

# BOOK PANEL DISCUSSION: “THE TWO FACES OF AMERICAN FREEDOM,” BY AZIZ RANA

## LOST CAUSES: COMMENT ON AZIZ RANA, THE TWO FACES OF AMERICAN FREEDOM

Nancy L. Rosenblum\*

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A few months after his defense of the dissertation that became the superb monograph *Two Faces of American Freedom*, Aziz Rana sent the members of his doctorate committee a CD. Here are a few of his selections:

- *Gallows Tree*, sung by Odetta<sup>1</sup>
- *The Night They Drove Old Dixie Down*, sung by The Band<sup>2</sup>
- *I Ain't Got No Home in This World Anymore*, sung by Woody Guthrie<sup>3</sup>
- *Strange Fruit* (about a hanging), sung by Billie Holiday<sup>4</sup>
- *Folsom Prison Blues*, sung by Johnny Cash<sup>5</sup>

The rest of the tracks are in this vein. They are all lugubrious. They are all written in a minor key; their harmonies layer tears on tears. They are not about unrequited love, either. They are the moans and laments of those ground down by turns in American history—slavery, lynching, civil war, the Great Depression, and homelessness. The historian Salo W. Baron used to speak of the “lachrymose theory of Jewish history.”<sup>6</sup> That description could probably apply to every people and nation, as long as their historians are not hagiographers.

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\* Senator Joseph Clark Professor of Ethics in Politics and Government, Harvard University.

<sup>1</sup> ODETTA, *Gallows Tree*, on *AT THE GATE OF HORN* (Rykodisc 1997).

<sup>2</sup> THE BAND, *The Night They Drove Old Dixie Down*, on *THE BAND* (Capital Records 1969).

<sup>3</sup> WOODY GUTHRIE, *I Ain't Got No Home In This World Anymore*, on *DUST BOWL BALLADS* (RCA Victor 1940).

<sup>4</sup> BILLIE HOLIDAY, *Strange Fruit*, on *LADY SINGS THE BLUES* (Commodore 1939).

<sup>5</sup> JOHNNY CASH, *Folsom Prison Blues*, on *WITH HIS HOT AND BLUE GUITAR* (Sun Records 1955).

<sup>6</sup> David Engel, *On Studying Jewish History in Light of the Holocaust*, Maurice R. and Corinne P. Greenberg Memorial Lecture, U.S. Holocaust Memorial Museum (Apr. 16, 2001)

Of course, it is wrong to think that aesthetic and intellectual sensibilities always match; individuals are not of one piece. This music cannot be a reflection of Rana's intellectual temper, since he also exhibits the hopefulness of a progressive democrat. He cannot really count as a lachrymose historian.<sup>7</sup> He describes himself as an embedded social critic,<sup>8</sup> and it takes more than an iota of optimism, after all, to think not only about how we got to be the way we are, but also to think about how we might be better, and to find resources in a damaged past—to find inspiration in lost causes.

We find both faces of the author in *The Two Faces of American Freedom*. Rana is explicit about this duality; he will uncloak “both the tragedy and the hope embedded in social practices and political disagreements.”<sup>9</sup>

In this comment I propose to do three things. First, I reflect on the kind of scholarly work this book is—its genre and signature contribution. Second, I raise a question about the author's implicit and, I argue, ambiguous theory of the political dynamic of progressive change. Finally, I conclude with two meta-observations about this challenging work.

## I. WHAT KIND OF WORK IS THIS?

*Two Faces of American Freedom* is narrative history—a form once celebrated but more recently disparaged as “grand historical narrative.” Rana calls his work a “large-scale act of historical reconstruction,”<sup>10</sup> and it is just that. There always has been an important strain of American historical writing that is comprehensive in its narrative arc, such as that of Charles Beard.<sup>11</sup> Recently, we have seen a revival of grand narrative in American history—interestingly among legal scholars like Bruce Ackerman.<sup>12</sup> Legal academe has become a premier site of this renewed ambition.<sup>13</sup>

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(transcript available at <http://www.usmmm.org/research/center/publications/occasional/2003-10/paper.pdf>).

<sup>7</sup> See AZIZ RANA, *THE TWO FACES OF AMERICAN FREEDOM* 4 (2010).

<sup>8</sup> *Id.* at 17.

