INTERVIEW

[with Michael Walzer]

Michael Walzer is a prominent American political theorist and public intellectual. A professor emeritus at the Institute for Advanced Study in Princeton, New Jersey, he is co-editor of Dissent, an intellectual magazine that he has been affiliated with since his years as an undergraduate at Brandeis University. He has written about a wide variety of topics in political theory and moral philosophy, including political obligation, just and unjust war, nationalism and ethnicity, economic justice, and the welfare state. He has played a critical role in the revival of a practical, issue-focused ethics and in the development of a pluralist approach to political and moral life. Walzer's books include Just and Unjust Wars (1977), On Toleration (1997), and Spheres of Justice (1983). We sat down with him in May for a wide-ranging conversation on the interplay between personal identity and political thought, the state of political theory today, and the overlapping challenges posed by religion and ethnicity for the contemporary nation-state.

I. Identity and the Political Theory License

JPT: What first drew you to the field of political theory?

MW: When I was a history major at Brandeis, I was first interested in studying the history of ideas. At the same time, I was always very engaged in politics. Brandeis was the place where the '60s began in the '50s. There was a lot of political activity on campus coinciding with the first desegregation decisions from the Supreme Court. We had an organization back then called "SPEAC," Student Political Education and Action Committee. There wasn't a lot of action, but it was SDS [Students for a Democratic Society] before there was SDS. I also came from a family that was very interested in left-issue politics.

My teachers at Brandeis told me I should apply to graduate school in political science, because it wasn't really a field and you could do whatever you wanted. Whereas in history you would be committed to archival research, in political science you could write about politics, you could write political biographies, you could do law and politics, you could do sociology and politics.

JPT: As a graduate student did you know you wanted to work on normative political theory?

MW: Not yet. My dissertation was on the Puritans. I wanted to write about revolution, but my French wasn't good enough and my Russian was nonexistent, so I had

to write about the English Revolution, which meant writing about Calvinism. I was at that point very committed to the proposition that the way to study political theory was through history.

I had a Fulbright between college and graduate school, and I continued to read sixteenth century history with Geoffrey Elton at Cambridge. I came to Harvard having already started work on what became my doctoral dissertation on the Puritan Revolution. But once I was in the Government Department at Harvard, I realized that theory was what was interesting to me.

JPT: What changed your attitude towards political theory?

MW: I came to Princeton for my first position as an Assistant Professor teaching the history of political theory, because that was the only political theory that was taught back then in the Government Department. But once I was at Princeton, I began to talk to the philosophers here. Bob Nozick was here and Stuart Hampshire was a visiting professor at the time—he in particular was very important to me. While I was teaching, things were happening in the world. I was writing regularly for *Dissent*, and I went south in 1960 when sit-ins first began.

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When I wrote about the sit-ins in *Dissent* and about the doctrine of nonviolent protest, I found that what I wrote in *Dissent* was more interesting and more fun than the academic writing that I had done. A turn to normative political theory was a way of combining the two. If you look at the essays in *Obligations*, my first book, you would be looking at my first effort to write normative political theory. I remember trembling when I gave my first normative paper, which was the lead piece in what became *Obligations*. Stuart Hampshire was very kind and said good things, and he encouraged me to keep doing that sort of thing.

I recently wrote an autobiographical essay for Nancy Rosenblum at Harvard, describing what I call the “political theory license.” Political theorists do not have to pretend to be objective or non-partisan. I could write a paper that could be academically respectable defending equality or socialism. I could give a course on equality and the only requirement was that I acknowledge the strongest arguments against my positions and deal with them in class. At the time, I would write an essay and I would decide afterword whether to publish it in *Dissent* or in an academic journal. If I published it in an academic journal I would have to add 25 footnotes and muddy the prose a little bit, qualify certain things that would be unqualified in *Dissent*. But essentially, normative political theory let me do that.

Most of my writing was either from a social democratic position or from a Jewish perspective. I think political theory should be the work of people who have a political position that they want to defend. There are certain rules about academic discourse which shape how we defend a position, but that seems to me what political theorists should be doing.

JPT: What is the role of your cultural and political identity in guiding your work as a scholar? When Jürgen Habermas was recently asked to comment on the politi-

cal situation in Israel, he responded that it "is not the business of a private German citizen of my generation." Is political theory a universal project, or is it a form of interpretation within one's tradition?

