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**How Much Justice  
Does A Society Need?**

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*Kenneth R. Minogue*

The John Bonython Lectures

## THE CENTRE FOR INDEPENDENT STUDIES

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Orders for publications and subscription enquiries should be addressed to:

### The Centre for Independent Studies

PO Box 92, St Leonards,  
NSW 2065, Australia  
Telephone (02) 438 4377  
Fax (02) 439 7310

Post Box 5776, Wellesley St,  
Auckland, New Zealand  
Telephone (09) 307 0933  
Fax (09) 307 0948

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THE JOHN BONYTHON LECTURE  
THE REGENT, MELBOURNE

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## Opening Remarks

*Maurice Newman*

### Chairman, CIS Executive Board

**M**ay I welcome you to this, the ninth John Bonython Lecture. As you know, the Lecture is named after John Bonython, who was the first chairman of the CIS Board of Trustees. Sadly, John passed away earlier this year, after a long and satisfying life. More will be said about John shortly. It is with particular pleasure that we welcome his wife Shirley and his son Hannibal here tonight.

The purpose of the John Bonython Lecture is, and I quote, 'to examine the relationship between individuals and the economic, social and political factors that make up a free society'. Over the years the Lecture has been given by a person, not necessarily a scholar, selected because of the valuable insights he or she may have developed in support of the fundamental objectives for which the Centre for Independent Studies has been established. The first Lecture was presented in Adelaide in 1984 by Professor Israel Kirzner of New York University. In following years the Lecture was delivered by Professor Max Hartwell, Lord Harris of High Cross, Mrs Shirley Robin Letwin, Dr Thomas Sowell, Lord Bauer, Nobel Laureate James M. Buchanan, and, last year, by the then Finance Minister of Czechoslovakia, Václav Klaus.

Tonight we are particularly pleased to have Professor Kenneth Minogue to give the Lecture. He has been a close friend of the Centre for many years, and indeed he introduced two previous Bonython lecturers, Max Hartwell and Shirley Letwin.

In association with the Lecture, the Centre has established the John Bonython Lecture and Scholarship Fund, which, besides supporting the Lecture's presentation and publication, makes available scholarships for young people to attend important conferences and seminars. The Fund is serving a very valuable purpose and I would urge you tonight to consider supporting it financially.

I now invite Mr Hugh Morgan, a Trustee of the Centre and also a former Chairman of the Board of Trustees, to deliver an appreciation of John Bonython.

# **John Bonython, 1905–1992**

## **An Appreciation**

*Hugh Morgan AO*  
**CIS Trustee, Victoria**

In 1976, not long after I commenced duties at Western Mining, John Bonython came to see me in Melbourne. I was rather flattered. He was a very eminent and greatly respected Adelaide business and civic leader, a contemporary of my father's, and he was looking for support for a project that he wanted to see established.

Whether he was accompanied by Sir Antony Fisher on that first visit or whether that was on a subsequent meeting, I cannot recall. But John Bonython had met both Fisher and Arthur Shenfield in the UK and had discussed with them the desirability of establishing, in Australia, an institute modelled on the very successful IEA, the Institute of Economic Affairs. Antony Fisher, Ralph Harris, Arthur Seldon, and John Wood had set up the IEA in London in the 1950s, and by the mid-1970s under the Callaghan Government, it was clear that the IEA, after many years of patient debate of high intellectual quality, was beginning to influence both government and opposition.

John Bonython had been involved, many years previously, with the birth of the Melbourne-based IPA, and he was aware both of the importance of these institutions and of the difficulties that existed in Australia in getting them established and keeping them excited and enthusiastic from one generation to the next.

At the same time, and independently, Greg Lindsay was setting out to create exactly the sort of institution which Fisher and Shenfield and Bonython thought Australia needed at that time. There were other people in Melbourne and Sydney who were talking about the same thing: John Macleod, Doug Hocking, Bruce Kirkpatrick, Maurice Newman, Neville Kennard, John Brunner (who had been closely connected with the IEA), and others.

At these early meetings it was agreed that, rather than starting from scratch, a marriage with Greg Lindsay, if it was possible, was preferable. A meeting of Greg Lindsay and John Bonython was duly arranged and if the marriage, so to speak, was not consummated on the spot, it was soon after, and John Bonython became Foundation Chairman of Trustees for the CIS. It is most appropriate, therefore, that

the CIS should present this Bonython Lecture every year as a tribute to its founding Chairman.

The vital role he played in the early growth and rapid development of the CIS was but one of John Bonython's important contributions to Australia. When thinking of John I am reminded of St Paul's description of himself as 'a citizen of Tarsus, no mean city', because John Bonython was very much a citizen of Adelaide. He loved his native city, and he was justly proud of his family's part in the building of it. As Chairman of Advertiser Newspapers Ltd for nearly ten years, he sought to maintain the highest standards of journalism. But his greatest contribution to Adelaide, and to South Australia, was in the natural gas industry. It was due almost entirely to John Bonython that the Cooper Basin was discovered and developed. Without John there would have been no Santos.

John Bonython was a most unusual combination of outstanding entrepreneur, custodian of a great family name, civic and business leader, and sportsman. He exemplified that great quality which Machiavelli valued above all others: the quality of citizenship which he called *virtu*, a word which does not translate readily into English.