<sup>9</sup> *Id.* at 7.

<sup>10</sup> RANA, *supra* note 7, at 3.

<sup>11</sup> See, e.g., CHARLES BEARD, *HISTORY OF THE UNITED STATES* (1921).

<sup>12</sup> See BRUCE ACKERMAN, *WE THE PEOPLE: FOUNDATIONS* (1991); BRUCE ACKERMAN, *WE THE PEOPLE: TRANSFORMATIONS* (1998).

<sup>13</sup> I speculate that synthetic narrative history is encouraged by three general turns in legal academe: (1) from constitutional doctrine to political context; (2) from rights to constitutional structures and the interaction of courts with other institutions; and (3) from the rise of comparative constitutionalism with its emphasis not just on comparative doctrine, but on institutions like executive power. We see this, for example, in Rana's reading of *Dred Scott v. Sanford*, 60 U.S. 393 (1857), or Congressional authority to designate which American territories were dependent colonies. See RANA, *supra* note 7, at 169, 171, 279, 300.

Grand narrative histories have several defining characteristics. One characteristic is the claim that there is a key to history, such as class conflict.<sup>14</sup> For Rana, the key to American history is the enduring effect of the nation's political origin as a "settler empire."<sup>15</sup> Rana argues that one should not see settler empire as a period of conquest and subordination in the distant past, but rather as a basic governing framework for American life for over three centuries.<sup>16</sup> The key dynamic is the way in which democratic self-rule emerged entwined with and constrained by imperial expansion and suppression of outsiders.<sup>17</sup>

It is characteristic of this type of history to turn the thematic key into a narrative with arc and drama, punctuated by critical moments. For Rana, as I read his work, these moments are: (1) populism at the margins of Jacksonian politics; (2) Radical Republicans at the time of the Civil War; (3) the last two decades of the nineteenth century and the People's Party; and (4) the early twentieth century when the United States asserted itself on the global stage and solidified a new imperial self-understanding. The disintegration of settlerism as a political and constitutional system and the eclipse of its elements of self-rule do not appear to have similarly critical moments. Instead, increased executive authority and power, which Rana sees as variations on royal imperial prerogative, mark the steady disintegration of settlerism.<sup>18</sup> However, this disintegration dramatically culminates in the New Deal reorganization of government with what Rana depicts as near fatal consequences for self-rule—the creation of an administrative state.<sup>19</sup>

It is striking enough to merit comment that a theorist with progressive ambitions portrays the New Deal as a critical falling off from American promise. In emphasizing expansive presidential power and administrative agencies, Rana is vulnerable to the charge that he has underestimated the forces of inclusion and equality that accompanied active government and expansive policy. For example, political scientists have studied key instances in which government agencies and programs have had the effect of creating politically inspired popular constituencies.<sup>20</sup> Among these constituencies are some of the most broad-based and active

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<sup>14</sup> See Dorothy Ross, *Grand Narrative in American Historical Writing*, 100 AM. HIST. REV. 651 (1995).

<sup>15</sup> See RANA, *supra* note 7, at 13.

<sup>16</sup> See *id.*

<sup>17</sup> See *id.*

<sup>18</sup> See *id.* at 106–11.

<sup>19</sup> See *id.* at 296–97.

<sup>20</sup> See, e.g., ANDREA LOUISE CAMPBELL, *HOW POLICIES MAKE CITIZENS: SENIOR POLITICAL ACTIVISM AND THE AMERICAN WELFARE STATE* (2003); SUZANNE METTLER, *SOLDIERS TO CITIZENS: THE G.I. BILL AND THE MAKING OF THE GREATEST GENERATION* (2005); THEDA SKOCPOL, *PROTECTING SOLDIERS AND MOTHERS: THE POLITICAL ORIGINS OF SOCIAL POLICY IN THE UNITED STATES* (1992).

forces in democratic politics today—for example, Social Security and senior citizens.<sup>21</sup> Insofar as they organize in defense of universal benefits and services, their participatory efforts simply are not reducible to warrant special interest.