MW: I can understand why a German of his generation wouldn't want to criticize the Jews, although I'm not sure if that is the right response. Habermas as a sympathetic critic of Israel might be very helpful. But there is something to Habermas's sentiment. For example, I oppose hate speech regulation in America but I favor it in Germany. There is a historical reason to say that holocaust denial should not be tolerated in Germany. But in the United States, it is just some nonsense that we have to put up with.

When I give lectures in Germany, I am always introduced as a "Jewish American," which doesn't happen when I speak in France. When I finish my lectures in Germany there is always a group of young people who pretend to ask questions. One will say that he worked in a hospital in Tel Aviv during the Iraq war, or visited a kibbutz in the Galilee, or volunteered for service in the Negev. It is so touching, it is as if they want me to forgive them and they of course have nothing to be forgiven for and I have no authority to forgive anybody. These people have a special view about the world and if they become political theorists it will certainly influence their work, as it should. For me, the way I write about the nation-state is influenced by the fact that I believe the Jews have a right to a nation-state of their own.

I'm sure that cultural factors and personal factors have an influence on academic work. That manifests itself in many different ways. There was a whole generation of academic Jews, some of them my teachers, who were hiding because they had grown up at a time when if you were a Jew you would not be promoted at any American university. So they became a certain kind of universalist, which I though was not the right kind of universalism because it was borne out of fear.

I had one professor who we all thought was a Polish count, and then his brother—who was a mathematician in California—published a memoir, in which he describes his Bar Mitzvah, and that was how we found out that our professor wasn't a Polish count [laughter]. But there wasn't an inkling of anything. And I had several professors like that, who were exposed in odd ways. Of course we relished the exposure. But that affected the way they thought and wrote about the Shoah.

JPT: Many have described you as a communitarian. Do you think communitarian is a helpful label?

MW: I've written a piece called "The Communitarian Critique of Liberalism" which is an effort to define how I am a communitarian and how I am not a communitarian.[1] As a definition of my position I would say I'm a very old fashioned social democrat. But another way of defining my own politics is that I'm a liberal social democrat with regard to national politics and I'm a communitarian with regard to Jewish politics. One of the features of liberalism is that it creates a space where there can be many communities and many different communitarianisms.

For this reason I have been quite critical of Michael Sandel's effort to describe a communitarianism that is national in scope. His communitarianism is republican, and it's the republicanism of America in the 1840s. If you read his

1 Walzer, Michael. "The Communitarian Critique of Liberalism." *Political Theory* 18, no. 1 (1990): 6-23.

book, what's missing is the great immigration that transformed a relatively homogenous Anglo-American society into a radically pluralist society. I think it's a mistake to try to define a nation-state in communitarian or even "small-r" republican terms—when the republicanism is Rousseauian. It's too hot, too warm an embrace given the cultural differences in a pluralist society.

JPT: Do you see the Jewish community as one community?

MW: It is and it isn't. The Jewish community is itself pluralist, and one of the effects of American life—some would say one of the effects of the experience of Protestantism—is to affect denominational pluralism within Judaism of a sort that isn't the same but resembles denominalization in the Protestant world. In general, I think that's a good thing. But above the denominational pluralism, there is a Jewish communitarianism, a certain kind of Jewish solidarity that is borne out of the sense of vulnerability.

JPT: From the communitarian perspective that you've been developing, is assimilation in some way undesirable?

MW: Yes. If assimilation means a loss of a Jewish history, of engagement with Jewish texts, the loss of a commitment to community institutions, I would be very unhappy about it. At the same time, I want American Jews to be engaged in American politics. I worry sometimes that we're a little too prominent. This is an interesting generational difference. During the Clinton administration, the whole American financial structure was in the hands of Jewish economists. Clinton seemed to be a philo-semite, and my response was to worry. If things go wrong, we'll be blamed, we'll be the scapegoats. But this didn't worry my children and grandchildren. They feel safe here. I guess I still have a little bit of the *galut* (exile) fearfulness, although much less than my parents. I was at Brandeis during the Rosenburg spy trial and I remember my parents being very scared. At Brandeis we circulated a petition against the death penalty for the Rosenburgs as if we were American citizens who had a right to argue about this as much as anybody else. We weren't scared, or at least weren't as scared as my parent's generation. And my grandkids are much less scared than I am.