I suppose every generation thinks that the problems it faces are unprecedented, but it does seem to me that we now need every resource of habit, tradition, custom and intellect we can muster if we are going to turn Australia around from economic and intellectual decline, and back to health and vigour. In undertaking this enterprise we will find the life and work of John Bonython, the example he set, the institutions he helped to establish, very valuable to us.

# Introduction

*Alan McGregor AO*

**Chairman, CIS Board of Trustees**

**B**efore introducing Professor Minogue, I would like to say a few words about the Centre for Independent Studies. It is now 16 years old, largely founded and still directed with great energy and enthusiasm by Greg Lindsay.

This organisation has achieved a great deal in its short life but it is not as widely known as it should be. There is much that needs to be done now in generating research and promulgating ideas to reform and improve many areas of life that we take for granted, such as the provision of health care, education and welfare. The current delivery of services, which are fundamental to a progressive and settled society, does not satisfy large sections of our community.

In its early years much of the Centre's published material articulated the need to promote a change in economic policy and practice towards market-based economics and away from quasi-socialism. These ideas are now conventional wisdom, although one sees some re-emergence of the advocacy of greater government intrusion. There is a need for constant vigilance in pressing for enlightened, well-reasoned arguments and policies to be absorbed and adopted at all levels of government and other organisations involved in forming policies. In particular in this country, we must recognise that the time has passed when we can indulge in the short-term fix. Like drug addicts, we have to break the habit of dependency and accept the overriding need for structural reform if Australia is to have any chance of prosperity in the next century.

I am sure you all individually have horror stories to tell of what is going on in this country. By way of example, in the last week or two my reading tells me that shearers in Queensland have been fined for working on Sundays; continuing State government irresponsibility is emphasised in the Victorian budget yesterday; and the following piece of Alice-in-Wonderland legislation from section 92(ii) of the Sales Tax Bill went before Parliament in Canberra (though it may now have been withdrawn, as reported in the press):

For the purpose of cancelling a tax benefit, the Commissioner may . . . determine all or any of the following:



## HOW MUCH JUSTICE DOES A SOCIETY NEED?

- (a) that particular things are to be treated as not having happened;
- (b) that particular things are to be treated as having been done by a different person or to have happened at a different time;
- (c) that particular things that did not actually happen are to be treated as having happened and, where appropriate:
  - (i) to have been done by a particular person; or
  - (ii) to have happened at a particular time.

At a time when private research organisations like the CIS, which help provide the foundations for the development of ideas and policy changes, are needed more than ever, the recession has caused some supporters to reduce their contributions. We therefore have the task of attempting to widen our support base, and to become more active fund raisers. To this end Greg Lindsay has appointed Anna Kasper, who is here tonight, to assist him in the task. If she contacts you please hear what she has to say. I hope you will feel that the work of the CIS will contribute to your, and your organisation's, well-being in the future. It is not easy to sell ideas but, as we would all recognise, all movements for change or great events start with ideas, and woe betide us if we rely only on governments to generate the basis for policy-making.

This brings me to the introduction of the 1992 John Bonython lecturer, Professor Kenneth Minogue, a distinguished academic who has many interests and pursues a quite amazing range of activities — part philosopher, part historian of ideas, and part political theorist with sundry other interests besides.

Born in Palmerston North, New Zealand, in 1930, he went to Sydney Boys' High School and the University of Sydney, and then to the London School of Economics, where he has been based for most of his life, and is now a Professor of Political Science. His curriculum vitae reads like a travelogue of a journey undertaken over the last 30 years, to speak, teach, write and publish in many parts of the world apart from England—Canada, Russia, numerous countries in Europe, Africa, the Middle East—and returning from time to time to Australasia. He has written numerous books and many papers on his various areas of interest.

Ken says of himself that he has always been fascinated by argument. Like many philosophers, he has spent his life being puzzled by what people think, say and believe, and especially by the convictions they manage to arrive at. His books have challenged

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conventional ideas, exposed hypocrisy, and advanced new initiatives in philosophical and political matters.

He was deeply impressed in his undergraduate days by the utter conviction of Marxists. What they believed was, of course, not only false, but gross and vulgar; and yet their very passion gave them a kind of perverse grandeur. Human history is for him a procession of dogmatisms, of people making and remaking the world in terms of ideas, most of which look absurd in the light of later beliefs — most of which will themselves suffer the same fate. He has helped this process, as in his book *The Liberal Mind*, published in 1963, in which he attacked the hypocritical compassionism in politics that was then coming into fashion. He is a convinced libertarian but does not believe a principle should be pushed too far.

Sustaining liberty requires alertness to what is going on, especially in the world of ideas, above all in what might be called the 'ideological subconscious', where terminology slowly shifts, sensibilities are gradually modified, and currents of thought begin to surface which guide the world. Tonight's lecture, entitled 'How Much Justice Does A Society Need?', is clearly at the heart of these topics.

We are fortunate to have such an entertaining and accomplished man to give this year's John Bonython Lecture. Would you please join me in welcoming him.

**Kenneth R. Minogue** is Professor of Political Science at the London School of Economics. Born in Palmerston North, New Zealand, he was educated at Sydney Boys' High School, the University of Sydney, and the London School of Economics. He has taught at universities and academic institutions in Australia, the United States, New Zealand, Ghana, the Netherlands, Iran, India, and elsewhere.

