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WHY MORALITY MATTERS IN POLITICS

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P R O C E E D I N G S

MR. DIONNE: [In progress] —become important to their time not by seeking in a contrived and silly way something called relevance, they become important to their time by thinking clearly systematically and insightfully about public issues and public problems. And by that measure, Mike Sandel is truly one of our moment's most important political and public philosophers. So I loved it when Mike finally put out this collection called "Public Philosophy," of which we in general and, I personally believe, liberals in particular are very much in search of.

I just want to read one brief passage from the beginning of Mike's book, which gives you a sense of how relevant his discussion is to our moment. He notes that the Democrats have been struggling for awhile over what some call the "moral values thing."

"When Democrats in recent times have reached for moral and religious resonance," he writes, "their efforts have taken two forms, neither wholly convincing. Some, following the example of George W. Bush, have sprinkled their speeches with religious rhetoric and biblical references. So intense was the competition for divine favor in the 2000 and 2004 campaigns that a Web site, beliefnet.com, established a God-o-meter to track the candidates' references to God.

"The second approach Democrats have taken is to argue that moral values in politics are not only about cultural issues such as

abortion, school prayer, same-sex marriage, and the display of the Ten Commandments in courthouses, but also about economic issues such as health care, childcare, education funding, and Social Security.

"Though the impulse is right," Sandel concludes, "the hortatory fix for the values deficit comes across as stilted and unconvincing, for two reasons: First, Democrats have had trouble articulating with clarity and conviction the vision of economic justice that underlies their social and economic policies; and second, even a strong argument for economic justice does not, by itself, constitute a governing vision."

And so Mike just set himself up, with that introduction, with a promise to provide us with that comprehensive public vision. I must say, my own definition of the value of politics was shaped by the last line of Mike's brilliant book, "Liberalism and the Limits of Justice." Mike wrote then, and I still believe, that when politics goes well, we can know a good in common that we cannot know alone. And that's become my catechism answer to the question, What is the importance of politics?

Let me just introduce our panel and I'll turn it over to Mike. He is the author of "Public Philosophy: Essays on Morality in Politics." He is the Anne T. and Robert M. Bass Professor of Government at Harvard University, where he teaches both graduate and undergraduate courses, including Ethics in Biotechnology: Markets, Morals, and the Law; Globalization and Its Discontents. He taught one of the most

popular courses at Harvard which, if I'm right, was simply called Justice. And there are some people, actually, in this room who took that course.

He also serves on the President's Council on Bioethics. He has received a slew of fellowships. His other publications include "Liberalism and the Limits of Justice," aforementioned, and "Democracy's Discontent: America in Search of a Public Philosophy."

Charles Krauthammer is also one of our leading philosophers. I like to think that because he writes a newspaper column. He is the winner of the 1987 Pulitzer Prize for Distinguished Commentary. He writes his column for the Washington Post, and it's syndicated by the Washington Post Writers Group—and, I happen to know, is very widely syndicated. He serves with Mike on the President's Council on Bioethics.

He previously practiced medicine for three years as a resident and chief resident in psychiatry at the Massachusetts General Hospital. I am just always grateful that he resists psychoanalyzing people when he is arguing with them on panels. Bless his soul. In 1978, he quit medical practice, came to Washington to direct planning and psychiatric research for the Carter Administration, and began contributing articles to The New Republic. He served as a speechwriter to Vice President Walter Mondale. He joined The New Republic as a writer and editor in 1980, and he also writes essays for Time magazine and The Weekly Standard.

And Bill Galston is as well an extraordinary person. I am proud to say he is now a senior fellow at the Brookings Institution. Prior to joining Brookings, he was the director of Circle. He was the Saul I. Stern Professor of Civic Engagement and director of the Institute for Philosophy and Public Policy at the University of Maryland. And he still had time left over to be a very good person and a very civically and politically active person.

He was deputy assistant to the president for domestic policy during the first Clinton administration; executive director of the National Commission on Civic Renewal, which was chaired by Sam Nunn and Bill Bennett. He served as director of economic and social programs at the Roosevelt Center for American Policy Studies in Washington as well as chief speechwriter for John Anderson's 1980 presidential campaign, Walter Mondale's campaign, and Al Gore's campaign—any number of successful campaigns.

[Laughter.]

MR. GALSTON: Two.

MR. DIONNE: That's a number.

He served as a founding member of the board of one of my favorite and most successful not-for-profits, the National Campaign to Prevent Teen Pregnancy, and is chair of that campaign's task force on religion and public values. And he, too, is the author of a slew of books.

Michael, it's so great of you to come down and speak to this crowd of Washington political philosophers. It's great to have you here.

MR. SANDEL: Well, thank you. Thank you, E.J., very much. Thank you all for coming. I'm very grateful to my friends Bill Galston and Charles Krauthammer and E.J. for joining in this discussion.

The book that E.J. has just very kindly reviewed, quoted from, recommended, and put before us consists of a collection of writings on politics and philosophy over the past 25 years. What I thought I would do today just to get the discussion going is to put before this collectively distinguished group two themes that run through a lot of the essays. What they have in common is that they take a step back to look at the state of political argument in the United States.

I would offer two observations. The first is that in the debate between the political parties over the past three decades, roughly speaking, the Democrats have lost and the Republicans have won—the political debate—broadly speaking. The second theme is the reason for that is that in the contest of ideas, the conservatives have risen and succeeded and prevailed, and liberals, liberalism, have faltered. So I would like to suggest why, it seems to me, this has happened, why liberalism has become an enfeebled public philosophy that's lost its capacity to inspire and why conservatism has done better.

Conservatism has done better, I think, because it's managed to hold together two warring impulses. On the one hand, the brand of

conservatism that believes in free markets and laissez-faire and individualism—the conservatism, say, of Milton Friedman—and, on the other hand, the brand of conservatism that is usually labeled moral or religious or cultural conservatism, the version that we associate in the '80s with Jerry Falwell, in the '90s with Pat Robertson, and, broadly speaking, now with a good part of the Republican Party. So conservatives have managed to marry or at least to have an uneasy coexistence, but a successful one, among those two strands of its public philosophy.

Liberals, for their part, have fallen into the grip of a procedural ethic. And by "procedural ethic," I mean a public philosophy, a governing vision that is wary of and not very good at engaging with the moral and spiritual dimensions of American public life. So we find that liberal political discourse, instead of addressing questions of the larger meaning of public life and shared purposes, liberal public discourse instead is strewn with the political language of policies and programs and procedures.

I agree with a lot of those policies and programs and procedures, but that way of thinking about the public life and framing the political argument seems to me impoverished, and for a reason that's partly a principled reason. It's based on a worry that to bring moral and religious language and questions to bear on political argument—in a society teeming with disagreement about those questions—is not only to

risk offense but also to risk consorting with forces, potentially, of intolerance and coercion.

Underlying this reluctance of liberals to engage with substantive moral and religious themes is, I think, a genuine and important worry, but I think it's misplaced. We can see it's misplaced if we realize that it hasn't always been this way. Liberals and progressives in earlier times in American history have spoken a language of moral and spiritual and sometimes religious meaning. Most recently we can look back to the political discourse of Martin Luther King, which explicitly drew on religious as well as civic themes. And going back further, to the abolitionist movement, the argument by a great many abolitionists in the 1830s and '40s and '50s not just that slavery was unjust, but that slavery was a sin. Evangelicals played an important part in the abolitionist movement.

So there's nothing inherently conservative about moral and religious themes in politics, though any observer parachuting in to observe American politics of the last, well, three decades, roughly speaking, might think that there was.

Now, Democrats know this. And they've tried to address it. And E.J. just read out a passage where I suggested they've done so in, well, to mix a metaphor, a wooden and a tinny way, when Democrats talk in an—

MR. DIONNE: It could be both, actually.

MR. SANDEL: —in an unpersuasive way. You know, I look back at the convention speech that John Kerry gave. And his political advisors knew that there was a problem with Democrats addressing questions of moral value. I counted the number of times in his speech that he used the V-word, "value" or "values." How many times, would you guess, if you cast your mind back to that not terribly memorable speech?

Thirty-two times.

So there was a kind of straining to connect with questions of moral values, but it didn't carry conviction. And the exit polls found, as commentators pointed out at the time, to many peoples' surprise, that the issue that people cared most about, or so they told the pollsters, was not terrorism or the war in Iraq or even the economy, but moral values.

Now, there have been questions about just how that list of issues was designed, but of people who said that they voted for Bush, 80 to 18 percent. So they must have had some understanding of what that term meant.

I'd like to—because I know E.J. and others will challenge me to do this, I'd like to say a word at least about how liberalism might be reinvigorated by a more direct engagement with moral and civic and religious themes, and also how Democrats might do this. And I would like just to take two examples and then see what my friends have to say, and then we can have a discussion.

I was watching, as probably most of you were, the Alito hearings. This is why C-SPAN is far and away the best network. You can watch the Alito hearings while you're doing the dishes or something like that. And it seems to me the Democrats failed to engage with the substance of the constitutional questions they could have pressed him on. Here's the procedural impulse, the kind of eschewing of substance—the preoccupation with his Vanguard investments and even with that Princeton alumni group. That occupied disproportionate time. And even when they turned to actual constitutional cases, of course, Roe riveted their attention.