Comprehensive narrative history is also marked by drama, with opposing forces of good and evil. The drama takes a particular shape when, as here, the forces in conflict are presented as inextricably tied together. Thus, we learn that the unique American ideal of democratic freedom “entailed” imperial frameworks.<sup>22</sup> We learn that popular mobilization and direct control over political and economic decision-making “gained strength” from practices of subordination.<sup>23</sup> We learn that projects of territorial expansion and judgments about who counted as social insiders “generated” accounts of liberty.<sup>24</sup> As a result, unraveling the forces can be a monumental political task—not doomed to failure, but clearly requiring more than the victory of one side over the other.<sup>25</sup>

A second characteristic of grand narrative histories is that they are proudly oppositional. They stand above or astride the standard histories. Sometimes that is the result of the judgment that standard histories are simply wrong, and that the errors have damaging consequences. These histories produce illusion, paralysis, or preservationist impulses, as in the hagiography of founders that Rana confronts. Alternatively, narrative history is opposed to standard accounts that are correct in picking out an essential feature of the story, but misunderstand it. For example, they might recognize that America is expansionist, but not see America as an empire, and thus they miss how the United States constitutionalized conquest.<sup>26</sup> As Rana tells it, historians miss the fact that *In re Debs*<sup>27</sup> was an explicit, domestic application of the imperial prerogative, used to confront industrial strife.<sup>28</sup> Finally, opposition, grand narrative history claims to repair the fragmented nature of standard histories. They contain pieces of the story, but the threads are not woven into a comprehensive account. For example, American anti-statism is typically seen as grounded American individualism, so that it appears in a negative, unproductive political light.<sup>29</sup> However, set in the fuller context of America as a settler empire, Rana sees anti-statism as an episodic attempt

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<sup>21</sup> See, e.g., AMERICAN ASSOCIATION FOR RETIRED PERSONS (AARP), <http://www.aarp.org/> (last visited Sept. 8, 2011).

<sup>22</sup> See RANA, *supra* note 7, at 108–11.

<sup>23</sup> *Id.* at 7.

<sup>24</sup> See *id.*

<sup>25</sup> See *id.*

<sup>26</sup> See *id.* at 107.

<sup>27</sup> 158 U.S. 564 (1895).

<sup>28</sup> See RANA, *supra* note 7, at 223–25.

<sup>29</sup> See e.g., HENRY DAVID THOREAU, THOREAU: POLITICAL WRITINGS (Nancy L. Rosenblum ed., 1996).

at alternative, collective self-government.<sup>30</sup> This usual negative view is partial; anti-statism is only negative in its ambition and effect when it fails.

I want to look more closely at what I see as the main oppositional threads in Rana's work. Two contrasts with other narrative histories stand out. First, for roughly forty years, since the 1960s and 1970s, a "new history" paradigm has been cast in opposition to consensus history—one associated with postwar (and Cold War) confidence in America's distinctive individualism, democracy, abundance, and in American politics as a "vital center" between extremes.<sup>31</sup> Consensus history emphasizes continuity.<sup>32</sup> Against this, "new historians" rewrote the past, and emphasized conflict and the construction of new sub-disciplines on women, African Americans, poverty, racism, sexism, and inequality. They identified new and old lefts, and homegrown radical traditions.<sup>33</sup> "New historians" included the Populists in their resurrection of conflict; the Populists were seen to have a coherent system of radical thought—a productive alternative to socialism and communism.<sup>34</sup> "New history" owed something to early twentieth century Progressive historians, with the obvious difference that Progressives "tended to emphasize *progress* as the underlying motif of American history" and "new historians" did not.<sup>35</sup>

My point is that the undoing of consensus history is unfinished business. Recently, Bruce Ackerman has shown that America was revolutionary, once we correctly understand the form it undertook and that, instead of constitutional continuity and preservation, there were radical ruptures that amounted to revolutionary regime changes.<sup>36</sup> Rogers Smith,<sup>37</sup> to take another example, continues to challenge Louis Hartz on "Lockean consensus" liberalism.<sup>38</sup> As Smith argues, racial ascription and hierarchy are misrepresented as unfinished liberal business; rather, these were independent anti-liberal strains in American thought and culture.<sup>39</sup> Rana continues in this vein. Historians like William Appleman

<sup>30</sup> *Id.* at 103.

<sup>31</sup> ELLEN FITZPATRICK, *HISTORY'S MEMORY: WRITING AMERICA'S PAST, 1880–1980, 194–96* (2002).