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But here we are. This is the best diaspora ever. America America, the golden Medina. I remember that when I was elected president of the student council, the first thing I did was go to the principal and tell him that they have to stop playing basketball on Friday night. And he just smiled, and he was actually a smart man and didn't tell me that I was crazy. In my class of 75 there were five Jews. I was elected president of student council, and one other guy was elected president of the senior class. Only in America, I suppose.

But some kind of assimilation is going to happen. I'm comforted by the fact that there are fourth and fifth generation Reform Jews. Remember, in the mid-19th century, the Orthodox Jews were con-

vinced that Reform Judaism was just the slow process of disappearance. And it isn't. It wasn't. Some might think that the culture of Reform Judaism is a little thin, but it has been resilient, and it has gotten less thin than it was when I was a kid.

JPT: Do you think young American Jews today can have the same perspective on Israel as Jews of the previous generation can?

MW: Well, no. They're going to be more critical. The impulse toward apology is going to be much less apparent. And I think that the Israelis should be thinking about that. They need to recognize that there is a generational difference and that they can't call upon the same kind of automatic sympathy and solidarity. They will have to earn it. I'm sure that young people who grew up being told that Israel was or was going to be a light unto the nations at some point are going to ask where is the light?

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I'm a very strong advocate whenever I get a chance to talk to younger people of what Shlomo Avineri calls "Chetzi Aliya" (half an Aliya). If you're not going to move to Israel, then visit often, establish professional connections, learn Hebrew if you can, and send your kids for a semester here or there. But it's now a minority, I think, of American Jews who have even been to Israel. The world changes.

JPT: You described your politics as coming from the Jewish perspective but also from a left perspective. What is the left and why are you on it?

MW: I grew up on the left, and my parents were sort of Popular Front lefties. We read the daily newspaper in New York, *PM*, back when I.F. Stone and Max Lerner wrote for them. When we moved to Johnstown, PA, my parents subscribed to Stone's weekly. Stone was a left journalist, something like Seymour Hersh today, so I grew up on the left. At Brandeis, Abe Sachar put together a faculty by hiring all the professors who couldn't get jobs in McCarthyite America. So it was a left-leaning faculty.

For me, the key idea of the left is egalitarianism. I think of the left as the place where hierarchy is resisted and authority diffused. So I live on the left, but I spend a lot of time arguing with my neighbors. At Brandeis I encountered the anti-Stalinist democratic leftists who founded *Dissent* magazine. They were ex-Trotskyites who abandoned the world of sectarian Marxism, and they founded *Dissent* as an effort to create a non-sectarian and anti-communist left.

I found this all very appealing and, coming home from Brandeis, I told my parents I wanted to become an intellectual and they gave the classic response: "from this you can make a living?"

JPT: In a piece for *NY Magazine*, Jonathan Chait recently drew a distinction between 'liberals' and 'leftists.' Liberals hold onto the classic enlightenment tradition that prizes individual rights and a free political marketplace, whereas the left comes from a Marxist tradition that emphasizes class solidarity. Is this a meaningful distinction?

MW: Leftists are egalitarians and sometimes the defense of equality involves

restrictions on individual activity, especially entrepreneurial activity. But the kind of left that we tried to create around *Dissent* was a liberal left. Irving Howe wrote an article to this effect during the early years of *Dissent*. Here was an ex-Trotskyite recognizing the importance of individual freedom. But we are not libertarians who view the notion of choice as the central right of the individual.

I'm a strong believer in public education, for example. I wouldn't ban parochial schools but I would try to create such attractive public schools that people will be drawn to them. I would allow some choice within the public system--there can be high schools with different emphases like music, art or science and there can be choice. But I would defend a strong public system.

I would favor tight regulation of the drug industry even if that restricts the freedom of entrepreneurs to sell quack cures. A decent society is one in which there is a big space for creative activity—even entrepreneurial activity—but there are limits set by the rights of others and the needs of a society for some kind of mutuality. Mutuality involves taking money from the very rich to help the very poor and sometimes may involve conscription for military service or required jury service. There are many examples of communal impositions on individual rights for the sake of solidarity and mutuality.