But how did they go about arguing over Roe? The weight of their argument was trying to get him to say that Roe was precedent, settled law. But that's a bad argument. It's a bad argument for upholding a constitutional case or for a party to rest its case on, its defense on, that it's settled. As the Republicans quickly pointed out, Plessy v. Ferguson was settled law and precedent for far longer than Roe has been. The question is was Roe rightly decided or not.

They missed an opportunity, I think. Part of the problem is they just spoke so long they couldn't put a clear and simple question. That was my main frustration doing the dishes and watching C-SPAN.

MR. : I hope you had a lot of dishes.

[Laughter.]

MR. DIONNE: Should have turned it on ESPN.

MR. SANDEL: Instead of trying to persuade him to say that Roe was settled law and therefore untouchable, they should have noticed an interesting feature of what now Republicans have learned they have to do with nominees, which is you have to endorse not only Brown v. Board of Education, but also Griswold—which, of course, he dutifully did. Oh, he said, I believe the Constitution protects a right to privacy and I support the Griswold decision—which was the 1965 decision first enunciating a right to privacy. It was in the context of a law striking down a law banning the use of contraceptives among married—a married couple.

So what the senators should have asked him was, You endorse Griswold why? And how does that fit with your judicial philosophy? Well, remember, that was the famous case where—there is no right to privacy as such in the Constitution. So there were penumbras and emanations in that. Well, he said, he wasn't for that, he was for the right to liberty.

Well, they should have pressed him on his reason for supporting Griswold and then see whether he could draw a principled distinction between Griswold and Roe. And the way station—I don't want to dwell on this now—then the follow-up was what would he have ruled in Eisenstat, which was another contraceptive case, which actually involved unmarried couples and it had to do with the right to choose, because it didn't involve a ban on the use of contraceptives, but the sale.

So it wouldn't have involved violation of the right to privacy, bringing police into the bedroom and so on. Anyhow, that's where they should have gone.

The war in Iraq, my second example. Democrats haven't been able to figure out what is their critique of the war in Iraq. First, during the campaign—and this was Kerry's dominant impulse—it's that it was unilateral, not multilateral. That's a procedural objection. Then there was the debate—we've had four waves of debate about Iraq: that it was unilateral; that there were no weapons of mass destruction after all, that we went to war on false pretenses—we had that wave. Then the third wave was over the leak of the name of the CIA agent, you know, Libby and Rove and Cheney, and there was a wave of debate about that. And the most recent wave is about the domestic spying and the NSA and is it illegal.

Now, these are not trivial questions, at least some of them aren't. But what's interesting is none of them addresses the two most important questions that a political party has to answer: Was the war right or wrong?, number one, and, Was it prudent or imprudent?, number two. And so what the Democrats should be asking about the war are really questions that go to the heart of whether it's worked—whether it was the right war and, now, whether it's worked. And what they could argue, I think, is that this is a botched war that strengthened rather than weakened the terrorist threat; and secondly, that it's made the geopolitics

of a dangerous neighborhood more dangerous, not less. Witness the rise of Iran and its real weapons of mass destruction and what we've done to strengthen the Shiites in Iraq.

But that, at least, is what the debate should be. And that's a debate that can connect finally with a broader question about the administration, which has to do with—well, I read E.J.'s column about Karl Rove announcing the theme already of the campaign and Democrats want, E.J. points out, to talk about corruption. But corruption is back to a procedural question unless you can connect it to big things that matter. Corruption, cronyism, and incompetence—those will be the Democrats' themes, right? But unless you connect them to big things that matter, they won't carry any more persuasive weight than Democrats have been able to do over the last 25 years—Bill Clinton being the exception to that, and we can talk about how he managed to avoid this tendency.

The way to link corruption, cronyism, incompetence, and the botched war in Iraq in a way that matters—you can bring in Katrina, preparation for terrorism—is to show that what they have in common is that, deep-down, conservatives and this administration don't really believe in government as an instrument of the common good. And when you don't, there's a greater temptation and invitation to corruption and cronyism and incompetence, if you really don't believe that government is an instrument of the common good, of public purposes larger than ourselves.

And when it comes—and this is a final, I think, missed opportunity of John Kerry, but it may not be entirely—it's still to the point. The question isn't only whether the war in Iraq has made us more or less vulnerable to the terrorist threat. There is also the fact that the war has been carried out without any sense of shared sacrifice. And when President Bush was asked about that, he said, well, Americans are sacrificing; they're standing longer in lines at the airport. This was a missed opportunity in the last campaign. The theme of shared sacrifice is a moral theme and a civic theme that is there for the taking by Democrats and liberals not only for potential political gain, but also because it matters.

So here are a few examples of ways in which the flight from substance, the embrace of a politics of procedure and policy details, has blunted the vision and the political appeal of Democrats and liberals.

MR. DIONNE: Thank you very much.

And I want to turn to Charles. I will reserve my own comments here.

Oh, I can't resist the—when you were talking about the Alito hearings, I was reminded of several political cartoonists who noted that the star of the hearings was an exotic dancer called Starry DeCisis.

But Charles, go ahead.

MR. KRAUTHAMMER: Thank you, E.J. I commend you on your timing in inviting me on the morning after a great night for Canada.

E.J. and I hail ultimately from Quebec, and I was watching the Canadian returns last night with delight. Part of it was knowing that E.J. was sharing in the experience, although perhaps not quite enjoying it the way I was.

MR. DIONNE: It's not precisely that. I like how well the New Democrats did, but that's another story.

MR. KRAUTHAMMER: True. Socialism lives in a small part of Western Canada.

And I'm really happy to be here to honor our friend Michael and this wonderful book. I'm here representing, as you know, the vast right-wing conspiracy and it is my pleasure to say that reading Michael and talking with Michael is one of the most pleasurable intellectual experiences one can have.

He and I met, essentially, at the Bioethics Council. We hadn't known each other before. And as I say, the moments, the lunches, evenings that we have spent together have been a delight, for two reasons. Michael speaks as he writes with remarkable clarity and amazing intellectual honesty. And when you encounter that anywhere, even though he and I disagree on outcomes—and also on approaches—it's a pleasure.

I remember the worst intellectual experience I ever had was a class I wandered into at Oxford on ethics. I can't remember it because I've suppressed most of it. I had my one and only intellectual panic

attack of my life. I was in the middle of this discussion listening, and no one—I couldn't understand a word. I understood the meaning of the individual words, but the use of the language was so loose, indistinct, and personal that I left the conference room in a sweat and I vowed never to return.

When you read Michael, that never happens. He is absolutely clear. If you look at that gem of an essay he has, five pages on affirmative action, it is the clearest exposition of the underlying ideas in that argument that I have seen anywhere, written with remarkable simplicity of language and honesty. And it's a model of intellectual discourse.

That is a reason why, even though he and I often come to different outcomes, the pleasure in discussion with him is that you can stop along the way, look at your own assumptions, agree on how far along the logic tree you have proceeded, understand precisely where you diverge, and be able to then look at and analyze and try to understand the underlying assumptions behind that divergence. And that's why I say I would recommend this to anybody of whatever political persuasion, for the sheer intellectual excitement.

I'd like to now, after having been so nice, attack Michael—or, let us say, parse some of the issues he raised here on why my team has been winning and his has been losing.

I think it is in part because of ideas, although I was struck when he mentioned how Democrats had misplayed the Alito hearings, particularly the abortion issue, in insisting on the sacredness of precedent and stare decisis. And I agree completely. I mean, it's obviously transparent hypocrisy. Democrats care about precedent with abortion, but certainly not with a lot of others. So it was only a ruse. It was a way to try to invoke a principle of precedence, or super-duper precedence, as a way to arrive at a certain policy outcome.

But in a sense, I think it's a kind of theme of Democrats. And one of the main reasons I think why they have not succeeded politically in the last few decades is that they are truly, in some ways, living on precedent, on their past political successes. The Roe decision is a towering success, in one sense. It enshrined a political outcome which has lasted for three decades unchallenged—because it is unchallengeable unless you change the composition of the Court—brought it outside the political arena. It's a triumph of kind of a liberal dictat using the judicial system.

But it's broader than that. When you look at the Social Security debate, in which Democrats refuse to engage at all with a president who's staked a lot on what I thought was a fairly reasonable approach, to put aside the personal accounts—which was not a way to actually address the insolvency, but his program of having it in a sense means-tested, of understanding that ultimately it would not be able to pay

out as promised in mid-century, and that the only reasonable answer was that the rich would give up a lot of their benefits but you would guarantee absolutely no loss of revenue, income, promises to the bottom quarter of those recipients—which was a rather progressive idea entirely rejected, not even addressed by the Democrats in Congress.

They have these wonderful successes of the New Deal, the Great Society, civil rights, and, as Moynihan said around 1980, haven't had an idea since. And it is a party that Kevin Phillips classically called the party of reactionary liberalism, in which its main political purpose is defending the political achievements and successes of 50 years ago and 30 years ago—abortion, Social Security, civil rights, of course, affirmative action as a extension of that—defending it in a kind of rear-guard action, which is the reason why, again, as Moynihan pointed out in 1980, the conservatives had become the party of ideas and Democrats had given up on ideas. Its main idea is stare decisis. The main idea is to hold on to the precedents and successes of the past.