His books include *The Liberal Mind* (1963), *Nationalism* (1969), *The Concept of a University* (1974), and *Alien Powers: The Pure Theory of Ideology* (1985). With Michael Biddis he edited *Thatcherism: Personality and Politics* (1987). His publications for the CIS include *UNCTAD and the North-South Dialogue* (1984), *The Egalitarian Conceit: Fake and True Equalities* (1989), and contributions to *Ideas about Freedom: A Discussion* (1986) and *Traditions of Liberalism* (1988).

# How Much Justice Does A Society Need?

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A story by Tolstoy retells the fable of the tower of Babel. It is called 'How much land does a man need?' and it is the model for my title. A peasant is offered as much land as he can walk round before the sun sets. Since this is a tale of overreach, it turns out that he is too ambitious, and as the sun sets, he is still rushing helplessly towards a starting point at which he can never arrive. The moral is clear: Human beings cannot resist biting off more than they can chew — and sometimes, like the hero of Tolstoy's story, they die of it. And they are excessive not only in their lust for material things, but also in their spiritual admirations, even for ideals such as justice. In an imperfect world, there is never enough of it, and we the people, and they the government, are always trying to cover that tantalising extra ground where we would enjoy the perfect allotment we all deserve. Let us consider, then, the paradoxical problem of too much justice.

## **The State Becomes a Cargo Cult**

What in fact is justice? It is the name of a peaceful legal order sustained by a sovereign power in which we do not suffer preventable evils, such as robbery and oppression, at the hands of our fellows. Thomas Hobbes explained in his masterpiece *Leviathan* back in 1651 that men set up civil societies in order to save themselves from the anarchy of the state of nature, the condition in which we are all at the mercy of others, and the life of man is 'solitary, poor, nasty, brutish and short'. As Hobbes tells it, all the sovereign does is to establish law and enforce it. Law is something we mostly take for granted, but watching violent movies, or walking round some foreign slum at night, we can all experience the anxiety, indeed often the sheer terror, of lawlessness. What the civil power gives us, then, is that indispensable peace of mind, which, like oxygen, we only appreciate when it is threatened. It enables us to make such things as contracts and wills; it punishes fraud, murder, robbery, assault and other forms of oppression; it sets up rules of the road which prevent collision. In the Hobbesian account, a Commonwealth does nothing very positive for us, but the negative things are enough: they constitute a vast transformation of life.

The basic law of human life, however, is that folly is eternal. Most

people are only as wise as the last trauma they endured. Sometimes, indeed, not even that wise, for as **Kipling** put it in a poem he wrote in 1919, 'the burnt Fool's bandaged finger goes wabbling back to the Fire'. A time came when people forgot the social fragility revealed by the religious wars which had ravaged Europe when Hobbes was writing. Sensibilities changed, and many, contemplating the poor, thought that they had detected a new kind of brutishness **within** civil society itself. The lives of the lower orders might not be solitary, but were certainly, nasty, brutish and short. It came to be felt that a strengthened sovereign was needed to respond to this newly discovered condition of things — a condition now not of nature but of society itself.

In a more democratic age people demanded a new kind of justice, called 'social'. An expanding state, with increasing technology to hand, seemed to have magical powers: it could heal the sick, feed the starving, satisfy the frustrated, secure the prosperous, and harmonise the quarrelling. Votes for reform replaced prayers to God as responses to the pricks of life. This may sound highly rational, but was not in all respects an advance. There is an important bit of small print in prayers to God: that the supplicant must in the end accept God's will. Votes for reform incorporate no such limiting clause.

The general effect was that of a cargo cult on some remote and primitive island, in which good things — wealth, health, security, equality, education, etc. — were expected to drop from the skies upon the people below. As P.J. O'Rourke notably puts it in Parliament of Whores, people began to think they could vote themselves rich. Democracy the motive force, bureaucracy the instrument, utilitarianism the aim: such was the formula for the modern state.

What I have described is the rise of socialism, and that is, I suppose, part of politics. But in everything we do, more is at stake than we are aware of. Almost stealthily a quite new and different conception of what it is to be a human being was creeping in. This sounds like a pretty remote question. I hope to persuade you it isn't.

## **Two Concepts of Morality**

What is it that makes human life worthwhile? The question sometimes arises for us, for example, when our society is criticised for something called 'consumerism'. That means a life endlessly preoccupied with acquiring a succession of new objects, until a merciful biological breakdown releases us from what Michael Oakeshott once called the *danse* macabre of appetite. Sometimes

consumerism is identified with capitalism, and its futilities contrasted with the warm community of a collectivist life. The whole question known as 'the moral basis of capitalism' is thus raised by the redistributive modern state, and unavoidably we are driven to ask the same question as agitated **Socrates** in ancient Athens: How should a person live? And to this question, there are in our world two answers.