<sup>32</sup> See MORTON KELLER, *AMERICA'S THREE REGIMES: A POLITICAL HISTORY* (2009), for an excellent recent example of consensus history.

<sup>33</sup> *See id.*

<sup>34</sup> *See id.*

<sup>35</sup> *See* FITZPATRICK, *supra* note 31 (emphasis added).

<sup>36</sup> *See* ACKERMAN, *WE THE PEOPLE: TRANSFORMATIONS, supra* note 12.

<sup>37</sup> *See* ROGERS M. SMITH, *CIVIC IDEALS: CONFLICTING VISIONS OF CITIZENSHIP IN U.S. HISTORY* (1997).

<sup>38</sup> *See* LOUIS HARTZ, *THE LIBERAL TRADITION IN AMERICA: AN INTERPRETATION OF AMERICAN POLITICAL THOUGHT SINCE THE REVOLUTION* (1955).

<sup>39</sup> *See* RANA, *supra* note 7, at 7; SMITH, *supra* note 37, at 30–35.

Williams set American expansionism in the framework of corporate-driven capitalism, and drew connections between external power and internal militarism.<sup>40</sup> Rana reworks and refreshes this counter-narrative using the framework of settler empire.

A second oppositional element in Rana's history is to correct the durable idea of American exceptionalism. He does not deny it outright, but he wants to reshape its basic contours.<sup>41</sup> Settler empire is Rana's original "way in" to the subject of exceptionalism. We can only understand settler empire, he argues, by setting it in the framework of a typology of imperialism and colonialism, and looking at different kinds of relations between metropole and indigenous peoples.<sup>42</sup> For me, this attention to comparative politics and history is the most original aspect of the book. I see it as a fruitful extension of several decades of work in comparative global history, "Atlantic Studies," and studies of imperialism that focus on comparisons across time and global regions.

Specifically, three elements of Rana's account of settler empire are corrective to the notion of American exceptionalism. First, "[b]efore it was a place, the New World was an idea."<sup>43</sup> The idea of a place of plenitude, gold, and spices, like America—but also a place that was empty, without the disappointments of the Old World or, for that matter, the disappointment of coming to a promised land that was already inhabited by someone else.<sup>44</sup> Rana cautions that this is characteristic of new world colonization generally, and that there is nothing uniquely American in the fact that the objective was not exploitation, but native elimination and settling.<sup>45</sup> Furthermore, America was not exceptional in establishing greater equality within the settler colony than in the imperial metropole, or in providing a militaristic response to perceived threats of indigenous and foreign populations.<sup>46</sup>

Another correction of exceptionalism grows out of careful attention to the character of the British Empire as it expanded in the 1760s. Rana documents how Britain reorganized indirect rule as a method of control in a way that resulted in empowering indigenous elites.<sup>47</sup> He details how changing legal thinking in Britain—from Coke and Locke, to Mansfield's *Somerset* decision<sup>48</sup>—along with British policies of cultural and religious toleration toward French Canadians, Native Americans, and

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40 See WILLIAM APPLEMAN WILLIAMS, *THE CONTOURS OF AMERICAN HISTORY* (1989).

41 See RANA, *supra* note 7, at 5–7.

42 See *id.* at 12–13.

43 JOHN PIPKIN, *WOODSBURNER* 64 (2009).

44 See *id.* at 64–65.

45 See RANA, *supra* note 7, at 8–14.

46 See *id.*

47 See *id.* at 72.

48 See *id.* at 43–44, 80, 82–87.

slaves, threatened autonomous colonial practices.<sup>49</sup> From this standpoint, America is not best understood in terms of Hanna Arendt and Gordon Wood's "new beginning," but as a restoration.<sup>50</sup> Settler revolt against changing features of imperial colonization characterized this restoration.<sup>51</sup> In particular, Americans objected to the fact that "British efforts to broaden the privileges of subjectship through policies of cultural and religious toleration entailed a reduction in the actual value of social inclusion."<sup>52</sup> In spinning out this element of his oppositional narrative, Rana offers wonderful examples, including the colonists' response to the Quebec Act.<sup>53</sup> He sees the American Revolution as a defense of a lost imperial status quo, and the colonies as the proper successor to British imperial power.<sup>54</sup>