In part that has to do with the structure of the Democratic Party, which is in many ways sort of a coalition of interested parties—the teachers unions, public employees unions, minorities, feminists, et cetera—each of whom have had remarkable successes in the past, in the '60s and the '70s and before, and are essentially holding on without advancing many new ideas.

One last issue on the Iraq question which Michael had raised. And I think he's right, that Democrats have lost or missed an opportunity to make a case and to win politically on Iraq. I was surprised how feeble the Kerry argument was in 2004. I thought it was an issue that would cost Bush the election and his presidency, which in a back-handed way, I think, is a compliment to the president in that he consciously risked his administration and his future on a war which nobody asked him to wage and which he did on his own, thinking it was in the national interest. Now, that's not an argument that it was the right war or a wise decision. That's a separate argument. But I think it showed a lot of political courage to risk one's presidency in an endeavor which he knew would put him at risk politically but which he engaged in anyway.

But I think the larger issue here is that the Democrats, again, for the last 30 years have not been able to articulate the national idea. Republicans have been able to encompass this national idea in foreign affairs. Michael points out that Democrats in domestic affairs have an opportunity to present solidarity as a kind of connective tissues of their archipelago of programs and policies and have lost that opportunity, can't adopt the language of solidarity as a way to encompass their ideas, and use the word "values" in a way which is entirely unconvincing.

But in foreign affairs, it's the Republicans who captured the idea of solidarity, in having this national idea. You know, after 9/11 the world changed radically. Democrats never had an idea of how to

approach it. They have these critiques—we're spying too much on our citizens, we are being too aggressive or too unilateral. But that's not a coherent philosophy or approach. Republicans had an idea, this administration had an idea—and again, you can argue against or in favor—but our ideas about preemption and unilateralism, seeing the war on terror not as a way of simply rounding up the guys who did 9/11, but the war on terror in a larger sense of a war against an infection, if you like, in the Islamic Arab world which had spawned 9/11, spawned those ideas, and which was ultimately rooted in a sick political culture, again in the heart of the Arab world, which had to be addressed. Otherwise, you'd only be treating symptoms and not the ultimate disease.

And that is a coherent idea. I think it's now on trial and we'll see whether or not it was a correct diagnosis and whether the war in Iraq was the right way to attempt a reordering of the political structure of the Arab world. But at least it was an idea, and Democrats had none. They had no single—there's not a single example of a Democrat who presented, I think, at least in the larger public arena, in the Congress, or elsewhere, an idea of such coherence, comprehension, which would establish a kind of broad approach to the war on terror.

And even in the critique of the Bush administration approach, there's a remarkable opportunism and incoherence. As Michael pointed out, in the presidential campaign, Kerry's major attack was unilateralism. And yet, just a week ago, I heard Hillary Clinton attacking

the Bush administration on Iran, for wasting two years by having the Europeans—by contracting out our negotiations with Iran to the EU3, the French, the Germans, and the British. If that is not an example of an attempt of the multilateral approach, the kind of approach you would think Democrats had now advocated for the last four years, then nothing is. And yet, you get the leading Democrat for '08 arguing that this multilateralism is an abdication, from the party that had been arguing that multilateralism is the approach that we ought to adopt.

So I would simply end by saying that it takes a philosopher like Michael to present a coherent set of ideas. And I admire them and, in many ways, I think they are applicable and admirable. Unfortunately, he's hitched his star to a party that is out of ideas and has been unable to generate within its political structure a kind of independence from its constituents that would allow it to elaborate new ideas that would be original and ultimately politically attractive.

MR. DIONNE: Thank you very much, Charles.

You note he didn't really attack Mike; he just attacked all liberals comprehensively.

I was just struck by that last comment on Mrs. Clinton. There's a story told of a copy editor at a news service who got fired after he yelled out "Do we spell Iran with an N or a Q?" And I've been thinking about that line, because it may be the critique of the war in Iraq

that's most powerful in terms of what is the real threat in the Middle East.

But we can—we may or may not get to that, but I want to get to Bill Galston. Thanks so much for joining us today, Bill.

MR. GALSTON: Well, I'm not George. I'm certainly not Greek Orthodox.

MR. DIONNE: You're not orthodox at all.

MR. GALSTON: Well, getting there. But I didn't realize until I listened to E.J. that I'm the token minority on this panel, the only member of it without a tincture of Canadian ancestry. Although I suspect if you push things back a little farther to, say, the Ukraine, we might find that I wasn't such a minority after all. But be that as it may...

I listened, I must say, sort of wistfully to Michael's talk on how liberalism can regain its substance. It reminded me of a movie, How Stella Got Her Groove Back, except we haven't gotten ours back yet, I'm afraid.

You know, national politics now offers an interesting spectacle of the two great parties going head to head—the party of bad ideas vs. the party of no ideas. It's a truly inspiring contest. May God give us the power to choose wisely.

MR. KRAUTHAMMER: The country has.

MR. GALSTON: Well, my former boss, Bill Clinton, once said memorably, Better to be strong and wrong than weak and right. And the past five years, I think, have demonstrated the truth of that maxim.

I have to say before I get to the main event, I absolutely agree with Michael's political comments about the Alito Show. As a matter of fact, to tell a personal anecdote, my very first Brookings Friday lunch, chaired by E.J., had as the guest of honor Senator Kennedy. And as E.J. will recall, when Senator Kennedy and his staff passed out a thick packet of briefing materials, I went through it and found that it was devoted to two topics and two topics only: Vanguard and the Princeton alumni club. And I simply could not restrain myself from getting into a tangle with the senator. I just—you know, I just thought that if that was the leading indicator of the way the Democratic Party is thinking about these problems, then the situation is even graver, in a way, than your diagnosis would indicate.

And to my friend Charles, as I was listening to your soliloquy on President Bush's 60-event tour of the country on Social Security, as you pleaded with us to "put aside personal accounts"—I wrote that phrase down—I mean, it reminded me of the old joke, you know, "Aside from that, Mrs. Lincoln, how was the play?" The president barely talked about anything else for four months before he finally got around to putting something else on the table. It's hardly the country's

fault for focusing on personal accounts when its president does. But we can talk about such things.

But what I'd really like to do is take Michael Sandel up on the challenge of reinvigorating the moral and intellectual substance of liberalism and the progressive movement and to suggest that the task is not impossible but even more complicated and fraught with danger than your very frank remarks might suggest. Let me just give a couple of examples, which we can then talk about.

You had a terrific piece in the book, I thought, on physician-assisted suicide, which you're against. As I read that discussion, it pivoted around your depiction of each individual's life as a gift. That's the term you use. I think you're on very, very solid ground in denying, as did, thank God, a unanimous U.S. Supreme Court, the existence of any sort of broad constitutional right to assisted suicide—in spite of the fact, as you may recall, that virtually all of our colleagues in the political philosophy academy signed a famous Philosopher's Brief arguing that there was such a right. But we can agree on that very briskly.

But it seems to me that I couldn't follow you down to the end of your discursive road, and here's why. First of all, I didn't think you came to grips adequately with circumstances such as pain-wracking terminal cancer or the late stages of ALS, for example, in which the sufferer, the patient, I think, can reasonably conclude that his gift has become a curse. Right? What do we think about such cases? So I think

openness to the morally relevant features of particular cases should make us worry about applying general concepts such as life as a gift too broadly and too bluntly.

And besides, it seems to me you're pushing in a more metaphysical or theological direction. I think you can ask whether there can be a gift without a giver any more than there can be a design without a designer. In regarding life as a gift, which you urge us to do, are we tacitly compelled to endorse the existence of a Giver with a big G? That's not a rhetorical question. But I think it's an important one. And if the answer to that question is in the affirmative, where would that leave the tens of millions of North Americans—a phrase I use advisedly on this particular panel—who believe that it is possible to be moral without being a believer and to have a rich moral vocabulary without being a believer?

So that's one example, a substantive example. Let me give you another example that I think it's worth talking about.

One of the great themes of this book that you didn't bring out very clearly in your opening remarks is your critique of the moral limits of markets, with which I emphatically agree. The question is, how far does that critique go, where does it apply appropriately, where does it not apply appropriately? I'll give you an example. You have a very nice piece on tradable emissions rights as a mechanism for reducing environmental pollution. You're clearly not very happy about that

strategy. And you're not very happy about it for a moral reason, namely that it's an approach that reduces the moral stigma otherwise associated with polluting activities, and certainly does.

But in my reading of this case, it just pushes the argument back a step. Should we define pollution as a moral wrong in the first place, right, or rather should we think of it as an undesirable byproduct of desirable activities? Now, a hint of the relevance of this question is, I think, concealed in your own phrase, "excessive pollution." Would we speak about excessive murder or excessive burglary? I don't think so. So if the point of environmental policy is to abate nuisances and promote better states of affairs, then maybe a moralized language that focuses on individual acts rather than aggregate consequences of those acts is out of place. So, you know, granted that there is a moral issue here. The question is where that moral issue is located.

Here's my third example. You advocate, as, in a way, I do, the idea of—I think this is your phrase—a formative civic project embodying a specific concept of the good life and oriented towards fostering some idea of civic virtue.