The first answer can only be approached, even in our sceptical and secularist age, in Christian terms, though it has very little to do with what most Christian churches today preach. In Christian terms, a human being is a moral creature with an eternal destiny, and life on earth is a time of test and trial — a pilgrim's progress. The important thing is not what we achieve, but what we show ourselves to be in achieving, or indeed failing to achieve, whatever it is we do achieve. In the charming phrase of a 17th-century American colonial preacher, revived by the philosopher Charles Taylor, 'God loveth adverbs'. In other words, what interests God is whether you conduct your life courageously, heroically, dutifully, compassionately, and so on, rather than meanly, nastily, feebly etc.. Actually, this isn't just what might be thought to interest God; it is also the way we ourselves most often judge our fellows, at least when we have a sound moral grip, and do not succumb to the triviality of being misled by money, power, charm or status. The actual objects which we pursue in life are basically dust and ashes; everything we seek, as the preacher emphasised in Ecclesiastes, is vanity; or as Edmund Burke once splendidly put it when he was standing for election to Bristol and his opponent died during the campaign: 'Gentlemen, what shadows we are, and what shadows we pursue.'

A modern society is one which has been shaped by this conception of life. In most other societies, each person is born to a status which determines appropriate responsibilities. These are specified by custom, and goodness is simply how we fill the role tradition offers to us. Evil is nothing else but deviation from custom. In our world, things are different. Individuals must grow up and leave home. They are thrust out upon the world and expected to make their way with whatever brains, beauty, cunning and luck each can muster. No doubt some have easier lives because of inheritance, or natural talent, but they are by no means necessarily the most fortunate. If you don't believe me, look at the sociological distribution of suicides. For the challenge created by our circumstances is basically the same for rich and poor alike.

In this idea of human life, how we respond is fundamental, and the material things we acquire are distinctly secondary. It is not at all that property does not matter: we are not dealing here with a Stoic or mystical withdrawal into an inner self. Part of the challenge, especially in explicitly Christian versions, is how we use our resources to help our neighbour. That help, however, is often fitful, leaving some people living in dire circumstances for a great variety of reasons. A technological age discerns what looks (on a narrow view of the matter) like a more efficient solution to the problem. You will remember the trials of Job, whom God used as a token in an argument with Satan, and upon whom he inflicted grief, poverty and boils. Unfortunately, Job lived before the days of the welfare state. No health service to fix his boils, no dole to tide him over the destruction of his sheep, asses and oxen. Today we have a technology to fix all that.

The basic point about technology is that it not only helps us to solve problems; it determines what we understand the problem to be. This is certainly true of that Job-like aggregation called 'the poor'. We may parody the famous Scott-Fitzgerald/Hemingway exchange about the rich to bring out the point:

The poor are different from us.

Yes, they have less money.

In which case the solution is obvious: redistribute. Give them money. There is no doubt that it is wrong to let people starve, but the issue in contemporary liberal democracy is not at all starvation, but a more advanced idea of poverty called 'relative deprivation'. The abstract, technological conception of the problem leaves out the moral dimension, and presents the issue as one of throwing a lifeline to the drowning. What we really have, however, is nothing less than an attempt to transform the human condition.

It insinuates a quite new conception of what it is to be a human being. It takes off from the observation that we all have needs — for food, drink, warmth etc. As the great philosopher Marx put it in announcing his remarkable discovery to the world in *The German Ideology of 1845*: 'Man must eat.' A human being is thus construed as a satisfaction-seeking and frustration-avoiding organism. The important thing becomes not the challenge of life, but the guarantee of happiness, which means, in this case, a stream of conventionally determined satisfactions. This is a view of mankind much explored by behavioural psychologists, who think only of stimulus and reaction, by rational-choice theorists concerned only with choice

sets, and by positivists for whom a moral judgment is no more than a preference. It is unmistakably the dominant assumption of our time.

### **How the Distinction Gets Obscured**

The distinction between these two conceptions of what it is to be a human being is important because it is the difference between freedom and servility. A **purely** satisfaction-seeking organism is probably an impossibility, but if it were not, it would be a creature entirely at the mercy of what gives it satisfaction, and therefore a fitting slave for a despot. Some people around us actually approach this condition by seldom thinking of anything but their own advantage. We encounter them every day. At a practical level, we often act on the distinction I am developing, but we seldom think it through or realise how much it underlies social policy.

There are many reasons why we don't. It is easy to confuse a state providing welfare with a helping friend writ large. It is this confusion which leads many simple clergymen to regard the welfare state as an implementation of the Sermon on the Mount. But there are other causes of confusion.

Take for example the curious fact that many proponents of a society guaranteeing minimum satisfactions, understood as the grand achievement of the whole of human history, have themselves been adventurous souls addicted to struggle and adventure. Thousands of socialists and communists dreamed of a perfect community free of risk, but were themselves courageous and enterprising. That they sought, often heroically, to create a world without room for heroism is perhaps the most profound paradox of our superficial epoch. Marx himself recognised that there would be no place for **him** in the life of communism. The crucial figure, however, is John Stuart Mill who, early in life, recognised that a future of sterile perfection was one aspect of what utilitarianism was about, and fell into a depression (from which poetry was to save him) at the thought that such a consummation would not make **him** happy. An echo of this early crisis is his later preference for the divine dissatisfaction of a Socrates over the satisfaction of the well fed pig.

There are also many familiar beliefs which obscure this distinction, and some of them are even to be found in defences of the free market which all of us here love and cherish. Hayek has argued that the free market (in fact, the adjective 'free' is strictly speaking unnecessary) makes us prosperous. Perhaps. But why value

prosperity? We have lots of it here in Australia, but we know that it can lead to shallow and boring lives which remain riddled with discontent. Unless we understand what is **really** valuable about freedom, we do not understand the form of life to which all of us here tonight are committed. If pressed, we would no doubt say that the market gives us choice. But that answer merely forces us to ask: what is so good about choice?