JPT: Why do you think that distributive justice has failed as a political currency in the United States, to the point where "redistribution" has become a dirty word among politicians?

MW: This is a question about political defeat. First of all, I'm not sure that I want to acknowledge the failure. If you poll people in a certain way about particular goods or particular programs, like the Medicare program, you do find very widespread support for programs that are in fact redistributive. I think there is a lot of support for redistributive programs that no one has been able to mobilize politically. I think there is a lot of anxiety over the extent of inequality in American life today. I was very surprised during the Occupy Wall Street movement. I don't know if you visited any of the Occupy sites, but they were very ragtag. It was not a spectacle that one would think would appeal to ordinary Americans. And yet, the polling done during those months demonstrated high rates of support for the particular issues of student debt, helping people with mortgages, etc...

But we haven't won the ideological argument, although it looked in the 60s as if we were winning. The enthusiastic reception of Rawls's book at the time made me optimistic. The reception was especially enthusiastic in law schools, which I thought might mean something in terms of practice. I remember there was even this one Harvard professor who thought "well now that Rawls has shown that the two principles of justice are right, the Supreme Court should start enforcing them." It may be that the failure of that moment had a lot more to do with the Vietnam War, with the New Left, with the counterculture, that discredited the arguments for distributive justice. But I don't have a good answer for why. People talk about individualism, the pioneer spirit, the effect of the frontier, the effect of immigration and the radical pluralization of American life such that there was not a coherent working class—there are lots of explanations but none of them seem to me entirely satisfactory.

The Supreme Court gets it wrong, for example, on the issue of money in poli-

tics. It may be simply that the acceptance of gross inequality in political influence is the result of political influence. The increasing power of money in American politics is the result of a number of factors, perhaps most importantly the demobilization of the labor movement, which was the major countervailing power to American capital. Cultural divisions on the Left have made our politics very difficult. There's a story to tell there, which I don't think has been adequately told, with regards to the effect of the 60s on American politics. We thought we were winning. But in fact, we created the Reagan Democrats and, because of the culture of the anti-war movement and counterculture, we antagonized many of the people who are natural allies. The result is a left that cannot act effectively in the political world.

> "The Straussians treated me with a remarkable combination of deference and condescension. They showed deference because they believed in hierarchy and authority, and I was a professor. But they showed condescension because I did not know the Truth.

JPT: Why is it that the left cannot act effectively in today's political world?

MW: There has been a theory for some time on the idea of a fragmented left. There is the feminist movement, which is very important and partially successful. There is the Civil Rights Movement, now reborn partly out of the agitation of police killings. There is the pro-immigration movement, led by Hispanic but also Asian people, which has produced interesting political moments. There is possibly a revolt of students in debt—this was a very important part of the Occupy movement. But the fragments don't come together, and that's been our problem for a long time. For me, the anomaly of American politics in recent years is that we had the partial success of the Civil Rights Movement, which has changed black life in America for the better. We had the considerable success of the feminist movement, which has radically altered the composition of the American political and economic worlds. We had the astonishing success of the gay rights movement. It came very fast. Each of these movements has made America a more egalitarian place, and yet at the same time, America has become a less egalitarian place overall. This is something that needs to be thought about. The particularistic movements have succeeded, but they have somehow gone along with, and maybe helped to produce, growing economic inequality. Perhaps, in some ways, these particularistic movements have even legitimized economic inequality. If there's a black middle class, maybe it deflects attention from the persistence of a black underclass.

JPT: An issue you mentioned earlier—a tension between the demands of a liberal secular society and communitarianism—is education. What's the purpose of education? Is it to instill some sense of civic virtue? Is it maybe to promote some Rawlsian "primary goods"? And how much leeway should we give to minority communities in running their own educational systems? This is of course an ex-

plosive issue among religious groups like the Haredim in Israel.

