations. First, the additional nuances which Milbank adds to the broad schematic analysis presented by Manent are certainly useful in painting a more complete picture of the

theologico-political problem. However, whilst in principle Milbank may be correct in his view that the lay and the clerical role were not so clearly defined that the theologico-political problem necessarily had to emerge in the way Manent sets out, it is clear that, even on Milbank's account, a certain point was reached where the lay-clerical distinction began to be understood in terms of categories like that of the secular and supernatural and that of grace and nature. The second point is that although Milbank postulates the idea that the notion of Church could imply a more complex and unified organization of laity and clergy, this does not correspond to any current socially embedded practice or 'live' tradition. Ultimately, then, we are inevitably left with the liberal Church-State model as the only current model within which freedom of religion and opinion within civil society are guaranteed. However, Manent and Milbank taken together should caution us against the sort of optimistic reading of this situation characteristic of thinkers like Maritain. The 'liberal' separation of Church and State does not necessarily reveal a more satisfactory interpretation of the primacy of the spiritual; in fact, as Milbank shows, it more likely reflects an excess of theological innovation and a failure of institutional imagination and social co-ordination. In short, both thinkers, especially read in tandem, emphasize the contingency and risk of this Church-State separation but also the strong and decisive historical factors that led to its emergence. At the same time, the contingency involved in the emergence of the liberal Church-State matrix, disclosed by a comparison of Manent and Milbank's narratives, opens out the possibility that the politico-theological problem might be resolved in the context of new institutional arrangements and theological approaches balancing evangelical values with the 'natural' exigences of practical politics. It is to these problems that we can now turn.

Section 3: Nation State or *Imperium*

Although, as we have seen, Manent argued that the liberal polity with its distinction between Church and State and its social contract ideology emerged from the tensions of late medieval Christendom, the stability of the liberal political regime is maintained by the national political form. The idea of the nation becomes an important theme in his writing after the *Intellectual History of Liberalism*. Manent maintains the idea that politics is not only centered on the concept of the political regime (as in Aristotle's distinction between monarchy, aristocracy and republic) but

also on the concept of what he terms 'political form'.¹⁸ Political form is in essence the setting in which a political regime is located. Manent notes that a series of these types have existed throughout Western political history: the development from one to the other typically involving both political and intellectual dynamics and evidencing a kind of contingency rather than a progressive logic. The history Manent sets out begins with the Greek city states, moves through the Roman Empire and on to the Church as the political form of medieval Christendom. This is the point where the nation emerges, contemporaneously with the liberal ideology reviewed in *Intellectual history of Liberalism*, as the main element in Europe's solution to the theologico-political problem.

According to Manent, the existing set of political forms that Europe inherited from antiquity; namely, the city-state and the empire were unable to provide a framework within which secular life could be conducted in a context shaped by Christian revelation. The reasons for this are different in each case. As regards the city-state, the intensity of the life of deliberation and of civic duty in relation to temporal affairs was inconsistent with the predominant orientation of the Christian to the life of charity and ultimately of beatitude. The empire, which as a universal type of rule guaranteeing the equal legal standing and private rights of its citizens was in its very universality in competition with the equally universal claims of the Church. The distinct problems of each therefore did not allow them to provide a stable framework for secular political life which would accommodate the claims of the Christian Revelation and the Church. The nation, in particular in the form of the national monarchies, better accommodated the claims of the Church in so far as its inner civic life was not experienced as intensely as the city-state and it did not have the same universal jurisdiction as the empire. In this context, the continuity of the national political form (initially strengthened by its adherence to a Christian confession) could bind together a society in relation to a shared sense of the common good. Crucially, however, as the deontological liberal morality emerged, with the concepts of the individual, the state of nature and the social contract, the Aristotelian principle of political association and the Christian 'mark' of the nation was attenuated.

Manent's discussion of the emergence of the nation as critical to political form in contemporary societies is a significant contribution to the development of a reflection on the nature of constitutional democracy in the Thomistic tradition. Whilst the Christian democratic conception of politics as it developed in the

postwar period emphasized the political regime of constitutional democracy, the question of political form, which was not carefully considered at the time, has arguably become more pressing over time as global dimensions of government, economy and communication have compromised the coherence of the national political form. Manent's concept of the nation helps to explain how the liberal polity was able to maintain a distinction between the state and religious opinion but also enable civil society and state to operate in accordance with a common good generated by national associative practice and even the historically Christian character derivative from Protestant, Anglican or Roman Catholic confessions. However, its continued ability to perform this integrative function is clearly in doubt at present.