Choice happens to be one of those many tunes (which these days include the market itself) that the socialists have stolen from us. The main current defence of socialism is that it aims to guarantee the supply of education and material necessities for the whole population, and without such things, no real choice is enjoyed. And we all approve of choice, don't we? Socialists proceed to **confuse** the issue further by arguing that people have choice in proportion to the size of the 'preference set' available to them. Someone who lacks the money to go away when he has a week's holiday has less choice than someone with the cash to fly to **Bali**.<sup>1</sup> Unless people have resources, they have no choice, and it is a matter of indifference (most socialists argue) whether they have acquired these resources by their own effort, or received them from the state. After all, some people acquire their money effortlessly by inheritance. In fact, it's rather better if the resources have been distributed by the state, because people who work for themselves are really following the imperatives of greed and selfishness — and thereby upsetting the equality of resources which alone (on a socialist view) allows equality of choice.

In such reasonings, the complex idea of choice disappears into the simple idea of decision on the basis of the strongest preference. Preferences can be ranked in order of desire, but choice is a much deeper idea, because it includes consideration not only of what satisfactions different courses of action may give, but also the sense of moral identity revealed **in** choosing whatever we may choose. What we choose is morally interesting not for the satisfaction it gives — that in the long run is but a shadow — but for what it reveals

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1. Choice and decision, as Lee Auspitz points out in 'Deciding v. Choosing' (in Piotr Ploszajski [ed.], *Philosophy of Social Choice*, Ifis, Warsaw, 1990, p.75) have quite different roots. 'Decision comes straightforwardly from the Latin "to cut off"; choice from a fuzzier Indo-European root meaning "to try", "to test", "to prove", "to taste".' And he goes on to conclude: 'Every choice both presupposes and alters the choosing self. There can be no adequate theory of choosing, then, without a ramified theory of the self, its practical time, and its orientations to the objects of choosing' (p.80).



about what we are. In choosing, our identity is involved both in what we choose, and in the spirit in which we choose it. We all know that some very strong preferences are shameful, and some weak ones are followed out of pride or honour. My (moral) weight, as St Augustine put it, is my love. A preference, by contrast, is merely a judgment of what is more likely to give me satisfaction, or save me from frustration. The point of a choice, no matter how few the options available to me, is to allow me to reveal myself, to discover and rediscover what I really am. And the moral dimension of our lives is nothing else but this revelation.

We live, then, rather confusingly, amid two quite different conceptions of what it is to live well, and two types of human activity correspond to them. The philosopher who taught me in Sydney, John Anderson, believed in a life of initiative, enterprise and risk. He did nothing so crude as commend it, of course. He merely put it before our eyes, argued that it constituted the non-normative good, and left youthful zest to do the rest. Did we in fact become enterprising? I know of only one of his students who actually went into business. Most followed him into journalism and academia, where the main risk we take is that of being contradicted. Yet his rhetoric of risk and hatred of servility powerfully expressed — how he would have hated the idea! — one of the most powerful strands in the Christian tradition. This is hardly surprising. A religion is fundamental to a civilisation, and cannot be escaped merely by abandoning the topsoil of conscious belief.

In tracing this tradition back to Christianity, I must not commit the error of oversimplification, for it is true, of course, that socialism also has roots in Christianity. The superficial ground for saying this is to emphasise the story of the Good Samaritan, as do many confused clerics in our own day. The more profound reason lies in the attention many thinkers in the early modern period — Francis Bacon most notably — paid to the first chapter of Genesis, in which man is given dominion over the earth and its creatures. The Good Book thus supplies a warrant for the program of exploiting the world for human convenience which is revealed in all versions of the modern world, capitalism and socialism alike. A shared faith that most if not all the problems that afflict us can be solved by technology is what distinguishes us from all other civilisations. At first, it was primarily nature which was to be controlled and exploited. Increasingly, the project was to engineer humanity itself.

## **The Social vs the Moral**

But how can one engineer human beings? They are free beings with wills of their own. Here, in a nutshell, we have the essence of the problem. A new idea, such as perfection by technology, cannot change what people are like — but it can go a long way by **re-describing and renaming them** — for human beings are powerfully influenced by the self-descriptions they accept for themselves.

We dance in life to the tune of the words and phrases we pick up, and these are determined by profound movements of attitude and sensibility that can only be tracked by following apparently trivial alterations in the ways we explain ourselves. One such change has been going on for nearly two centuries, so long in fact as to be unmistakable: the switch from 'moral' to 'social'. This switch reflects the fact that morality has been steadily undermined by a facile relativism which in universities often rides on the distinction between facts, which are hard and objective, and values, in which anything goes, and ours just happen to be different from those of others, and *chacun a son goût*. Enormous critical effort from Freud onwards has gone into the project of releasing human beings from what may slangily be called their 'hang-ups'. A doctrine of self-acceptance has steadily turned into a practice of engineered self-esteem. And moral judgment of human conduct has been widely superseded by deterministic explanation of bad acts in terms of the environment. Every aspect of this transformation of our moral understanding makes human beings all the fitter material for the operations of the social engineer.