MW: I think about this a lot, especially in the Israeli case, but also in the American case. I have talked a bit about the importance and coerciveness of public education. I do not think that children belong, certainly not exclusively, to their parents. If a Haredi child in Israel is going to grow up to vote in Israeli elections, then all Israelis have an interest in the education of that child, because that child is going to help determine the fate of their children in a democratic society. So, I would have no hesitation in enforcing some requirements for civic education on the Haredim. And I mean really enforcing it. I would require that of all parochial schools in America as well. In *Wisconsin v. Yoder* [the U.S. Supreme Court case that dealt with Amish children being placed under compulsory education], the Amish wanted an early release from high school. That was an accommodation for the Amish who are not going to participate in the American political system (I don't think they vote). So my view of it is if they were actively participating in the American political system, I would want them to have a certain kind of education in American history, in the political theory of democracy, and in knowing something about how the institutional life of the country works. I would want them to even know something about American literature, as that is another reflection of the culture in which they are going to participate. I feel very strongly about that. So, education is a matter of democratic citizenship.

An education for virtue, at least in the Straussian sense, is something I am not exactly sure about. I've had a long engagement with Straussian thought. When I was teaching at Harvard, my colleague was Harvey Mansfield, who was a Straussian political theorist, and we were both hired at the same time. The department was so divided that they asked the dean if they could appoint two people. In those days, budgets were expanding, and the department had enough money to do so. Harvey and I taught, and we were very polite with each other. I told my students that they had to take a course with him, and he told his the opposite. I taught a graduate seminar on Hobbes. I would have taught Rousseau, but Judith Shklar had Rousseau. There were always Straussian students in the seminar. The Straussians treated me with a remarkable combination of deference and condescension. They showed deference because they believed in hierarchy and authority, and I was a professor. But they showed condescension because I did not know the Truth. Some of them did it sweetly, and some of them not so sweetly [laughter].

So, education for virtue means that there has to be agreement within community and society about what virtue is, and so I would stick with something that we are more likely to have agreement on, about how a good citizen needs to be well-informed and have a critical intelligence, so far as we can produce that in a school. Education is also socialization. For instance, if in school you have a program on Memorial Day, that's going to produce a certain kind of person. When I was in school in Johnstown, Pennsylvania in the years after World War II, Memorial Day was a very important holiday. We would march from the school to the cemetery, and no one was absent. There would always be a priest and sometimes a rabbi, and the mayor would be present. It was a very emotional moment, because everyone had relatives who were in and oftentimes killed in the war. This type

of thing produced patriotism, and the schools were a part of that. We marched with our teachers to the cemetery. In fact, I think it was a very bad idea to make Memorial Day the nearest Monday instead of May 30th. This had the effect of transforming what was a serious holiday to what is now a long weekend. In Princeton, there is still is a march on Memorial Day, but a lot of people aren't there.

JPT: Do you think civic education is being imparted effectively in U.S. schools, or do we need to be paying more attention to it?

MW: I don't think we're doing very well generally when it comes to education. Certainly inner city schools are underfunded, and the testing regime is a big mistake. My daughter is the co-principal of an alternative public high school in the New York City area, and her school gets exemption from the testing but has to fight against the bureaucrats every year. We're not devoting enough money to education. We have not created or made the teaching of our children into a career that commands respect and a decent income.

II. Political Theory Today

JPT: What's not being talked about enough among political theorists right now? What deserves more attention?

MW: To be honest, I don't read a lot of academic political theory these days. My general criticism of contemporary academic culture is that I think political theorists have considerable difficulty recognizing the global religious revival, especially when it comes to addressing Islamic zealotry. That's a critique of, I suppose, some of my friends on the left. Among some political theorists, there has been a critique of secularism, which is partly justified, but which is designed to apologize for some of the religious stuff that shouldn't be apologized for.

Now Habermas has talked about a post-secular age and a need to think differently about religion from the way we once thought about religion. But I'm not sure that has reached deeply into political theory.

JPT: Methodology is always a contested topic within political theory. For many years you've been a scholar at the Institute for Advanced Study at Princeton, which has made an enormous impact in the social sciences, straddling the lines between positive and normative work. Can you reflect on your time as a scholar here and how it's shaped the way you do political theory?

MW: It was four of us doing social science: Albert Hirschman, Clifford Geertz, and Joan Scott. This was a very unusual group. We were all committed to an unscientific social science. You don't do comparative politics by studying data sets, but instead by spending time in a relevant area. It was a commitment to field work—to what Geertz called thick description—and to theory and history. There was a generation, the next after Geertz's, of anthropologists who went into the field and wrote about themselves, about how guilty they felt being white men in New Guinea. It was this moment of narcissism and Cliff hated that. Some people blamed him for it, but he hated it.

