

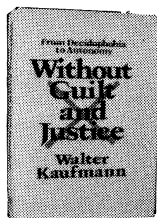
# Libertarian Review

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## WITHOUT GUILT AND JUSTICE: FROM DECIDOPHOBIA TO AUTONOMY

By Walter Kaufmann



The vast majority of men, according to Walter Kaufmann, are slaves—not through external compulsion, nor yet through willing choice, but precisely through the failure to make choices, to exert decisive control over their own lives. *Without Guilt and Justice* is a penetrating study of the nature of that failure and of the requirements of genuine freedom, self-direction, and personal autonomy.

Mankind is at a curiously inconsistent point in its history, Kaufmann observes: for the most part we have progressed beyond explicit religion,

yet religious ways of thinking still predominate, at least in fields like politics and morality. Hardly anyone nowadays, if asked why he behaves as he does, would answer, "Because it is God's will," but most people still act as if they were under the purview of some higher, mystical authority. Such authority takes many forms, but one of the most common is justice.

The principle of justice dictates that men should be treated in certain ways not because such treatment will have desirable consequences, but simply because it is "deserved." This notion of "deserving" particular rewards and punishments, Kaufmann argues, has no basis in reality; it makes sense only within the context of religion. In today's world, justice serves primarily as a substitute for religion, i.e., as a psychological crutch for those who do not know how, and are afraid, to make their own decisions. It is an expression of what Kaufmann calls "decidophobia."

On the socio-political level, Kaufmann attacks both the liberals' and the conservatives' favorite forms of justice (distributive and retributive justice respectively), arguing that neither is consistent with rational decision-making. The purpose of laws, he points out, presumably is to alter people's behavior in certain ways; an obsession with giving people what they "deserve" can only obscure and interfere with this purpose. Thus, for example, "it makes sense to punish people for parking violations, but it does not make sense to insist that those who have violated various parking regulations have thus shown that they are wicked."

Similar considerations apply to guilt, which is a personal expression,

and emotional enforcer, of justice: "To say that anyone is, or feels, guilty is to say that he deserves, or feels that he deserves, punishment." Together, guilt and justice form a "two-headed dragon" that, in our culture, constitutes one of the most potent enemies of individual freedom.

The truly free man—the autonomous man—guides his life not by considerations of what he and others deserve, but by a scrupulous weighing of the probable consequences of his actions. He is future- rather than past-oriented; like a conscientious surgeon, he does not torment himself with guilt feelings over errors he has made, but instead tries to learn from such errors so that he can avoid repeating them. (Surgeons who do continually worry about how much blame they deserve for their mistakes, Kaufmann points out, become "neurotic menaces." The same is true, of course, in other areas of life.)

To those who insist that guilt feelings are necessary for the prevention of "anti-social" behavior, Kaufmann's answer is a masterpiece of quiet sarcasm:

Admittedly, there are some people whose social conscience depends on resentment and is ultimately rooted in self-hatred. When they make progress with their analyst and manage to have a satisfying sexual relationship, their political activism ebbs away. People of this type are rather like the earnest students of a decade or two earlier who used to say that a person who does not believe in God (or hell) simply has no reason for not committing rape or murder. They were deeply troubled and afraid of what they themselves might do if they ever lost their faith. Millions have discovered that one can care for one's fellow men and refrain from monstrous crimes without belief in hell or God. Surely, self-criticism and a social conscience can survive the death of guilt.

Autonomy, Kaufmann declares, does not mean a life free of conflicts or alienation; it does not even mean happiness, if happiness is taken as a state of pleasurable contentment. "Liberation involves a bitter knowledge of solitude, failure, and despair, but also the sense of triumph that one feels when standing, unsupported, on forbidding peaks, seeing the unseen." For those willing to pay the price, *Without Guilt and Justice* can be a profound help in achieving that sense of triumph. REVIEWED BY ROBERT MASTERS / *Philosophy—Psychology* (274 pages) / LR Price \$7.95

## THE MYTH OF A GUILTY NATION

By Albert Jay Nock

*The Myth of a Guilty Nation* was first published in 1922. It is a restatement in the polished prose of Albert Jay Nock of the historical findings of the two earliest and bravest English revisionist historians, E.D. Morel and Francis Neilson, relative to the background of the First World War, and it is intended for a non-academic literary audience. In view of the tremulous and excessively apologetic introduction, one wonders why the current publishers even bothered to bring it out at all. Nevertheless, one must bow in thanks in their direction for making it available once more for the first time in half a century. Though originally subject to the disdainful denigration of the patrician historical establishment—in a singular display of overkill, since it was not even addressed to them—it might be noted that its reputation was gradually augmented. It eventually drew an appreciative accolade from no less than Harry Elmer Barnes (along with Neilson's *How Diplomats Make War*) in Barnes' celebrated *The Genesis of the World War* (1929).

Nock, smeared as a German apologist in what H.L. Mencken considered the least educable sector of the American public, academe, was palpably engaged in something of somewhat greater scope: a demon-

stration to a literate readership of non-specialists of the utter imbecility of the Versailles Treaty and its fundament, the thesis of Germany's unique war guilt, and their ominous portent for the future of Europe. It took several more years of trying to maintain the new status quo this iniquitous construct predicated (the veteran American diplomat William D. Bullitt was to characterize the Versailles Treaty as "the stupidest document ever penned by the hand of man") before the world got Adolf Hitler as a consequence.

Nock's is a civilized and succinct disquisition on the facts exposed by Morel and Neilson concerning the careful preparation for war on the part of those powers that ultimately clashed with the Germans, preparation made while feigning innocent unreadiness. At a time when almost the entire U.S.A. clung to the wartime propaganda of sole German responsibility for the war, Nock was almost alone (with the exception of John Kenneth Turner) in revealing quite the reverse. Those who admire the Nockian literary genius or those who want to start their study of revisionism at the beginning will welcome the republication of this book. REVIEWED BY JAMES J. MARTIN / *History* (114 pages) / LR Price \$12