The relativist subversion of individual moral responsibility is commonly formulated in the plausible propositions that human beings are social animals. Man is, as *Marx* put it, the *ensemble* of his social relations. In other words, take society away, and human beings are nothing but natural organisms not seriously distinguishable from the rest of the animal kingdom. One of the most powerful strands of our culture is the attempt to break the connection between self-consciousness and shame, the connection which finds its great mythological statement in the fig leaves with which Adam and Eve covered themselves after eating of the fruit of the tree of good and evil. The message of our century has been: throw away your fig leaves and live — though you may need a condom and a shot of tetracycline. But what the fig leaf symbolises is one's idea of oneself as a certain identity, a certain sort of person. Such identities are often

codified as religions: for example, because I am a Jew, or a Muslim, I do not eat pork. But all of us, like the heroes and heroines of Conrad's novels, have a moral identity of this sort, and to the extent that we do, we resist being fitted into the plans of social managers.

The most successful forms of subversion are generally made in the name of what is to be subverted. Satan often apes divinity. The assimilation of the moral to the social is made easier by the fact that the attack on morality comes in the name of (a kind of) morality. The logic of the switch is clear enough. It consists in inferring from the fact that moral conduct is usually socially cooperative the conclusion that whatever is socially cooperative is moral. There are many specific forms of this **dodgy** inference: from the fact that the good are generous, for example, to the conclusion that they must vote for supposedly generous policies of material redistribution. Certain sorts of goodness in action are interpreted as technical achievements of social harmony and passed off as if they were genuinely moral.

The fact is, however, that a good deal of managed social cooperation, particularly when it results from the manipulation of attitudes, has nothing at all to do with morality.

### **An Excursion on Naming**

There is, then, a battle in progress for our allegiance. Like all battles, it is a scene of confusion, and the combatants need to be distinguished. How shall we name them? How, in particular, shall we name the movement for social perfection in the name of social justice, with its concealed but powerful challenge to our ideas about how human beings ought to live? The question is important, partly because many names have been used for different aspects of it, and partly because conjuration with names is part of the skill of politics itself.

A certain amount of nomenclatural magic is already affecting the name 'socialism', for example. Recently rendered disreputable by the collapse of the Soviet empire, it retains its devotees, especially in universities, and they have cast around for a new way of naming and describing the project. What they have alighted upon is a bit of academic equipment called 'classical republicanism', previously used to describe a form of political theory derived by Machiavelli and others from their admiration for the ancient city-states. The republican tradition of freedom has now become the nucleus of a project for refounding socialism. A new name is a new start. And in Australian circumstances, 'republicanism' can stand not only for a re-christened

socialism, but may be linked with a project for constitutional change.

We may take our bearings from the inescapable analogy of engineering a better society. All else follows from that: a conception of human beings as malleable matter, for example, an idea of the state as managing resources for collective ends, an emphasis on the social as against the moral, and much else. At this fundamental level, 'socialism' merely describes one popular version of the project. When dealing with deeper levels, Hayek called that project 'constructive rationalism', and my own preference is for Michael Oakeshott's term which is, simply, 'rationalism'. But that won't work in Australia, because believers in a free market and opponents of protection have currently acquired here the unfortunate name of 'economic rationalists'. To use 'rationalism' in Australia today would thus be as lunatic as the current journalistic practice of calling unreconstructed Communists in the Kremlin 'conservatives'. So — I repeat — where shall we find a name that will capture the distinction between these two basic ideas of what human life is about?

Within the narrower sphere of politics, the distinction is between government understood as constitutional rule, on the one hand, and government understood as the power to **manage** society for the pursuit of good ends, on the **other**.<sup>2</sup> Constitutional rule is exercised over moral beings, while management concerns itself with man as a social, i.e. manipulable, animal. We might thus appropriately call the conception of man as an optimising, satisfaction-seeking organism '**managerialism**'.<sup>3</sup> It is the project of fitting human beings into a Pareto-optimal system, a system, that is, which takes seriously the idea that there is a single kind of 'better offness' on which everyone can agree.

Managerialism, then, is the doctrine that the point of life is to have our needs satisfied. Naming the other idea I have distinguished, that the point of human life is responding to challenge, is no less

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2. A lively account of some of the legal problems arising from this conflict will be found in Suri Ratnapala, *Welfare State or Constitutional State?*, Centre for Independent Studies, Sydney, 1990.
  3. This term perhaps usefully picks up James Burnham's analysis of the modern world in *The Managerial Revolution* (1941). Burnham's argument developed fears of bureaucracy and management which had originated within the socialist tradition, and might be described as saying that the real threat to humanity came not from the property-owning bourgeoisie but from the power-disposing managerial class. George Orwell made some damaging criticism of the periphery of Burnham's thesis, but did not damage its central thrust.

difficult. 'Christianity' now refers to a set of beliefs about God and immortality which most people no longer hold; in any case, it is so complex a tradition that it would be dogmatic to identify it with the idea of human pilgrimage alone. That idea of moral worth is certainly traditional, but 'traditionalism' carries overtones of something formulaic, which is quite wrong. Our best bet must be to stick to the familiar term 'individualism', even though it has recently been **vulgarised** as a description of the moral fault of selfishness. Dodgy businessmen, for example, have been misdescribed as 'individualist' in order to identify the 1980s as a decade of greed, but it is absurd to think that millionaires are **greedy** for their next million. What they are, in fact, is responding to enterprise construed as a challenge. One might accuse them, when at fault, of cheating on the game, or of overweening pride. Hardly greed.