Finally, as part of his assessment of American exceptionalism, Rana retroactively applies the lens of twentieth century writing on the "basic postcolonial predicament," which scholars of Africa and Asia developed.<sup>55</sup> Postcolonial elites centralized power, thus truncating popular rule.<sup>56</sup> One reason for this is that they were bound within a global economic system that limited substantive independence.<sup>57</sup> Accordingly, a good deal of American centralization and executive power can be understood as a now-familiar response to postcolonial independence.<sup>58</sup>

That said, Rana's narrative proposes a version of American exceptionalism that is rightly conceived. The American Revolution was the first successful settler revolt, and American settler society had distinctive elements:<sup>59</sup> (1) economic independence as the ethical basis of free citizenship understood as self-rule, which excluded both dependent wage earners and moneyed interests from the ranks of republicanism; (2) conquest as the engine of freedom, because without new territory, men and women could not have free labor and economic independence; (3) an exclusive form of republicanism that divided free and unfree labor; and (4) the encouragement of immigration and easy naturalization, which checked xenophobia.<sup>60</sup> In some cases, like those of Mexicans and Asians, however, this policy of easy immigration hardened the divide

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<sup>49</sup> See *id.* at 44–45.

<sup>50</sup> See *id.* at 20–22.

<sup>51</sup> See *id.* at 24–28.

<sup>52</sup> *Id.* at 93.

<sup>53</sup> See *id.* at 73–79.

<sup>54</sup> See *id.* at 96–97.

<sup>55</sup> *Id.* at 15.

<sup>56</sup> See *id.* at 134.

<sup>57</sup> See *id.*

<sup>58</sup> See *id.* at 15.

<sup>59</sup> See *id.* at 12.

<sup>60</sup> See *id.* at 12–13.

between insiders and outsiders.<sup>61</sup> Rana explains this subordination of immigrants to naturalized citizens in terms of “American republicanism,” not simply in terms of racism or nativism.<sup>62</sup>

## II. THE POLITICAL DYNAMIC OF DEMOCRATIC FREEDOM

My second set of observations has to do with the dynamic of progressive politics in *The Two Faces of American Freedom*. When I was in college, I read Frances FitzGerald’s *America Revised*<sup>63</sup> on changes in teaching American history. I thought of it here because it seems to me that Rana intends his narrative history to be pedagogical and not just an intervention in professional academic debates. He sees history as ideology and inspiration. He presents his book as a resource for democratic politics.

Rana reinforces his drive to produce history and theory for use in democratic politics through his immersion in contemporary political theory. Most importantly, it is a counter to the distance theorists explicitly impose between regulative ideals and political practice. One dominant strain of democratic theory today is “deliberative democracy.”<sup>64</sup> At least in its first incarnations, this theory gave pride of place to argument and reason-giving under restrictive conditions designed to filter out inequalities. Its concerns were in defining the parameters of justification in democracy that could support political agreement, rather than organization, mobilization, and institutions. Although deliberative democratic theorists have turned their attention increasingly to institutions, their focus is still on providing reasons and reaching agreement.<sup>65</sup> In contrast, Rana wants to bring democratic theory back to the dynamics of actual men and women making political history.

So his history is for us and for use in democratic politics. His model is the Populists who “embodied the most sustained effort since the Revolutionary Era to imagine how social conditions could be made compatible with freedom as self-rule.”<sup>66</sup> As I see it, he has several tasks. First, he must disabuse us of the associations we typically have with Populism, including the foul odor of xenophobia and violence abroad. Rana does this by pointing to the two faces of settler empire as embodied

<sup>61</sup> See *id.* at 340.

<sup>62</sup> See *id.* at 12–14.

<sup>63</sup> See FRANCES FITZGERALD, *AMERICA REVISED: HISTORY SCHOOLBOOKS IN THE TWENTIETH CENTURY* (1979).

<sup>64</sup> For a discussion of the theory of deliberative democracy, see generally John Bohman & William Rehg, *DELIBERATIVE DEMOCRACY: ESSAYS ON REASON AND POLITICS* (1997).