Albert Hirschman was an economist in development economics, and visited many development projects in Latin America. He spent years in Colombia. He didn't do game theory, or rational choice, so it was a particular kind of social science, and it did have an influence. Right

now my experience is that big social science, with its teams of researchers and data sets, is triumphant. This includes theory which is not normative theory but which is rational choice. I think the crucial thing to notice is that recently, every book and article written here had a single author. There were no teams of researchers. I spent five years reading military history before I wrote about the justice and injustice of war. That's just the way we all worked. We didn't theorize by reading other people's theories, and we stuck close to the real world.

JPT: On that last point, there was a blog post several years ago on the difference between political theory and political philosophy. It opens by asking: "What is it that differentiates John Rawls, Christine Korsgaard, Tom Scanlon, Brian Barry etc and their students and admirers from Michael Walzer, Judith Shklar, George Kateb, Sheldon Wolin, and their students and admirers? Why do the former often look at the latter and say "where's the argument," and why do the latter often look at the former and say "what's the point.""[2] What's your reaction to that dichotomy?

MW: It's a group of similars on the philosophical side, and a group of dissimilars on the political theory side, although the latter didn't include Leo Strauss. I've never been very clear on the difference. When I went to school with the philosophers, I did sense there was something different about what I wanted to do and what they were doing. And to me the difference was epitomized in their commitment to hypothetical cases, often extremely weird hypotheticals, and my commitment to historical and contemporary examples. Certainly for Shklar and for me, political theory involves a commitment to the study of politics, a commitment to the political world and some kind of engagement with it. Bob Nozick was of course very smart. *Anarchy, State, and Utopia* is a brilliant book and it became a manifesto of sorts for libertarians. But Bob Nozick was not a political person. It's a very playful book. At a certain point later in his life he would say "well, really you have to support the welfare state"—whereas Shklar and I were very serious about the political positions that we took. Maybe that's part of the difference between political theory and philosophy.

JPT: What about the difference between *Spheres of Justice* on the one hand and *Just and Unjust War* on the other? Why is it that *Just and Unjust War* reads more as moral philosophy while *Spheres of Justice*, to the extent that we are adopting these categories, reads more as political theory?

MW: Well certainly my philosopher friends liked *Just and Unjust War* much more than they liked *Spheres of Justice*. And I did make an effort in *Just and Unjust War* to ground the theory on some account of human rights. But really in the book I was much more concerned with being able to make specific judgments about particular wars and particular ways of fighting than I was concerned with the philosophical grounding. But what made *Just and Unjust Wars* acceptable to my philosopher friends was the simple fact that since wars are fought across cultural and religious boundaries, the arguments about when and how to fight have to be comprehensible on both sides. The arguments have to be developed and articulated in a universal idiom. And so the argument in *Just and Unjust Wars* is

2 http://profs-polisci.mcgill.ca/levy/theory-philosophy.html

a universalist argument of the sort that philosophers like.

But when it came to distributive justice, it seemed to me that the principles that govern the distribution of particular goods have to be relative to the meaning of those goods for the people among whom they are being distributed. I took that to be a universal statement, but it leads to a very particularistic argument—and that the philosophers didn't like.

JPT: Taking the example of distributive justice, how can we go about searching within traditions when there seems to be such widespread disagreement?

MW: This is a frequent criticism I've tried to address in some of the essays in *Thick and Thin*. I think that the experience of living together in a common political and economic system does produce, most of the time, a sufficient set of what I call shared meanings for the most important social goods in society. My favorite example is the "cure of souls, cure of bodies." In the Middle Ages, the cure of souls was very important and it was therefore socialized. Tithes were collected, parishes were established, churches were built, communion was enforced, and all this was supposed to produce salvation. But as belief faded, people became skeptical about the possibility of the cure of souls, but increasingly confident in the cure of bodies. And as it became clear that you could cure bodies, the cure of bodies was socialized, beginning with public health. We are the laggards here in the United States. In the rest of the world, the cure of bodies was socialized, and that's because whatever differences there were in different religious traditions about the meaning of the body, there was a growing recognition that while eternity was uncertain, longevity was possible. And since it was possible, societies organized themselves to produce longevity. That underlying agreement is very deep. There may be some cultural differences still—Christian Scientists don't accept medicine, for example—but the agreement is deep enough to provide a basis for the legitimate distribution.