The point of this excursion on naming is not merely to advance my argument, but also to emphasise that whoever seeks to understand and support a free society must be alert to the subtle changes by which names can be made to mean something quite opposite to what they earlier signified, and new descriptions may carry implications for policy quite alien to what he supports. In earlier decades, the market was regarded by socialists as the paradigm of irrationality. Now everybody supports it. They often seek, however, to tie it up with so much red tape as to leave it unrecognisable.

### **Managerialism and Justice**

In his masterpiece *Leviathan*, Hobbes had deep misgivings about the idea of 'justice' and he took care to define the word as simply meaning whatever is required by the laws promulgated by the sovereign power. His misgivings were entirely justified. Justice has become the cry of every interest with a grievance, and what is sought by the aggrieved is frequently some privilege or advantage. The term 'social justice' currently stands for the project of creating a managed society in which every anomaly has been removed and total grievanceless harmony reigns. We need to remember that the term 'management' fully acquired its current general meaning only in the middle of the 18th century, being derived in the 16th century from the Italian *maneggio*, which signified the art of controlling a horse. It would, no doubt, be an example of the etymological fallacy to conclude that management essentially involves a relation between a manipulative superior on the one hand and entities less than human on the other. But it is an idea worth keeping one's eye on.

The reason is that there are two quite different senses of the word 'justice'. They have often been distinguished in terms of procedures and outcomes. The justice which figures so prominently in the philosophical tradition is procedural justice in terms of rules. This is the justice which constitutes civil association and it provides firm guidelines — Hobbes compares them to hedgerows — for the associates. It does not guarantee any particular outcomes at all and in terms of our argument tonight, it is appropriate to a society of individualists, each pursuing his or her moral destiny.

The second and emerging use of 'justice' is to describe a system by which the needs of a set of satisfaction-seeking creatures are harmonised. This cannot be done by the use of law, because laws are abstract, and abstractions applied to circumstances inevitably produce anomalies, and anomaly (in these terms) is injustice. Since an outcome without anomalies, a society in which all live the same lives, cannot be made by law, it must be created by management, and the managers must have the power to determine whatever details they may think ought to be changed. Social justice, as this project of a managed perfection is currently named, must thus move from formal rules of justice to the determination of substantive aspects of human life. In effect, it must move from the pluralism of our modern societies to the implementation of a single form of life. And in the achieving of a single form of life, management must be able to achieve a determinate result — if not by rational persuasion, then by other devices which will work upon non-rational aspects of human psychology.

The activity of management is, of course, central to modern life, central in a way in which in earlier societies war, prayer and agriculture were central. In our working lives, we encounter one another as roles rather than persons.

As part of a working organisation, we may be subject to loyalty-promoting devices which sometimes exploit irrational aspects of human behaviour, seeking understandably enough to get the best out of workers. It is often reminiscent of *maneggio*. Conduct is 'incentivised', moral qualities such as integrity and honesty become 'the best policy' and an engineered sense of togetherness may be exploited for corporate benefit. This is necessary because, as Madison remarked, men are not angels. The point is that in these voluntary involvements, we know where we are, and that self-consciousness (along with the possibility of changing) preserves our autonomy.

Managerialism is the spread of these techniques into the political world, our involvement with which is not voluntary in the same way. The promise is that the imperfections of moral autonomy will be transcended by the techniques of socialisation: techniques above all consisting of modifying the environment (especially its inequalities) and of transforming attitudes by way of what is corruptly called 'education'. Social traditions lose their autonomy and find themselves bent to the purposes of social transformation, judged in terms of their success in producing conduct that fits the social scheme.

Do you think all this rather abstract? Then consider what has happened to manners and morality during our own lifetime. Who these days will break a lance for such old-fashioned virtues as courtesy, consideration, kindness or humour? To call someone unkind or a cad, or a bounder, is to invite ridicule. The form of address beginning 'Ladies and Gentlemen' is becoming an anachronism. Perhaps it will be replaced by 'Hey, youse . . .' To call someone a 'racist' is lethal. A new form of cognitive virtue has arisen in which virtue is identified with correct attitudes and opinions, themselves specified in terms of negations. The vices of this scheme have names such as 'sexist', 'racist', 'elitist', 'nationalist', etc., and virtue consists in nothing else except a fixed determination not to exhibit any sense of superiority to any other group of human beings — except, of course, those denigrated by these names of vices. An attitudinal morality of this kind creates no specific identity, and it is relatively easy to teach, disseminate and enforce.

In such a world of social justice, freedom steadily retreats to a tiny area of choices which cannot affect our destiny. A managing state guarantees us life, food, safety, health, and security. Its ultimate aim is to supply us — on terms — with a riskless life in which freedom has become like pocket money — a small space in which we may harmlessly indulge our whims.

What I have said, then, will (I hope) give you something to think about next time you hear our society described as 'unjust'. You will recognise that when anything as complex as 'society' is characterised in such moral terms, an appeal to managerialism is struggling to the surface. Justice, in the only sense compatible with freedom, is not an attribute of society at all, but of the state, and it deals in laws rather than adjustments. But if the blindfold is ripped from the eyes of such a virtue as justice, traditionally blind to details of rank, wealth, charm and all the rest, then, like any virtue which lays claim to sovereignty over the entire moral domain, it becomes a despot. And what we have said of justice is no less true of our other political ideals: true

of democracy, rights, authority and all the rest. Two cheers for democracy, said E. M. Forster. No moral ideal deserves three, **That** must be reserved for real things.