I think you're aware—as a matter of fact, you gesture towards in your own remarks—the standard liberal objections to this practice based on the diversity of views on these questions in our society and, if James Madison is right, in any free society—one that has a chance to develop freely over time. I'm not sure you take those objections quite

as seriously as I do and as I think you should. I don't think there's any way of cramming the genie of diversity back into the bottle of consensus even if we concede, for the sake of argument, that there are times that less diversity would actually be preferable.

And that, it seems to me, leaves us with three broad options. Option 1 —[flip tape]— amount of coercion, or at least very forcible persuasion starting at a very early age, in order to channel people more towards a particular conception of the good that under circumstances of liberty they're apt to arrive at.

Option number 2 is to look for areas of agreement—not just modus vivendi agreement, but a real serious moral overlap among competing conceptions of good lives.

Or 3, giving up on the formative project altogether.

Now, I absolutely agree with you that 3 is neither desirable nor in the last analysis possible. So what you really have to focus on, then, is the debate between Option 1 and Option 2.

Now, for various reasons, I favor Option 2. But Option 2—looking for areas of overlap—is going to yield conceptions of virtue and the human good that are bound to be thin, partial, very much short of virtue understood as the full flowering of our moral capacities. I think that the best way of going about Option 2 is to focus on the virtues, traits of character, beliefs, habits that are civically requisite for a strong liberal

democracy and not to go farther in any particular direction of a conception of a good life which would be fuller and richer than that.

Now, I can't tell from your presentation of the formative project whether you agree or disagree with me on that point; that is, whether what we're really arguing about is two versions of Option 2 or whether you have something fuller—you know, a fuller conception of what it means to be a good human being as opposed to a good citizen of a liberal democracy—in mind. That's my third non-rhetorical question where I think it would be very useful for you to say more.

MR. DIONNE: Thank you very much.

I want to—Charles, I know, wants to get back in at some point. I was inspired by Charles to want to do a quick two-minute drill in defense of liberalism which will lead to a question to you, Michael.

My general idea is if liberals are not willing to defend their ideas or not even willing to use the term "liberal," then how in the world is anyone ever going to agree with them? It seems to me that the American liberal tradition has actually created much of what we, including Charles, admire about our country now. To borrow a word my friend Will Marshall likes to use, we've shown that a nation of strivers can also care about the common good. American liberalism saved capitalism by understanding its limits. American liberalism saved the core ideas of social democracy by also acknowledging the values of the market. Liberalism gave us, if I may do this, civil rights, Medicare,

Medicaid, Social Security, environmental stewardship, health and safety regulations, the right of employees to organize.

I could give a very long list of concrete achievements of American liberalism that I believe incontestably made the United States a better place. Which makes me ask why in the world is liberalism in so much trouble? And that's where I wanted to turn the question to Michael.

It seems to me that American conservatism is no more coherent, or equally incoherent compared to liberalism. You talk about tattered old ideas. How long can conservatives say that there is no problem that can't be solved if you don't throw a tax cut at it? This is at least a 30-year-old idea, and arguably it goes all the way back to Calvin Coolidge.

It seems to me the core contradiction of conservatism, which you touched on, is that it is a marriage of, if you will, moral communitarians and economic individualists. Liberalism is almost the other way around. American liberalism, as it's come to express itself, is moral individualism combined with a very mild form of economic communitarianism. If both creeds have—let's be polite about it—this tension running between them, why have conservatives, in a political sense and perhaps—although I'm not sure I would agree with this—in a philosophical sense, why have conservatives been so much better at dealing with their core tension?

And then you can reply to everybody else. And then Charles can get in to reply to Bill. Then we'll open it up for discussion.

MR. SANDEL: Thanks. This is a feast of interesting challenges.

To begin with E.J.'s. I think the short answer is that for conservatives and the Republican Party, the tension between the laissez-faire individualist strand the moral conservative strand is it's a genuine struggle; in the Democratic Party it's not symmetrical. The Democratic public philosophy going back about 50 years is predominantly informed—insofar as it's informed at all—by reflection on first principles, by an individualist procedural ethic, and the civic strand, the communal strand that historically has been a very important part of liberal or progressive public philosophy, has just not had, not since the 19—well, maybe not since the civil rights movement, which is now half a century, almost, I mean, if you look at the heyday of the civil rights movement in the '50s—has really not had a voice or a presence.

So Democrats have not been struggling with a tension, but the individualism and the proceduralism, I think, have predominated. And what liberals need to do is at least to give enough definition to the civic or communal, or the moral, dimension so that at least it can have a fair fight within the Democratic Party as it has now a fair fight within the Republican Party.

A good example of this, and it takes me to Charles's mention of the Social Security debate: If you go all the way back to FDR, there is a flaw in the rationale the Democrats offered for Social Security, and it's one that almost came home to roost in the latest round of debate with the Bush administration. Social Security does perform certain redistributive functions. And it is de facto an expression of a certain kind of collective sense of national responsibility. But FDR didn't really sell it that way even back then, in 1935. He sold it as a kind of government-organized private insurance system. And that's why it was funded the way it was—not from general tax revenues, but from payroll taxes. And FDR acknowledged at the time this may be bad economics, but by putting those payroll taxes in there, which look like contributions to my own retirement—which of course they're not—no damned politician will ever be able to get rid of my Social Security problem.

Now, he was right, or so it seemed; it was unclear whether he was right a year ago. But I think what Bush understood—and here's where I think Bill was right to call you to account on this, Charles—well, never mind the part about personal accounts; put that aside—this nice progressive idea of means testing and dealing with insolvency that you say was sensible. What Bush wanted ultimately—he saw what was at stake. If he could get the personal accounts even for a small fraction now, it would unravel what is in any case a fragile sense in which this is still a public program for public purposes, expressing a sense of mutual

obligation. Once you get that, well, then he would actually drive—he tried to drive a truck through the gap that FDR and subsequent defenders of Social Security have — this is really a way of saving for your retirement, and you could get a better return. Then the argument, you could get a better return if we did it this way. And so on.

So that's how the Social Security debate reflects, if you press it a little bit, precisely the tensions that we've been talking about in underlying rationale.

Let me just pick up quickly on two things, because I know we want to have a general discussion here. On Bill's, a small thing. On physician-assisted suicide, I didn't mean to argue against it as such. I was mainly arguing against the idea that there's a constitutional right to physician-assisted suicide. And it's true, I did give some reasons to think that we should be reluctant to embrace and embody in law physician-assisted suicide. In the recent Oregon case, just last week, I agreed with the Majority. I would have voted to uphold that Oregon law. I would not have struck it down, certainly not on the statutory grounds that the three dissenters— Notice the ones who favor very strict construction of the language and the intention of the law and who favor states rights over the federal government—Scalia and Thomas and Alito, those great—

MR. DIONNE: Roberts.

MR. SANDEL: Roberts.

MR. DIONNE: He's not there yet. It will be four soon.

MR. SANDEL: Roberts—voted to overturn that with a very, very broad reading of the statute.

MR. DIONNE: Well, you should be pleased that substance trumped procedure, Michael.

MR. SANDEL: So I would have voted to let Oregon do that.

But there is a bigger issue that Bill points do about the idea of life as a gift. As a moral idea, it's going to matter more and more in public policy debates just how to interpret that notion. It comes up—Charles and I have had these discussions about genetic engineering and enhancements in the Bioethics Council. And I think the idea of life as a gift comes in there—as it does, by the way, in much of the debate about the environment and notions of stewardship, nature or the environment as a gift not open to any use without restraint. I think it is an important idea. I agree that it's open to the kinds of questions that Bill has raised, but I think we should have a debate about precisely the implications of the idea of the giftedness of life, not only in the domain of questions of abortion and stem cell research, where it comes up, and genetic engineering, and assisted suicide, but also the environment. So there are five or six areas where this question, which is partly a moral question, partly—well, a moral question with theological rumblings close to the surface—I think it's important and unavoidable.

Let me just end with one other—try to see if I can respond to this challenge about the formative project, the idea that government

should worry about the virtue of its citizens and see public life as a kind of exercise in civic and even moral education. How can this be done in a way that isn't coercive and doesn't simply look for already existing overlap among people's different views?

Let me give one example. One of the issues that I talk about in the book is the rise of state lotteries as a way of raising revenue, which really has been a revolution in state and local government finance over the past 20, 25 years, more or less under the radar screen. Now there are some I think it's now 40 states that have some kind of state lottery.

Now, there are at least—well, there are at least two objections to state lottery. It seems like a painless tax, it's not coercive. And Democrats, by the way, especially in the South, have embraced lotteries as a way of raising government revenue, sometimes to support education, without raising taxes. So it's almost too good to be true. And it is, for at least two reasons.

First, from the standpoint—and what's interesting, these two reasons point different ways politically. It's the most regressive tax of any kind of tax that governments carry out, if you look at who winds up paying it. That's a liberal worry. Many Christian conservatives oppose state lotteries on the traditional moral grounds that gambling is a sin and a vice and government shouldn't be trafficking in it, certainly not profiting from it.

So following Bill's overlap, we might say, well, let's try to build a coalition between Democrats who don't like the regressive character of state lotteries and Christian conservatives who worry about the sinfulness of it. And that may be fine. I'd be for that kind of effort.

But here's where I would go further, push, and hope for a formative project more ambitious than Bill's overlap idea. There is a third reason to worry about the rise of state lotteries as a quick fix to the need for revenues without taxes, and that is that doing so corrupts the civic project. It puts government in the position not just of holding these lotteries, not just of raising revenue from them, but in order to keep the revenue going, the states have to advertise, huge advertising budgets. And the advertising sends a message and puts the state in the position of promulgating a certain civic teaching.