For thinkers like Maritain, the substantive problem of the nation as a political form was secondary to the issue of religious freedom as something to be guaranteed as a matter of principle and even as having a spiritual primacy over the claims of nation and state. In a certain sense, the Radical Orthodox movement adopts the basic idea underpinning Maritain's account; namely, the idea of a spiritual primacy of the person. However, instead of limiting this principle to a civil society counterposed to the state, it advocates for a more complex conception of the political sphere as a unified sphere of civic society associations. For the Radical Orthodox movement in a broad sense, incorporating the work of Adrian Pabst as well as John Milbank, this conception of civil society is presented as a central feature of the post-liberal project.

The post-liberal project as conceived by Milbank and Pabst rejects the idea of a relatively sharp distinction between state and civil society important in different ways to both Maritain and Manent. At the basic level of principle, religious affiliation is also seen as central to the Aristotelian associative dynamic of what might be described as politico-civic society on this view.¹⁹ In *Politics of Virtue*, the Thomistic-Aristotelian structure of this model of political life as influenced by MacIntyre is confirmed along the lines we have previously discussed. In addition, we also see how Maritain's notion of personality, as connected with its relation to the transcendent or to religious principle is also affirmed as integral to this view of politics. Instead of the primacy of the liberal individual or the person in civic society, however, we are presented, by Milbank's post-liberalism, with a personal agent of association engaged in '...constitutive relations to other persons and to things through a dynamic, essence-exceeding participation in an infinite, ordered and transcendent Logos.'²⁰ At this

point, the manner in which Radical Orthodoxy engages with the idea of tradition and historicity, which were central to MacIntyre's account of the Aristotelian-Thomistic conception of moral and political agency, proves critical.²¹ Although Milbank affirms, like MacIntyre and Maritain, a metaphysical view of the world and of human personality, he likewise sees historical development as playing a role in the human understanding of or, more accurately, participation in, the ultimate metaphysical principles of reality. Part of the role of civic association and of politics in general thus involves the discovery and revision of prevalent standards, principles and conceptions as well as the discovery of fresh historical instances of archetypal principles.

In accordance with this basic standpoint on the essential dynamics of civic association, Milbank and Pabst argue that, in modern societies, the separation of the dynamics of religious affiliation from temporal civic association has resulted in co-ordination of action predominantly by means of bureaucracy and the operation of the free market. Their alternative vision is of the primacy of the norms fostered through civic association in relation to politics, law and economy. This, in terms of institutions, would result in a complex network of economic practices and institutions ultimately accountable to and centering on the common norms of the association at large. In effect, then, the authors propose a new type of corporatism present in the Christian Socialist movements and in Catholic doctrine on subsidiarity.²²

Taking a broader perspective on the 'political form' of such corporatism, unlike Manent, Milbank and Pabst do not emphasize the central role of the political form of the nation. Instead, developing the argument with the United Kingdom's multi-national constitutional monarchy in mind, they argue in favor of *imperium*. The notion of *imperium* needs to be situated within the broader metaphysical system of participative ontology, the public acknowledgment of which, according to Radical Orthodoxy, is essential to maintaining the ethos of a corporatist association and indeed the integrity of any finite human practice. Without such acknowledgment, the corporatist system will risk being defined in terms of immanent or purely secular co-ordinates such as the will of the collective or proletariat or the will of the nation. The following quotation, concerning the United Kingdom, shows the link between the political form of *imperium* (essentially multi-national constitutional monarchy) and Radical Orthodoxy's insistence on a social ethos grounded in a participative metaphysics: 'Such divine answerability [symbolized by a monarchical head of

State] helps to secure the sense that Britain remains an *imperium not reducible to any mere 'nation-state'* [my italics] that is rife with nationalism, exceptionalism or supremacism.²³ The function of constitutional monarchy within the system of *imperium* and within the broader sphere of the ethos linked to a participative ontology is usefully explained by Milbank and Pabst in the following: '... first, [the monarch] is the mediator of the Christological convergence of the divine with the human; second, she is the symbolic representative of human integrity and therefore one who rules with legitimacy only because she turns the usages of the earthly city toward the ends of the heavenly.'²⁴ A final point to note about the concept of *imperium* is that, as a political form transcending the concept of the nation, it has a universal scope. For Milbank and Pabst, part of a post-liberal settlement would be the replacement of the 'global' system of liberal free trade with a universal system of *imperium* orientated to the common good.²⁵

A first question which might now be posed is whether the division between state and civil society in the liberal polity remains a difficult but necessary part of the 'solution' to the theologico-political problem alongside the political form of the nation (as Pierre Manent would have it) or whether this division is impeding the formation of a decentralized network of social institutions capable of forming the right type of socio-political communities orientated to the virtue of its members and the achievement of the common good. A second question concerns the problem of political form: is Manent correct to insist on the importance of the form of the nation or are Pabst and Milbank correct to insist on a 'post-liberal' development of a renewed *imperium*?