The other example I've used is the idea of life as a project, life as a career, which wasn't at all common historically. But some time beginning with the French Revolution and the careers open to talent, the idea that you could be an entrepreneur, you could plan your life—became a dominant cultural idea even when the life you were planning could be very different depending on religious and cultural traditions. That is what made it impossible to sustain nepotism and made it very difficult to sustain things like quota systems and discrimination.

> "I always found it curious that my fellow leftists, who are radical critics of American society, at the same time thought that all of the world should look like America.

I certainly acknowledge cultural pluralism, but in my arguments about communitarianism, I always argued that the political system and the economic system had to be open. It's the cultural world where people have a right to create societies, schools, publishing houses, and religious institutions to sustain a common culture. But if you have a common political and economic life, I think my argument about distribution will work most of the time.

JPT: It has been almost 40 years since *Just and Unjust Wars* was published. If you were rewriting it today, what, if anything, would you change?

MW: I don't think I would change much in the arguments. I would expand some of the sections. In the 5th edition, I wrote a new preface on asymmetric warfare. This is similar to what I say about guerilla war but I would say more now. I also wrote a postscript responding to revisionists.

I might write the chapter on intervention a little differently. I still believe that the default should be non-intervention and intervention has to be justified. But in the 90s, I found myself justifying interventions in places like Rwanda and Darfur, so I might write more about that now.

> The dominant idea of the secular state emerges from the divisiveness of the religious world.

JPT: Can you say more about asymmetric warfare?

MW: Asymmetric warfare is a military conflict between a high tech army, like the American army or IDF, and a low tech insurgency. The most important fact about asymmetric warfare, which people find hard to understand or acknowledge, is that the high tech army usually doesn't win. Americans didn't win in Vietnam, nor have we won in Afghanistan. And we haven't been able to defeat the Sunni or Shiite militias in Iraq. The Israelis have not had success defeating Hamas or Hezbollah.

It is possible to win asymmetric wars, as the Sri Lankans proved against the Tamil Tiger rebels, but only if you are prepared to kill high numbers of civilians and the world isn't watching. But you can't win if you are trying to fight according to the moral rules of engagement. That is the general problem of asymmetric warfare.

The critical problem of *jus in bello* in asymmetric warfare is the question, what risks do you ask your soldiers to take in order to reduce the risks that they are imposing on the civilian population, among whom the insurgents are hiding. This is a big problem for the American army and the IDF. It is much debated and I have participated in those debates in both countries. In Israel, I usually do so along with Israeli friends. I signed and partly wrote a piece about the Gaza War along with Avishai Margalit.[3] We argued that there must be a commitment on the army's side to accept risks in order to reduce the risks that they impose on civilians. We were arguing with Asa Kasher, an Israeli philosopher, and Amos Yadlin, head of army intelligence and later Labor candidate for Minister of Defense. Of course, even though we were arguing with one another, I was hoping Yadlin would win as Minister of Defense.

JPT: Could you speak to your opinion on private military contractors and the normative dimensions of having others fight your wars?

MW: Years ago I wrote a piece for *The New Republic* on private prisons, and 20 years later I wrote a piece on private military contractors. My argument is that when the state authorizes coercion

3 http://www.nybooks.com/articles/archives/2009/may/14/israel-civilians-combatants/

it must be in full control of this coercion and take responsibility for it. So I think that private prisons and military contractors are terrible. You can contract out the army kitchen or some of the transportation perhaps, but you cannot contract out anything that involves the use of force. Insofar as the contract soldiers are armed and likely to engage in armed conflict, they cannot be private agents. They must be subject to military discipline and military justice, which means that they must be in uniform.

III. Israel, Nationhood, and Toleration

JPT: In your book *On Toleration* you describe two types of toleration regimes, one of them is the immigration society—the US and Canada for example—the other is the nation-state. I'm curious how the nation state navigates toleration given that there is a dominant group.