And what is it? If you take a chance and if you buy this lottery ticket, you may be delivered from the indignities and all of the trials of the world of work and effort and striving to which fortune may otherwise consign you. And furthermore, the state is going to try to persuade you to buy this lottery ticket with this message. There was a billboard in a Chicago—and they advertised in poor neighborhoods all over the country—a billboard in a Chicago ghetto advertising the Illinois State Lottery. It said, This could be your ticket out.

What kind of moral teaching, what kind of civic teaching does government promulgate when that's a necessary consequence—which is the way it's played out—of state lotteries?

So, yes, start with the overlapping consensus, people who have these other reasons. But in the course of building a politics, perhaps there can be a kind of public education into the larger purposes of the civic project that go beyond, that change people's mind. Politics is about teaching and persuading, not just trying to find de facto agreement. It might actually teach people who come for one reason but stay for another.

MR. DIONNE: Thank you very much. I think this section underscored something very important both about your work and the problems liberals confront, which is—you spoke about how often John Kerry used the word "values" in that speech—how often we have used the word "moral" in the last 15 or 20 minutes. And I think there is an uneasiness within the liberal discourse as now carried out with the word "moral." And I suspect your last argument, which I agree with, would create a lot of controversy among liberals.

And indeed, if I could just say one other quick thing before turning to Charles and then to you all, this is a very odd panel in certain ways, and it shows how difficult these issues are. Because I think there are three opponents here of physician-assisted—at least three opponents here of physician-assisted suicide. I had this odd experience 10 years

ago when the Ninth and Second circuits found a constitutional right to physician-assisted suicide. I was actually very angry at them, first of all because they had completely different reasons. They read the same Constitution and discerned completely different reasons for asserting this right.

And secondly, I believe that this is an issue, of all the issues, which should be settled by people in the states, because it's a difficult controversy. So for the same reason, I agreed with Scalia's view on assisted suicide and disagreed with the 6-3 decision.

But my brief story is that when the Ninth and Second circuits made that decision, I was writing a column for the next week. And I pick up my paper and there is Charles Krauthammer with an absolutely brilliant evisceration of these two decisions. And I called him and I said, Curse you, Charles. How often do we agree on anything, and you had to beat me with the best argument on these two cases. So I ended up directing most of my argument to liberals themselves.

But Charles wanted to come back in, I think on Social Security and perhaps on some of these other points. Charles, go ahead.

MR. KRAUTHAMMER: Just two points. One, on Social Security, the reason I didn't dwell on the personal accounts—and it wasn't a trivial proposal—was that I wasn't talking about the Bush administration, its objectives, its motives. Obviously, personal accounts

are a way to dismantle the system and end up with a kind of a Chilean system.

The reason I put it aside is because I was talking about the Democratic response and the bankruptcy of ideas. Yes, Democrats were right, when the president proposed his plan, to differentiate between personal accounts on the one hand and solvency on the other. And they showed that these were unrelated. And once they had achieved that and the personal accounts stood alone, it failed as an issue. But then the president returns and says, okay, apart from the personal accounts, here's the problem of solvency, here's where it's going to disappear in mid-century, and here's a progressive proposal for addressing it. It was remarkable that it should be a Republican president who's proposing this.

And the Democratic response was silence, ultimately opposition, and the idea died. And the reason was that it is a party of reactionary liberalism in that it did not want to address any curtailment of these benefits. I understand the logic. As Michael pointed out, once you begin to means-test it, there's less of a stake in the system on behalf of the rich and thus ultimately it will lose political support and will fail.

But the more immediate problem is that it will actuarially fail. It will disappear in the absence of funds. And if you cared about social solidarity and ultimately helping the people who need it—I mean, after all, giving a benefit to somebody entirely as an accident of his or

her age is less, I think, a value, an expression of solidarity than having the government help somebody on account of his or her need.

So ultimately, if you want a rescue program that is obviously ultimately insolvent and headed that way rather rapidly, you would do exactly what the president had advocated, or a version of it, in which you would protect the poor and have the rich have a decrease in benefits. It's certainly what Democrats argue on taxes, so why would you not argue it here?

So that's my only personal point of privilege as to why I set it aside. I wasn't looking into Republican strategy, but in the Democratic response.

And just one other point, which is I think one of the larger reasons that liberalism is having a harder time now, is the staggering and sort of historically unique collapse of socialism as an idea in our lifetime. I mean, it was not really expected. But obviously the failure of the socialist system, which of course is a perversion of it, but the success of capitalism in the Pacific Rim and other places where it's been tried. I mean, China as an example of a country that since 1979 changes political direction and lifts more people out of poverty, in the hundreds of millions, than has ever occurred in all of human history in two decades as a result of a turn to markets and capitalism has given the market idea a prestige and a historical validation unlike anything it's ever had before the 1990s.

And I think it's because of that that liberalism, which essentially is a, if you like, humane, democratic version of socialism—it's a restrained one, but it upholds the idea of solidarity, which is the essence of socialism; it tries to inject it into sort of a capitalist system as best it can—it runs into resistance because of our historical experience with the larger idea of solidarity as expressed in socialism. And that's why historically it's in a difficult time. It's not often that you live through a period in which an idea that had the power to command not only hundreds of millions but entire intellectual classes, as were mesmerized by Marxism and socialism throughout the late 19th and all of the 20th century, disappears entirely and collapses in rubble.

And I think that historically unique experience has a backwash from which American liberalism, I think, suffers in some way—not as a result of anything it did, but it's living in a time in which we have an intellectual revolution unlike any that we have really had before.

MR. DIONNE: Boy, there's a lot there. I only want to say on the Social Security thing, I think that last point, there's a lot there to unpack and there's something to that.

Just on the Social Security thing: The problem with the progressive indexing is that it took teensy amounts away from the very wealthy. The same folks who wanted to cut middle-class Social Security

benefits were also proposing the Paris Hilton Relief Act, otherwise known as the repeal of estate taxes.

And so I really do think there was a—but we could spend—I could happily spend all day arguing about Social Security, and I don't want to do that.

MR. KRAUTHAMMER: E.J., the Democrats—

[Laughter.]

MR. KRAUTHAMMER: —the Democrats—

MR. DIONNE: I'll give him the last word.

MR. KRAUTHAMMER: You sound like O'Reilly.

MR. DIONNE: Now there's an insult.

MR. KRAUTHAMMER: I thought that's a low blow.

MR. DIONNE: Now that's an attack.

MR. KRAUTHAMMER: That's a really low blow. I'm sorry. I retract that. Strike that from the record.

MR. DIONNE: Thank you.

MR. KRAUTHAMMER: The Democrats could very easily have isolated that one proposal from estate taxes and others and said we embrace it and we'll improve it. And you don't do that if you're a party so wedded to a program and its political successes and advantages that you simply want to leave it on autopilot and don't care how it crashes in the end.

MR. DIONNE: Because I'm not O'Reilly, I will give Charles the last word for the moment.

"For the moment," he added.

Let me go to Will Marshall right here and just—let me just see some hands of folks who want to—why don't you give the mike to the person nearest you in the back and we'll work up front.

Will Marshall.

MR. MARSHALL: Thanks, E.J.

E.J.'s ably defended liberalism, so I won't try to do that. But it is interesting that there's a lot of passion on the left these days, but it's curiously drained of content. And if you go on and listen to the blog world, they're telling us, in fact, that they don't even have an ideological stance. It is sheerly oppositional; partisan combativeness is the test of party loyalty and on trueness to party principle these days, in a strange way. And that is a function of Democrats being in the opposition fully for the first time in a long time. And I do believe Charles is right in the sense that Democrats still see themselves as the incumbent regime. And when you feel that you are only temporarily on the outs and that you're coming back soon and it's just some kind of distemper that's seized the electorate, that undercuts your incentive to thoroughly rethink your project.

I think he's dead wrong in saying there have not been periodic bouts. He just sort of glided right over the '90s. There were

some important ideas that came—the intellectual energy in the '90s was along the center left, not on the right. And as I told all my friends in the right who were toying with some of the same ideas that Clinton was looking at, it's fine for you to embrace them, but we're the ones who will enact them because your side will never do it, because they in fact don't believe in government. Conservatives in power are not innovators. They are redistributors, but they're not innovators.

So I do think that maybe the short answer to the question, What will it take for Democrats to thoroughly rethink their project, or liberals to thoroughly rethink liberalism and come up with conceptually new ideas, maybe an extended period in the political wilderness. I don't want to see that happen, but that's how the conservatives did it.

But let me now try to frame a question that's relevant to this, I think. I was thinking when you started, you know, about the early sources of ideas and intellectual and moral passion for liberalism in the progressive days. What do you think are the new intellectual and social bases or roots of a resurgent conservativism?

When I look at where we drew passion and ideas from at the turn of the last century, it was the church—which Democrats seem to have divorced themselves from; it was the rising professional middle classes and the civic organizations that were then quite vibrant, including labor unions, and the rise of the helping professions; and it was the university. The progressive university burst on the scene as a public

force around the turn of the century and now, in the last 30 years, I would argue, has taken itself out of public debates almost completely.