<sup>65</sup> See *id.*

<sup>66</sup> See RANA, *supra* note 7, at 177.



in Tom Watson, and by insisting on recovering the Populist democratic ambition.<sup>67</sup>

Second, he aims to set Populists off from Progressives, who are typically the baseline for many historians, political theorists, and constitutional scholars whose project is to understand and encourage democratic initiatives.<sup>68</sup> Rana rejects the Progressive ideal. He argues that for Progressives, democratic public action through their signature institutions—referenda and initiatives—relied on voting, a form of participation that abstracted from actually existing social groups in conflict.<sup>69</sup> In the same spirit, he takes the sheen off Herbert Croly, who wanted industrial democracy, but at the same time pressed for representative unionism, not worker control of industry.<sup>70</sup> In support of his rejection of Progressive models, Rana might have added Progressive confidence in administration and expertise. Conversely, however, he fails to credit Progressives with inventing citizen-advocacy groups and informally organized “pressure groups” of all kinds. Indeed, throughout his work it is unclear (as it often is in contemporary progressive writing) whether Rana imagines the possibility of one unified popular will. More specifically, it is unclear how much he derogates alliances among popular interests and opinions.

Finally, he must show that what Populists wanted has moral appeal. What does he find compelling? Rana’s proposition is clear—the Populists offered a version of inclusive republicanism that broke with earlier settler exclusiveness.<sup>71</sup> They identified rural poverty with the problems of industrial work through labor organizations such as the Farmers Alliance and Knights of Labor.<sup>72</sup> Rana even discerns a hint of recognition among Populists that this unity might extend beyond the producing classes to create an even more comprehensive republicanism.<sup>73</sup> Moreover, Rana states that the Populists offered a unique view of self-rule that valued “direct control by insiders over the sites of political and economic decision making.”<sup>74</sup> They showed the way to self-government, which goes against the grain of the standard path to political inclusion, which consists of admitting the representatives of new groups into the political

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<sup>67</sup> See *id.* at 210.

<sup>68</sup> See, e.g., JAMES T. KLOPPENBERG, *UNCERTAIN VICTORY: SOCIAL DEMOCRACY AND PROGRESSIVISM IN EUROPEAN AND AMERICAN THOUGHT, 1870–1920* (1986).

<sup>69</sup> See RANA, *supra* note 7, at 241–42.

<sup>70</sup> See *id.* at 246.

<sup>71</sup> See *id.* at 195–99.

<sup>72</sup> See *id.* at 205–10.

<sup>73</sup> See *id.* at 3.

<sup>74</sup> *Id.*

elite.<sup>75</sup> Rana sees the weakness of the Populists as their focus on material and political self-interest to the exclusion of republican virtue.<sup>76</sup>

Today, he writes, “public life is marked by striking popular uncertainty and a persistent desire for basic change.”<sup>77</sup> He offers the Populists as a resource—a bit of usable past. Still, two questions remain open before we share his particular objections to Progressivism and adopt Populism as a model. First, who are the Populists now? Rana concedes that there is a problem identifying, even aspirationally, “actually mobilized groups—organized and willing to stand as a government behind the government . . . .”<sup>78</sup> I will add that it is equally unclear with whom exactly contemporary populists should be in social conflict. Still, he gives us a few hints. As lead actors in a republican revival, Rana assigns a special place to immigrants.<sup>79</sup> He sees immigration policy as a marker of both the disintegration of settler empire and of the possibility of reclaiming the republican project.<sup>80</sup> The test is whether we transform immigration from what it has become—the constitutional entrenchment of federal government authority, embodied in the category “illegal alien”—to a site of internal republicanism.<sup>81</sup>

The other open question deals with what I see as ambiguity about democratic political action. Specifically, Rana seems uncertain about the priority or relation between informal mobilization and political institutionalization. He speaks repeatedly of permanent mobilization and “parallel institutions.”<sup>82</sup> He lauds Populists for their resonance with the extralegal conventions that grew up after colonial independence.<sup>83</sup> His notion of democracy consists of movements, voluntary associations, and self-rule, embedded in the civil society from which the forces for government democratization begin. Today, certainly, we have all sorts of extra-institutional politics—including populist and corporate interest and advocacy groups, and self-styled public interest groups of the right and left. But I do not read *The Two Faces of American Freedom* as a strong proposal for democratic localism and derogation of government to association governance. If I am correct that government and federalism remain necessary and democratically valuable, not just insuperable, where is the overarching mediating institution—apart from presidents’ episodic

<sup>75</sup> See RANA, *supra* note 7, at 205.