Tolstoy's peasant couldn't get enough land, and the **managerialist**, never willing to shrug his shoulders at the inevitable and challenging anomalies of the human condition, can never get enough power over us. But the more he gets, the closer we approach the condition of being merely satisfaction-seeking organisms, devoid of moral significance. Hard-headed people often say that perfect justice is impossible, merely a dream. The philosopher Kant wrote that nothing perfect could ever be made of mankind's crooked timber. But Kant knew, and we must learn, that perfect justice is not only impossible, but profoundly destructive of our humanity. It would also, for better or worse, be the end of the adventure of modernity on which we are all, willy nilly, embarked.



## Closing Remarks

*Hannibal Bonython*

I have a double thank-you to perform tonight. First of all, my mother and I would like to thank Hugh Morgan for a very good summary of my father's life and career. It well captured an impression of the person.

This lecture series continues as an excellent memorial to Dad. He loved the thought that someone whose ideas contradicted the prevailing way of thinking could, through time and persistence, be proven correct.

Dad put his ideas into practice when he founded Santos in the face of scepticism about Australia's oil and gas potential. He helped Greg Lindsay found the CIS in the wake of the Whitlam Government and the broad acceptance of socialism. And as a newspaper chairman he launched a one-man campaign for correct spelling, grammar, and logical headlines with no bad puns. So it's just as well he had success in other areas.

In tonight's lecture, Professor Minogue claimed that the collectivist/managerialist view of man as an impressionable creature seeking only freedom from stress was still the dominant assumption of our time. One is tempted to say that this is surely not so in these days of fallen communism and freer markets. But unfortunately, upon reflection, he can be seen to be correct in asserting that individualism and justice through law are not viewed as ideals by prevailing beliefs.

I've certainly been amazed by the alacrity with which journalists have lately lapped up the term 'social justice'. To me, a system of justice is, as in Professor Minogue's citation from Hobbes, a landscape of hedgerows which mustn't be trespassed. To me, 'social justice' must refer to a measure of fairness with which the world is to be run and shared by people. Exactly what is socially just is a topic of continuing political debate. However, the term 'social justice' is now used as if the debate were over. It's used where once the words 'government spending' or simply 'socialism' were used, as in 'The government unveiled its social justice program'.

The term is obviously being used because socialism has been tainted by the revealed hideousness of communism and a greater recognition of the market as a generator of wealth. But the use of the term 'social justice' also carries, by default, the subtle implication that

wealth generation is now considered a mere practical stepping stone (to which the free market is temporarily welcome) on the greater path towards the true goal of collectivist equalisation. It's like conceding that fossil fuels are the best form of energy for the time being but adding that they are really fatally flawed and awaiting an improved version of solar power. The free market is supposedly flawed by injustice and awaiting a new model of socialism with a **yet-to-be-invented** wealth generator attached.

This use of 'social justice' is the sort of trick nomenclature to which Professor Minogue refers. As people's ideas about wealth creation become a little clearer, the collectivists/managerialists re-pivot their talk around ideas of justice, about which people are generally more vague. A name change makes discredited ideas seem new and so they need to be opposed again from scratch. Tonight's lecture was a timely reminder that managerialism is a self-righteous and still powerful force which will allow economic socialism out on parole on the slightest excuse that it has mended its wealth-draining ways.

A degree of acceptance of what one sees as the bigotry or 'crooked timber' of other people, resulting in a desire to live fairly and reasonably with them rather than to control or change them, is actually a great ideal. Tonight's talk makes me realise that it must, however, be clearly thought through and presented vigorously in the world. Obviously, Professor Minogue's knowledge about people's past attempts both to formulate and to obfuscate such thinking is tremendous and an important resource for us all. Please help me thank him for sharing some of his knowledge and opinions with us tonight.

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# How Much Justice Does A Society Need?

**Kenneth R. Minogue**

In the ninth John Bonython Lecture, Kenneth R. Minogue, Professor of Political Science at the London School of Economics, recalls that justice used to mean the rule of law, or the impartial application of a system of rules that render individuals secure and enable them to pursue their own moral destinies. This notion has been usurped by 'social justice', which enjoins the state to see to it that 'every anomaly has been removed and total grievanceless harmony reigns'. The 'managerialist' approach of the modern state demands that we exhibit morally correct attitudes and in return supplies us 'with a riskless life in which freedom has become like pocket money — a small space in which we may harmlessly indulge our whims'.

Kenneth Minogue is Professor of Political Science at the London School of Economics. Born in New Zealand, he was educated in Sydney and London. His books include *The Liberal Mind* (1963), *The Concept of a University* (1974), and *Alien Powers: The Pure Theory of Ideology* (1985). His publications for the CIS include *The Egalitarian Conceit: False and True Equalities* (1989), and contributions to *Ideas about Freedom: A Discussion* (1986) and *Traditions of Liberalism* (1988).

The John Bonython Lecture Series was inaugurated by the Centre for Independent Studies in 1984 to honour the founding Chairman of its Broad of Trustees. Each year the Centre sponsors a lecture to examine the relationship between individuals and the economic, social and political factors that make up a free society. The lectures are published in the CIS Occasional Papers series.