So where are the ideas going to come from, assuming there is a new wave of resurgent liberal thinking?

MR. SANDEL: A great question. I wish I knew the answer. The last wave of liberal energy and initiative was the civil rights movement, which was rooted in the church, or in churches. And with labor unions in demise, the parties are now struggling over the middle class, increasingly the suburban middle class. And I think it's an open question whether there is an answer in particular institutions to look to for this.

So what does that suggest? That Democrats may have to flounder in opposition until they come up with a more coherent governing vision or until accident and circumstance, which, more often than not—I mean, FDR was elected because of accident and circumstance, not because he in 1932 had a worked-out governing public philosophy. He didn't. The sum and substance of FDR's governing philosophy in 1932 was the nation is on its knees and we have to vigorously experiment to try to get the country out of the depression. That essentially was the governing vision he had—in the campaign; I'm not talking about in retrospect. And then through the improvisation and the experimentation and the political argument, rationales gradually emerged for the New Deal that Democrats in many ways have been living on ever since.

There was even disagreement within the New Deal about which strands of the progressive era of public philosophy, the decentralizing or the nationalizing strands, were the ones that the New Deal was all about. But at least there came to be a lively debate. But the occasion for the debate was, really, winning election due to the contingencies of circumstance, the depression.

So that's the other route. I don't know, at least I don't see, any already existing social institutions or groupings that are the likely incubators, independent of external circumstances, of a new governing philosophy. I may be wrong.

MR. DIONNE: Could I press you and Bill on the other part of Will's question, which is the university? My friend Todd Gitlam was once writing a critique of deconstruction and all that in the academy and he said, Great, we got the English departments, they got the White House.

MR. SANDEL: Right.

MR. DIONNE: And it strikes me—you know, and it was a kind of depoliticization of the progressive wing of the academy that seemed to be happening, and that's—I'm exaggerating for the sake of argument—but something happened. And there seems to be a turn the other way now. You are clearly part of that. You see it in the American Constitution Society, this group set up in the law schools as an alternative to the Federalist Society. You know, it used to be that

liberals in the law schools were utterly fragmented, and this suggests a different turn.

Could each of you briefly address this? Because I think the university really is an important piece of this.

MR. GALSTON: Well, only to agree that there was a generation of what might be called narcissistic radicalism in universities, where deconstructing language was taken to be a significant political act. You know, you overthrow patriarchy by discerning it in various previously hitherto unsuspected places in literature and political philosophy and what have you. And I think you're absolutely right, that that peaked about 10 years ago.

And there is, you know, perhaps even a gathering revolt against irony—a consummation devoutly to be wished. People like Derrida and Richard Rordy are less hailed than they were 10 years ago because the consequence of all of that seems to be a certain sort of inwardness that doesn't really create the basis for anything public when it's clear that—you know, whether we enjoy a good in common that we can't enjoy alone, I think we can agree that when politics goes badly, lots of bad things happen. And that's a fact so palpable that even some progressives are beginning to acknowledge it.

MR. SANDEL: It is interesting that the examples that come most readily to mind—well, the example in terms of influence would be the Federalist Society within law schools, among conservatives over a

generation, that has cultivated a body of thought and also candidates for the judiciary. So it's easy to see how liberals within law schools can generate a counter-weight and counter-movement to that, which is very specific. But it's easier in a way because the academy has a more natural link to the judiciary, the legal profession, than to politics generally. But I do think it's also true that the humanities, especially within the American academy, are struggling to find their way and their purpose and certainly lack a powerful public voice.

MR. DIONNE: Thank you.

The gentleman in the back.

QUESTION: Thank you. This has been a great discussion of morality in politics—

MR. DIONNE: Could you identify yourself?

QUESTION: My name is Tom Sussman, just a lawyer in town, not an academic or journalist.

But I'm concerned about shifting some of the conversation to the hot issue these days of ethics and how that fits in. It seems to me, when the professor talked about the ideological context for cronyism and corruption based on a view of government, when we talk about the language of ethics, that seems to be more like proceduralism. And that's a bit disturbing. Can you help relate the ethical issues in government and politics to morality and ideology?

MR. DIONNE: That's a great question.

MR. SANDEL: Lobbying reform will now be a great topic for congressional debate and argument—and it's important. Of course it's important. But I'm afraid it's yet another one of these issues that Democrats are going to seize upon as if it were a governing theme or an important electoral theme in the 2006 elections, and I think that it's going to fail for the same reason that all of the other procedural preoccupations of the Democrats have failed—unless they can connect the Abramoff scandal and other Republican scandals with actual consequences for the way the country is being governed and for the way tax policy, energy policy, environmental policy are being written.

They have to tell a compelling story that relates corruption to bad governance that has an effect on people's ordinary lives. Otherwise, they are going to be smitten with lobbying and corruption as an issue heaven-sent, and it will sink them.

MR. DIONNE: Can I turn to Charles, because you wrote very interesting stuff back when Newt Gingrich—you still write interesting stuff—you wrote very interesting stuff about Newt Gingrich's rise. And it did seem to me that the corruption issue was linked to ethics, not simply procedure, and that Gingrich and friends actually did quite a good job of using that issue back then. I'd just like you, if you could, to respond to the gentleman's point.

MR. KRAUTHAMMER: Yeah, a couple of things. First, over lunch on Sunday Irving Kristol said, "Power corrupts; that's the glory of it."

[Laughter.]

MR. KRAUTHAMMER: Typical Irving, actually. Otherwise, why would people pursue it?

I disagree somewhat with Michael that the corruption scandal today has its roots in a party that doesn't believe in government. Corruption in power is universal. People come here to do good and they end up doing well, and for every Republican scandal there's a Democratic scandal. And I think that's why ultimately it's not a winning political issue, because people have a sense that they're all crooks, or some of them are, and it's on either side of the aisle.

It does have a temporary effect. You're right, E.J., that Gingrich very cleverly used the Wright scandal, the book scandal—I mean, in retrospect that was pretty penny ante stuff. And the bank, of course, which is—I'm not sure anybody—that was a matter of tens of dollars, perhaps hundreds, max. You know, you shouldn't sell your soul for the whole world, Richard Rich, but for Wales—you know, that line from "A Man For All Seasons." He turned a very minor scandal into an opportunity.

And then the reason I think he got away with it was because early in the Gingrich revolution it was a revolution, it was about ideas.

A Contract for America was interesting and new and a winning proposal. And of course, when you're out of power for half a century and you come in with ideas, that's attractive. It makes the corruption issue a sharp one. But it's a temporary thing. Ultimately, you get in power and you become the establishment, and we saw what happened. They got corrupted in the same way.

So I think it might work in a minor way for the Democrats this year, but, you know, I think I agree with Michael, the lobbying reform is going to look quite cosmetic. I think people ultimately understand that as long as Washington allocates $2.5 trillion a year and where the slightest shift in policy can create or take away enormous fortunes, they are going to be people influencing it. Ultimately the money will find its way.

I'm a complete cynic on all this, campaign reform or lobbying reform. If government is as powerful, intrusive, and omnipresent as it is, and it has such tremendous effects on the lives of people in every aspect of life, you're going to have people lobbying—as they are entitled to, petitioning the government—spending their money or others', enlisting others on their behalf, to influence the policies of that government.

So unless you've got a very acute spike in this—which you may have in the Abramoff scandal, although I suspect it was easy to prove that he swindled the money out of his clients, but it's going to be a

lot harder to show how he corrupted the public officials—I think it's going to have a minor effect and ultimately it's a wash.

MR. DIONNE: I was just thinking, when somebody goes to lunch today and says what did you get out of that talk about that great Mike Sandel book, one of the lines will be "Power corrupts; that's the glory of it"—which was not one of the themes of the book.

QUESTION: My name is Miriam Gusevich. I'm a professor at Catholic University.

I just wanted to thank Michael Sandel. I actually had the privilege of attending your classes at Harvard years ago. But I want to thank you for two things. One is because in your discussion, you're raising it above this kind of narrow partisan discussion that we too often see here in Washington. And the other is that you have rescued morality out of just being identified with the Judeo-Christian tradition and not recognizing in our everyday debate that it really also has an Enlightenment tradition, which really what the Founding Fathers were acting upon.

So I really want to thank you for all the great work you have done all these years.

MR. SANDEL: Thank you.

MR. DIONNE: Thank you.

MR. : Bravo.

QUESTION: Al Milliken, Washington Independent Writers.

When you're talking about the public justification for government action and change, whether you're talking about Social Security or Roe v. Wade or the war in Iraq, isn't there eventually going to be serious problems if the reasons put forth are lies rather than the truth?

You explained the choice made for selling of Social Security. Yesterday, the head of our national intelligence acknowledged our intelligence community has been preparing for a day of reckoning, so there was a moral and legal justification for whatever wiretapping and spying was taking place. Politically, didn't Gerald Ford pay for the lying of Richard Nixon in pardoning it? And didn't Al Gore pay for the lying of Bill Clinton in justifying it or at least remaining silent about it, although maybe you could make a case that choosing Joe Lieberman as his running mate was an attempt at redeeming himself, if not Bill Clinton. Thank you.