<sup>76</sup> See *id.* at 197–98.

<sup>77</sup> *Id.* at 4.

<sup>78</sup> See *id.* at 347.

<sup>79</sup> See *id.* at 346.

<sup>80</sup> See *id.* at 238–39.

<sup>81</sup> See *id.* at 346.

<sup>82</sup> See *id.* at 205–09.

<sup>83</sup> See *id.* at 209–10.

claims that they are responsive to a popular “mandate”—which will bring these groups together in government?

In short, Rana’s history leaves us with the question of the significance of basic democratic institutions—in particular, political parties, elections, and the partisan organization of government. Here, I am reminded of the 2008 Democratic presidential primary debate between Barack Obama and Hillary Clinton over whether advances in civil rights owed more to Martin Luther King, Jr., or Lyndon Johnson.<sup>84</sup> How important was the Populist Party in Rana’s Populist model? Was it significant because it challenged the hegemony of two major parties, or was its own origin and organization independently important? Was participation in the Democratic Party co-optation by “shadow populists,” or a sober recognition of how political alliances are built and how ideas and interests can be translated, in a limited way, into policy and law? Can political parties be a site of permanent mobilization—especially in the absence of strong state and local party organization and patronage (which was a resource for the early political integration of immigrants)? Today, party patronage is seen as a signature of corruption. Rana speaks of the “democratic legitimacy” of party, but what is required?<sup>85</sup> What are the popular associational bases of parties today? What is the reciprocal shaping that occurs when populist forces meet parties and the organization of government?

### III. TWO META-OBSERVATIONS: ETHICS AND HISTORY

One lesson implicit in this work is the powerful ethos of American political identity. Rana insists that Americans require a collective purpose and achievement, and he locates identity today in the purpose of security, and the unique historical project of protecting national freedom and sacrificing for the liberty of other peoples.<sup>86</sup> Americans, he writes with regret, abandoned self-rule for security at home and global dominance abroad.<sup>87</sup> He argues that we failed to follow those like Randolph Bourne, who could imagine non-imperial internationalism.<sup>88</sup> Rana provides us with the genealogy of this “fallen” identity and notes its accompanying moral hubris.<sup>89</sup> Given this account of moralized national purpose, I am struck by the fact that Rana understates the role of religion in his grand historical narrative. Faith is central, historically and today,

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<sup>84</sup> See Chuck Raasch, *Republicans Miss Opportunity in Clinton-Obama Fight Over Civil Rights, Race*, USA TODAY, Jan. 18, 2008, [http://www.usatoday.com/news/opinion/columnist/raasch/2008-01-18-race-politics\\_N.htm](http://www.usatoday.com/news/opinion/columnist/raasch/2008-01-18-race-politics_N.htm).

<sup>85</sup> See RANA, *supra* note 7, at 204.

<sup>86</sup> See *id.* at 289–90.

<sup>87</sup> See *id.*

<sup>88</sup> See *id.* at 290–95.

<sup>89</sup> See *id.* at 289–90.

but it is absent from Rana's narrative. I am not speaking here of episodic American millennialism or missionary efforts abroad, but of the more consistent way in which we associate American goodness with faith even today, and how faith is a force behind the confident exercise of executive power and public policy.

Several factors lead religion to fuel Americans' moral hubris. Precisely because religious advocacy in the United States today lauds "religion" in general and because a vast majority of Americans are people of faith, religion reinforces the assumption that Americans are good, and that their intent is virtuous.<sup>90</sup> Religion also reinforces moral hubris because of the democratic habit of claiming that faith-based politics redounds to the benefit of the nation, rather than to a particular church.<sup>91</sup> Religion generates "true believers" in this nation of believers.<sup>92</sup>

More speculatively, the eclipse of theology, especially grim doctrines of unredeemable sin, and the infusion of religion with democratic optimism, may play a part in fanning moral self-certainty.<sup>93</sup> Though religious Jeremiahs see America falling from grace and characterize national trials as punishment for sin, but even here, America can return to goodness.<sup>94</sup> The right policies, the just war, are redemptive.<sup>95</sup>

Concerned democratic theorists propose ways of injecting skepticism and puncturing self-certainty about the rightness of American policy, especially foreign policy.<sup>96</sup> But if certainty is not a matter of the correctness of a policy, but rather of unshakeable confidence in Americans' unique goodness and virtuous intent, skepticism is not much help.<sup>97</sup> Tempering moral hubris is a matter of questioning our own good faith.<sup>98</sup> The antidote is a genuinely harsh self-discipline; as William Galston insisted, it requires acknowledging that "[w]hile America is an unusually fortunate nation, it is not a distinctively virtuous nation."<sup>99</sup> Faith in American politics—from Rana's standpoint, faith in episodic democratic impulses—may be warranted, but faith in our unerring goodness is not. Rana's sobering secular narrative gives this element short shrift.