The difficulty with the decentralized system of corporatism promoted by Milbank and Pabst as the appropriate framework for a post-liberalism is that although it coheres well with a Thomistic and Aristotelian ethic, there are arguably dangers in attempting to implement it within the ethos of contemporary constitutional democracy, dangers linked to what might be regarded as a different manifestation of Manent's 'theologico-political' problem. GDH Cole's classic work on the subject of guild socialism illustrates some of these issues.²⁶ Cole emphasizes the difference between two types of decentralization: one in which organized groups of consumer interests are given the authority to determine the nature of production processes and to set standard for the quality of the products and a producer model of decentralization in which the management of production is carried out by those responsible for producing.

Already, Cole's account was heavily tilted to the co-operative model of 'consumer interest' organization. However, there is a strong argument for a producer centered perspective to such a corporatist structure from an Aristotelian-Thomist perspective. As MacIntyre has discussed, the practical understanding of natural law precepts is often fostered in the context of *productive* social practices. The requirements of excellence in production as a social process entails a practical grasp of cardinal virtues not necessarily present in associations of consumer interest.

The issue of whether the producer association or the consumer association predominates in the organization of the corporate life of the community raises in a stark way the problems of decision over political form and regime that will face a dynamic civic association of the type proposed by Milbank and Pabst. It is possible to envisage difficulties if the political system as a whole veers either to the producer or consumer perspective and it is also possible that there will be serious difficulties in maintaining a deliberatively secured common perspective. Ultimately, the historicity of the understanding of shared norms means that even with a common metaphysical and religious conception of the worldview supporting such norms, diverse ways of understanding them within a community and fresh challenges will be difficult to mediate. These dilemmas arguably can be understood as a manifestation of the 'theologico-political' problem in a new form: in a producer-centered or consumer-centered system there will be a tension between the temporal interests that are to be achieved and the broader 'supernatural' virtues that are to be inculcated either by the activity of production itself (involving cardinal virtues) or in the distribution of items for consumption (the expression of charity). In this sense, the theologico-political problem is not primarily a question of the philosophical differentiation of nature and grace or of the institutional question concerning lay and clerical power. The core problem seems to be how the demands of cardinal and supernatural virtues are balanced within the composition of any type of political form or regime.

The second question to consider is that of the type of political universalism that can be espoused by any 'post-liberalism'. As we have seen, Milbank and Pabst believe that a universal political form is required to frame the development of a post-liberal corporatism. In part, as we have seen, this is closely connected with their view that the ethos of post-liberalism cannot be sustained without an underlying connection to its participationist metaphysics. Such a connection is enabled by the symbolism of a universalized

constitutional monarchy: an *imperium*. This type of universalism seems to accompany other forms of post-liberalism, with a classical papal understanding of universal monarchy to complement Milbank's Anglican form.²⁷ The experiment with the concept of a universal political form seems to derive from the requirement for any post-liberal political framework to sustain a challenge to the predominant global forms of market and technocracy that characterize liberalism's immanentist horizon. From this perspective, Manent's defence of the weakening political form of the nation as a repository of the common good in particular contexts seems to be an attempt to cling on to a temporary political form now in decline. However, the dilemmas posed by the theologico-political problem retain their relevance here as well. Whilst the locations and institutions involved seem to be more complex in modernity, we can see a tension between institutions connected to the temporal reproduction of political societies (involving cardinal virtues) and institutions expressive of a more demanding and unqualified universal ethic (supernatural virtue). The national political form will arguably retain a relevance to a balanced form of post-liberalism in so far as the common good is involved in the 'temporal' or natural necessities of sustaining particular societies. At the same time, as Milbank and Pabst demonstrate, a conceptual problem remains of how to link these polities together using more universal forms expressive of a more demanding solidarity.

Conclusion

In the light of what has previously been discussed, Pierre Manent's emphasis on the theologico-political problem seems inescapable in appraising the origin, development and the future of the liberal regime as well as any possible alternatives. Whilst the variety of 'post-liberal' perspectives, associated with thinkers like MacIntyre, Deneen, Vermeule and Milbank, share many of the Aristotelian premises of Manent's argument, Manent's work takes seriously the distinct problems posed by the political organization for societies shaped by Christian revelation and the tension between the institutionalization of cardinal and evangelical virtues that mark such societies. However, this does not mean that there are currently satisfactory means for sustaining the Thomistic-Aristotelian conception of moral and political agency in the face of the liberal ideology that, in the foundational early modern era, sought to secure the independence and autonomy of secular

politics and has become the prevailing form of 'public reason'.