MR. SANDEL: I think you can make presidents and political figures pay a political price for lying provided that you connect whatever lie may be at stake with bigger things. One of the—let's take the example, the NSA domestic spying, warrantless spying. There's a debate over its legality. And the critics of it may well be right that it's illegal, in which case the main remedy lies with Congress actually more than the courts. They could cut off funds for the program, or they could change the law to give the administration the expanded authority it claims it

needs, or they could impeach. Those are the mechanisms that Congress has to respond.

But as a political matter, even though it's a serious constitutional and legal debate, as a political matter I don't think it's a winning issue for the Democrats as it's been framed now, for reasons that Karl Rove has already pointed out and that E.J. has emphasized in a recent column. What Democrats missed, I think, in the debate in the 2004 election about the whole Iraq war is that politics, in the end, is really very simple. And there was one simple claim underlying George Bush's Iraq policy that John Kerry never addressed. And it was the simple idea, look, the world is a complicated place, we may not understand all about the Sunnis and the Shiites and the Kurds and geopolitics and the relation between Saddam and terrorism and all of that. But what we do know is that it's dangerous out there and better that we be fighting them over there than over here.

That was the core gut intuitive idea that George Bush had in the 2004 campaign and that John Kerry never grappled with or attacked or challenged or refuted, and I don't think that any of these arguments are ultimately going to matter politically including about the NSA eavesdropping until Democrats manage to come up with an answer to that question, has this war as it's been fought turned out to make us safer or not? Has it strengthened or has it weakened the terrorist threat? Has it made the world, and in particular the Middle East, more dangerous or less

dangerous? Democrats, if they engage those questions actually could get pretty far on the record and on what's actually unfolded, but those are the questions and unless you can connect the eavesdropping—no one has really said what I think a lot of Americans would intuitively recognize, you're eavesdropping on Americans making some phone calls and you're running it through this complicated computer thing and there are these constitutional issues over here, but is it really true that that's been effective?

Cheney has made extravagant claims that this has saved thousands of American lives. Is that true? We don't know. It's probably false. But that's as important a question as the legal and constitutional wrangling, just as the question of whether this war is really working as a way of making us safer from terrorism. That's the important question, and it's amazing how those basic questions, those simple questions, have been obscured and ignored by an opposition party that has been struggling to find issues to find traction.

MR. DIONNE: Bill wanted to come in that.

MR. GLASTON: A couple of comments. First of all, I do think, and this is not to excuse but it is to explain, it has to be noted for the record that the Democratic Party has been at war with itself on issues of foreign policy ever since Vietnam and the Republican Party by contrast both in its electoral base and I would say in its governing elite—

[End Tape 1 Side B. Begin Tape 2 Side A.]

MR. GLASTON: [In progress] —sooner or later that must happen because it must happen because the consequence of it not happening is powerlessness and irrelevance in the great national security debate before us. But this is not just a problem of the lack of clarity of ideas. There are deep institutional and historical forces that are creating incoherence.

MR. SANDEL: Could I just say one thing? I agree, but that's also true about the Republican Party's schizophrenic view on foreign policy. If we go back just before September 11th, the isolationist wing of the Republican Party as against the internationalists was a schism as significant for them until events and having the presidency enabled them to hold those two together. But I agree with what you say about the Democratic Party.

MR. GLASTON: This would be an elaborate empirical debate, but if I could just get to my second point very quickly because I don't entirely agree with that proposition. I think it's possible to take any good idea and drive it too far, and the critique of proceduralism is a good idea which could be driven too far if and when it leads anyone to overlook the moral component of procedures. The rule of law is a deeply moral notion. Respect for constitutional forms and for the basic constitutional principles is a deeply moral notion. You and I both revere Lincoln, and he understood that, and I think we should, too.

It is perfectly true that the question of the threat and how to meet or abate the threat is very important, but as we learned with the internment of Japanese Americans in World War II, there are right ways and wrong ways within the framework of a mortal peril to meet the threat. I do think these questions about surveillance and its compatibility with the rule of law and with constitutional division of powers, these are not simply procedural questions in my judgment.

MR. DIONNE: I want to go to Charles because in fact I disagree with the notion that the Republicans or conservatives—foreign policy because I've read some extraordinary debates, and I don't think division is the relevant form because there are realists and there are noninterventionalists and there Wilsonians, and Charles has come up with his own of Democratic Realism. Could you talk about those debates and why they seem not to cripple the conservative side in the way that debates that take place on the liberal side do seem, I'm making an assertion here, to cause a lot more political trouble on the liberal side?

MR. KRAUTHAMMER: I agree with you, E.J., as the recipient of a 14-page attack in The National Interest by Fukuyama, I was surprised to hear about unanimity on the right on foreign policy. I think in fact there may be a split between the realists, and if you like, the idealists or the neoconservatives on the conservative side that may in fact fracture the conservative foreign policy. I think ultimately it's not going to be decided by argument; it'll be decided by history and by events on

the ground. If the war in Iraq succeeds, it will vindicate the idealists, if you like, the neoconservative idea that the way to approach the post-9/11 world is by advancing democracy even in inhospitable places and even at the point of a sword. And if Iraq does not succeed, it will destroy that wing and you will have a new kind of conservative realism as the inheritor of the mantle and neoconservatism will probably become a minority view.

But on the issue of liberal foreign policy, I don't agree at all with Bill's contention that liberalism is at war with itself. I think in the 1990s in the Clinton Administration you got a very coherent foreign policy, what I called liberal internationalism, and it has a vision which is that ultimately, to speak about it in its most expansive version, there is an abolition of the nation-state, you have an integration of the international system, to make a quick analogy, you try to make the world look like the E.U. And the mission of the United States in the 1990s was to strengthen these international attachments, to sign dozens and dozens of treaties, conventions, to integrate itself into the U.N. and create a multilateral system that ultimately that would decrease friction and war. It's a coherent idea. I think it's completely wrong, but it's certainly not at war with itself, and it was accepted by the party and implemented.

Then 9/11 happens and I think it tests that idea, and that idea was found wanting. I don't want to go into a polemic about it, but I think the idea that there is some kind of great debate among Democrats; you've

got Joe Lieberman out there who's essentially a neoconservative on foreign policy and he's alone, and that's it. So it's not exactly a party at war with itself. It's a liberal internationalist idea which has a completely different vision of how the world works, that it's not a state of nature, it's actually kind of a community working its way towards an E.U.-like structure ultimately with the slight hiccups like 9/11 and fascism and communism and the other little details, but ultimately you work all of that out and you arrive at this other vision.

Conservatism, having had a different idea, in the 9/11 world that was far more relevant. Its premise is that the international system is a state of nature, that ultimately what speaks is power and it has to be deployed in ways to assure our safety and the safety of our allies. I don't want to get into that because I think it could be a cul-de-sac. But I think, again, conservatives had an idea which I think was more relevant to the 9/11 world and that's why it's in the ascendancy now, but ultimately its success will depend on whether its prescription in Iraq was right or not, and I think that is now still an open question.

MR. DIONNE: Charles's statement was a more charitable expression of a nasty crack I saw in The Wall Journal Editorial Page about 10 years ago which said liberals believe in military intervention only when the intervention is not in the American national interest. That's not my view, but an effective nasty crack.

Can we get to Mr. Mitchell over here?

MR. MITCHELL: E.J., thanks. Gary Mitchell from the Mitchell Report. I want to just first of all speak to Charles's point about liberals being stuck in defending their past and say that I think it's fair to say that there's a practical reason for doing that which is that I think we live in times that a lot of people in office today would undo by hook or by crook some of the great work that's been done by these liberal constituencies. I don't see it quite the way you do on that point, and I would say despite Fred Barnes's book to the contrary, I think George Bush is as much a reactionary as he is anything else.

Moving from that, I want to offer up another observation about this debate about the party of ideas and the party of no ideas or the party of bad ideas and the party of no ideas. One of the ways that I think it is fair to characterize the last two and a half decades anyway of political debate in this country is to say that where the conservatives, Republicans, however one carves them up, have been better than their Democratic/liberal counterparts is less on the question of ideas and far more on the question of messaging, positioning and communications. Last week at a session on global governance, Tim Wirth made the observation from visits that he had with some people in the very conservative foundations and think tanks that they're spending on the order of 80 percent of their budgets on those factors of messaging and positioning.

While I think there are plenty of examples on the Democratic and liberal side of the equation and some of them are here in the room today, people who had been good at the communications and the merchandising of ideas, it strikes me that if you really lay out what have been the great ideas of the Republicans and conservatives of the last 25 years on a sheet of paper and on another sheet of paper you put the Democratic and liberal ideas, I think it's a draw at best and what I'm offering as a thesis and think it as a question is that where the battle really has been won and lost has been on the issues of messaging, positioning and communications and that, among other things, it explains Ronald Reagan and Bill Clinton.

MR. DIONNE: Mike, didn't you get a $1.5 million grant to put forward the messages and ideas in this book? I'd love you to take up the question.

MR. SANDEL: I guess I disagree. I think that the problem is not the messaging but the lack of a compelling message, and here I suppose of try to list on a piece of paper the ideas, the polices, the programs of the various parties you could find a lot of very good policies and programs on the Democratic side. I don't dispute that. But I guess what I'm saying is that what it takes to have a governing position that's compelling to the American public especially at the presidential level, and American presidential campaigns are about theme more than they are about issues, or personalities, you need not only a litany of ideas,

policies, programs and prescriptions, you need an evocative and compelling narrative, or story or set of stories that connect the ideas, the proposals, the programs and the policies not only into a coherent whole because philosophers may be overly interested in coherence, but into a story that connects with people's lives.