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<sup>90</sup> See Nancy L. Rosenblum, *Faith in America: Political Theory's Logic of Autonomy and Logic of Congruence*, in RELIGION AND DEMOCRACY IN AMERICA 404 (Alan Wolfe & Ira Katznelson eds., 2010).

<sup>91</sup> See *id.*

<sup>92</sup> See *id.*

<sup>93</sup> See *id.* at 404–05.

<sup>94</sup> See *id.* at 405.

<sup>95</sup> See *id.*

<sup>96</sup> See Rosenblum, *supra* note 90, at 405.

<sup>97</sup> See *id.*

<sup>98</sup> See *id.*

<sup>99</sup> William Galston, *When in Doubt*, 5 DEMOCRACY 31, 36 (2007), available at <http://www.democracyjournal.org/pdf/5/Galston.pdf>.

My final meta-observation, and caveat, has to do with the terms on which Rana describes settler history and current populist democracy as offering the present moment as a critical one. He states, “American politics today is at a crossroads.”<sup>100</sup> This is an epochal moment since “empire, so to speak, has become the master rather than the servant of freedom.”<sup>101</sup> He specifically observes that this warrants the global attention on U.S. politics and policy.<sup>102</sup> Characterizations of the present as a critical condition or a turning point are common enough in history and political theory. If we are not to take this characterization of the present as a critical moment as just a bit of rhetoric to underscore the work at hand, how should we understand this propensity? In the context of a comprehensive history like Rana’s, where we have been glued to a narrative arc, the term “crossroads” is not a throwaway. It invokes philosophies of history in which we look back and recognize both how we got to the point to which we have arrived and its significance. Now we are on the path to enlightenment; we have the opportunity to replace scarcity and alienation with abundance and liberation from subjectship to free citizenship. Alternatively, philosophies of history assert that at this moment, we face an “existential threat to the human species,” or we are entering a grim “post-democratic” era or we are facing solidification of our imperial identity. It is as if the immensity of present need will evoke the necessary will for new institutions, new policies, new moral principles, or a new democratic ethos. A sort of enchantment is palpable—as if the “crossroads” can excite transformation.

Why do we—why does Rana—invoke critical moments? I would not discount the rhythms of the academic life cycle and state of the field. Or, more high-mindedly, Rana’s invocation of critical moments relates to the point the philosopher Immanuel Kant made—that the possibility, that is, the conceivability, of progress provides us with at least a “minor motive for attempting such a philosophical history.”<sup>103</sup> Critical moments could also provide consolation that the worst decline is a possible occasion for something better to arise. Still, Rana is not extravagantly epochal; he is comparatively restrained in situating this moment in historical time: the concept of “crossroads” is not apocalyptic. Certainly, his historical perspective on where we stand now is better than the truncated timeline of democratic politics that news and election cycles present. Nonetheless, the notion of ordinary “political time,” the framework

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<sup>100</sup> See RANA, *supra* note 7, at 3.

<sup>101</sup> See *id.* at 4.

<sup>102</sup> See *id.* at 1.

<sup>103</sup> IMMANUEL KANT, *Idea for a Universal History from a Cosmopolitan Point of View*, in *On HISTORY* 11, 26 (Lewis White Beck, trans., Prentice Hall, 1963) (1784).

of political compromise and incremental improvement, is better.<sup>104</sup> This returns me to the question I raised about Rana's populist democratic model—what agents, with which institutions, can make some headway against which forces, on behalf of democratic self-government today?

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<sup>104</sup> For a discussion of the theory of political time, see STEPHEN SKOWRONEK, *PRESIDENTIAL LEADERSHIP IN POLITICAL TIME: REPRISAL AND REAPPRAISAL* (2008).