The post-liberal exploration of the detail and structure of corporatist models and an alternative type of international co-operation sketched by Milbank and Pabst are important contributions in envisaging a civic association drawing on key principles of the Aristotelian-Thomistic system. As we have seen however, a certain type of theologico-political problem arguably still affects how such political structures are to be thought and developed with tensions between cardinal and supernatural virtues intrinsic to the balances that need to be struck.

Notes

1. J. Maritain, *Man and the State* (London: Hollis and Carter, 1954).
2. Y. Simon, *Philosophy of Democratic Government* (Notre Dame, IN: Notre Dame University Press, 1993).
3. See for example J. Maritain, *The Person and the Common Good* trans. J. Fitzgerald (Notre Dame, IN: Notre Dame University Press, 1966). It should be noted that this idea of personal dignity as having a claim prior to that of secular political jurisdiction is grounded less in the Aristotelian aspect of the Thomistic synthesis than in the overarching Christian context. See pp. 15–16 of J. Maritain *The Person and the Common Good*.
4. A. MacIntyre, *After Virtue* 3rd ed. (London: Bloomsbury, 2007) [First edition published 1981].
5. The shift from Aristotelianism to Thomism takes place in two further books, A. MacIntyre, *Three Traditions of Moral Enquiry* (London: Duckworth, 1990) and A. MacIntyre, *Whose Justice? Which Rationality?* (London: Duckworth, 1988).
6. P. Deneen, *Why Liberalism Failed* (New Haven, CT: Yale University Press, 2018).
7. His ambivalence is captured in the following quotation from the concluding section of *Why Liberalism Failed*: 'Building on liberalism's successes means recognizing both the legitimacy of its initial appeal and the deeper reasons for its failure. It means offering actual human liberty in the form of both civic and individual self-rule, not the ersatz version that combines systemic powerlessness with the illusion of autonomy in the form of consumerist and sexual license.' (187–8).
8. J. Milbank, *Theology and Social Theory: Beyond Secular Reason*, 2nd ed. (Oxford: Blackwell, 2006) and J. Milbank, *Beyond Secular Order: The Representation of Being and the Representation of the People* (Oxford: John Wiley-Blackwell, 2013).
9. C. Taylor, "Cross Purposes: The Liberal and Communitarian Debate," in *Philosophical Arguments* (Cambridge: Cambridge University Press, 1999), 181–3.
10. A. MacIntyre, *Whose Justice? Which Rationality?* (London: Duckworth, 1988), 361–4.

11. W. Kymlicka, *Multicultural Citizenship* (Oxford: Clarendon Press, 1995).
12. See J. Maritain, *Man and State* Chapter VI 'Church and State'.
13. See in particular P. Manent, *An Intellectual History of Liberalism* trans. R. Balinski (Princeton, NJ: Princeton University Press, 1995).
14. In summary of p. 4 P. Manent, *An Intellectual History of Liberalism*.
15. P. Manent, *An Intellectual History of Liberalism*, 11 (the general discussion takes place over pp. 10–11).
16. For a discussion of the pressure exerted by the concept of individual rights on modern politics see P. Manent, *Natural Law and Human Rights* trans. R. Hancock and Foreword D. Mahoney (Notre Dame: Indiana, 2020).
17. J. Milbank, 'The Gift of Ruling: Secularization and Political Authority' (2004) *New Blackfriars* 212.
18. See P. Manent, *Metamorphoses of the City: On the Western Dynamic* trans. M Le Pain (Harvard, MA: Harvard University Press, 2013).
19. See *Politics of Virtue*, 2–3.
20. *Politics of Virtue*, 3.
21. These questions are considered across Milbank's work but more thematically in J. Milbank, 'MacIntyre on Tradition' in *Tradition and Modernity: Christian and Muslim Perspectives*, ed. D. Marshall (Georgetown: Georgetown University Press, 2013) and J. Milbank, 'A Critique of the Theology of Right' in J. Milbank, *The Word Made Strange: Theology, Language and Culture* (Oxford: Blackwell, 1997) and in particular, pp. 24–32.
22. *Politics of Virtue*, Chapter 2.
23. *Politics of Virtue*, 219.
24. *Ibid.*, 220.
25. This point is developed over the course of Part V of *Politics of Virtue*.
26. G. D. H. Cole, *Guild Socialism Restated* (London: Routledge, 2011) [First edition 1920].
27. T. Crean and A. Fimister, *Integralism: A Manual of Political Philosophy* (Neunkirchen-Seelscheid: Editiones Scholasticae, 2020).

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