Who has the better prescription drug program which consumed an inordinate amount of the debate in the first Bush campaign with Gore, the Gore-Bush campaign, that doesn't count as a narrative or a story, it counts as something that makes people's glaze over unless they're lobbyists or interest groups who have deeply felt views about the matter, and I think that's true in the case of the need for the Democrats to have a certain view of America's role in the world to connect it to whether the Iraq war has turned out to be a success or a failure in the terms of the Bush Administration, making the world a safer place, putting the terrorists on the run, setting them back. And I think it's necessary also on the domestic side, whether it's Social Security reform, health care or education, prescription drugs, the whole litany, I think has left people cold because the Democrats have not been able to construct a coherent story or narrative about the public good, about the common good, about the role of government or about solidarity, about share sacrifice, pick your theme, pick your integrating thread, those are four, five or six contenders that I would propose.

MR. DIONNE: We now know who didn't have the better prescription drug plan. But I wanted to press you, and then could somebody bring a mike right over here? Let me just press you because I think it's important that we not at some level operate under a false premise here. It does seem to me that you're not only arguing that Democrats need a coherent story, you are actually, Mike, and I'm sympathetic to the project, engaged in a battle within liberalism, if you will, on behalf of, for lack better terms, a civic republican or communitarian idea against an individualistic and procedural idea.

Before we close I want to bring my friend in here, but I'd like you to deal with that because I really do think it's important to sort of underscore that this an argument about the meaning of liberalism and not just its lack of a message. Please.

MS. TILLOTSON: My question or my comment may just be expanding on that. My name is Sue Tillotson, I'm with Brookings Exec Ed, and it has struck me through various commentary, and particularly yours, that there are moments in our public life that in essence the American people, that their character is explained to them and there is a very powerful moment. Sometimes this happens in moments of crisis, but sometimes there are quiet ones. The one that kept coming to my mind was when Daniel Inoue asked that very famous question during the Watergate hearings, it wasn't Watergate, I beg your pardon, it was during the Iran-Contra, when he looked at Ollie North and said, "You explain it

all so well. Why is it that I don't feel good about this?" And that hit a chord, and there are other chords. You don't want to reduce things to a bumper sticker, stinker, too, like a budget is a values document, et cetera. But it is this resonance that is that metamessage that you've been discussing that I think is what we may be hungering for in the population and which, be it wrong, if people don't agree with it, at least it's being stated on the Republican side.

I want to turn this to a thought of who are potentially the messengers for the future that get it. I want to leave you with a vignette that spoke to me deeply, being very interested in politics and having three sons who are not only apolitical but it's their form of rebellion against their mother. During a seminal moment in which I had the TV bomb and Barack Obama made that incredible statement about we worship an awesome God in the Blue states, and we have homosexual friends in the Red states. My eldest son, the biggest rebel, looked up and said, now that sounds like a future president. I would submit to you it's because that voicing of a moral stance in a calm but authentic way that spoke.

We baby-boomers will pass, we will pass. We don't realize it, but we will, but we'll be turning this over some day, and I wonder if you could talk about is there hope for a messenger.

MR. DIONNE: What don't you run? That was fantastic. Thank you.

MR. SANDEL: Let me take up both of those invitations. E.J. is exactly right. My suggestion isn't just—I'm not just criticizing liberals for the lack of a vision or for the failure to articulate such a political vision as they have, I also have a certain suggestion, proposal, idea about what the content of that vision should look like, and I think it should, as E.J. summarized it very well, not rest only on individualistic and procedural ethics and claims, but should also embrace another very important dimension of politics and public life which has to do with the civic project, the formative project, Bill talked about that part of my claim which Bill shares. Simply stated, the idea is this, that contrary to what we might think by looking at our political debate, politics is not just economics by other means. It's not just a way of solving a collective-action problem. It's not just a way of doing what markets do, giving people what they want, catering to consumer preferences writ large. Politics, public life, is something more than that.

It's not just about satisfying people's consumer preferences, desire or interests, even their collective interests as in special interest groups, it's about forging and sharing a common life with certain shared purposes and ideas and that means it's partly about shaping our character, and especially our civic character.

In a way, the governing vision that I have in mind is the opposite of the three-word slogan but also governing vision that George Bush articulated when he ran in 2000 which was a very effective and

compelling statement, distillation of his governing vision when he was arguing for the tax cuts. The argument was it's your money, and the answer to that is, well, in a way it is your money, but it's our children, our cities, our country, our national security, our schools, our prisons, our hospitals, too. And that's what politics is about, that's what all of the arguments about budgets, tax cuts, programs and policies ultimately are about, namely, how to create a common life that not only caters to the desires and interests that people may have in a market society that they can't fully satisfy individually, that's only a smart part of politics, but while doing that, to educate, elevate, cultivate a sense of mutual responsibility among citizens. That's the broader civic ethic that I think needs to supplement and I think that could reinvigorate liberal public philosophy.

MR. DIONNE: Bill had a closing comment, and I'm going to close by a brief reading from Sandel on this point. Bill?

MR. GALSTON: On the one hand I always feel better when I hear what Michael just said, but then I reflect that no public philosophy is written on a tabula rasa, that every nation has a history, every nation has a distinctive public culture. I don't think you'd argue with me on that point. Seymour Martin Lipsit has I think written eloquently through his political career about many of the distinctions between the public culture of Canada and the public culture of the United States. For better or worse, we are who we are.

MR. SANDEL: By the way, I'm not from Canada. I'm from Minnesota. You're mistaking the Minnesota accent for Canadian.

MR. DIONNE: Another lovely social democratic place.

MR. GALSTON: My mistake. My mistake. I stand corrected, although since Charles and I both worked for a Minnesotan back when and yield the distinction between Minnesota and Canada is one that takes an acute eye to discern. But I do think that to put it as bluntly as possible, ever since Ronald Reagan, the Republican Party has bet on religion, markets and patriotism, and throughout American history, that has been a winning bet. If a political party corners the market on that triad, it will be the majority party in the United States, a party that is seem as against religion, and I could throw poll data at you indicating that that is how the American people view the Democratic Party today, a party that it seen as skeptical about markets which, if you remember the Carter Administration's near public embrace of the Club of Rome report, we come by public skepticism about our commitment to markets, honestly. And here I would quarrel with Charles, but I should know better than that by now, there are Michael Moore Democrats who are not convinced to put it modestly that the United States is a force for good in the world which is a pretty good operating definition of patriotism, we have a problem, and I think that the formative civic project is going to have to wait for a serious encounter with that triad of problems.

MR. DIONNE: Charles?

MR. KRAUTHAMMER: I just want to end with two points. One is that I find Michael's theme in the book and in his discussions in the Bioethics Council and elsewhere, this dissection of the difference between a rights-based liberalism, his critique of it and his championing of this alternative notion of civil culture, is the most sophisticated and enlightening liberal writing that I have encountered, and I'm grateful for what I've learned from it.

Second, I want to leave you with the definitive proof of Michael's wisdom and prescience. It occurred during game six of the Yankee-Red Sox playoff 2 years ago.

MR. DIONNE: The good one, right?

MR. KRAUTHAMMER: No, this was the bad one. This was when Pedro was left in in the seventh inning, and all of you who are aficionados will know exactly what I'm talking about. Michael and I and James Q. Wilson were watching the game together, and the seventh inning arrives, the Red Sox are ahead, glory is just minutes away. I'm chatting away happily, Wilson is on the balcony because he can't stand the tension, he can't watch, he's pacing up and down outside. It's very cold, he comes in for bulletins occasionally. And Michael and I are watching and I say, this is great. It's over. It's wonderful. And he says, take him out. I said, what? He said, take out Pedro. I said, that's not a problem. The seventh inning is going to start, if Pedro runs into problems, Grady will come out. He'll pull him out. We have a two-run

lead. He said, you don't understand. Grady won't take him out no matter what. I said, no, you're just a pessimist. He said, I'm a realist. Sure enough, you all know what happened.

[Laughter.]

MR. KRAUTHAMMER: So I have a deep respect for Michael's understanding of the irrational and human behavior and for his prescience, and whenever he talks, ever since then and for a lot of other reasons, I listen with gratitude and respect.

MR. DIONNE: I never knew how much I agreed with Michael on because my son and I were yelling take him out at that moment. As for television I'm a liberal because I'm a Red Sox fan and developed a tragic sense of life which can actually also make you a conservative.

I just want to close with a brief reading from Michael. This is a very in the book called Beyond Individualism, Lacking a communal sensibility, liberals missed the mood of discontent. They did not understand how people could be more entitled but less empowered at the same time. The anxieties of the age concerned the erosion of those communities intermediate between the individual and the nation, from families and neighborhoods to cities and towns to communities defined by religious or ethnic or cultural traditions. American democracy has long relied on communities like these to cultivate a public spirit that the nation alone cannot command. Self-government requires community for

people to aspire to control their destiny not only as individuals but as participants in a common life with which they can identify.

I just want to thank Michael and Charles and Bill for enriching our common life today. Thank you very much.

[Applause.]

[END OF RECORDED SEGMENT.]