MW: Yes, I of course am the product of an immigrant society. And I always found it curious that my fellow leftists, who are radical critics of American society, at the same time thought that all of the world should look like America. Their critique of the nation-state was based on a vision of America. Against that and partly because I was a Zionist, I had to defend the nation-state. I had to defend a kind of liberal nationalism. And that, it seems to me, is not such a difficult thing to do.

Since I don't want to start these arguments with Israel, I always start with Norway. In 1905, Norway seceded from the Swedish Empire, and the reason for the secession was that they were afraid of losing their Norwegianess; indeed, they were losing a history, a language, and a sense of themselves as a people. So they created Norway, and the Norwegian state became a little engine for the reproduction of Norwegianess. And no one in the world finds this objectionable so long as they are tolerant—they weren't always tolerant, as there were decades of discrimination against the Lapps—but once they decided to be both Norwegian and multicultural, they ended discrimination, and they've done a lot of work to bring the Lapps into a decent place. They have accommodated or tried to accommodate immigration from Macedonia or Finland or from Eastern Europe. So long as they do that saying: "this is the nation-state of the Norwegian people. We study Norwegian history, we study Norwegian literature in the state schools. But there are non-Norwegians in the country, and there is plenty of room for them to organize their own cultural and religious institutions. And we will also teach their part of the history of Norway in our schools." This seems to me perfectly legitimate.

The most remarkable thing about American history in contrast to this is that moment starting in the 1840s, when the Anglo-American settlers who must have imagined they were creating an Anglo-American nation state like the nation-states of Europe, allowed themselves to become a minority in their own country. Of course, this was not entirely willingly—there were the "know-nothings," who wanted to make naturalization a 25-year process instead of a five-year process. But over a period of time the Anglo-Americans, for whatever reasons and with whatever resentments, allowed themselves to become a minority here. No one expects the Danes, Norwegians, French or Japanese to do that. It's not going to happen because these nations exist as homelands for a people who have been there for a very long time. America became what Horace Kallen called the "nation of nationalities," but that's not going to happen in other countries and there's

no reason to think that it has to happen.

I'm in favor of a generous policy of asylum, and I think the Europeans should be taking in more of the refugees from Africa and the Middle East than they are now. But they have the right to control the immigration such that their grandchildren will grow up in a state that is still French or that is still Danish.

JPT: Does toleration require a dominant culture? Given the argument you make in Spheres of Justice—that different communities share different understandings of social goods—must toleration be one of the goods that is shared among the different groups?

MW: I think toleration has to become dominant, but it doesn't become dominant because it is advocated or defended by a dominant group. The history of Western toleration is closely connected to Protestantism and to what Edmund Burke called the "dissidence of dissent." If you look at the history of Protestantism, you have Lutheranism and Anglicanism challenged by Presbyterianism challenged by Congregationalism challenged by Methodism challenged by Baptism, challenged by more radical Baptists and then by still more radical Baptists, and separatists of all sorts. And none of them wanted the state to support any of the others. And so it is the radical pluralism of Protestantism that is the chief source of toleration and of the understanding of a secular state. The dominant idea of the secular state emerges from the divisiveness of the religious world.

Now toleration has other forms, like in the millet system of the Ottoman Empire. That is a different model of toleration and quite common in imperial states, because the imperial state is not interested in changing religions, but in ruling the various religious groups.

JPT: Related to this alleged tension between secularism and democracy, some critics like Ronald Dworkin have argued in essence that Israel cannot be a democratic state.

MW: I do think that, with the exception of Protestantism, all the religions I know of—in their theories of political governance—are incompatible with democracy, because all want some sort of overall ecclesiastical authority. The Catholics didn't make their peace with democracy until after WWII with the creation of the Christian Democratic Party, and that was very late. They believed that the Pope and the Bishop should have some kind of control over political life.

So, if there is a religion in which the governing authorities are people who are supposedly acquainted with the word of God, then democracy is enormously difficult, and maybe not possible. So, that's why the separation of church and state in the Christian world was such a long, difficult, and necessary process. In the Jewish world, the entanglement of religion and politics is very tight, for the simple reason that we did not have a state. The state is the place in which the struggle for separation takes place, and the only place in which it can happen. If you do not have a state, you will then have an especially radical entanglement.

Zionism was about disentanglement. The Zionists wanted a state that was about ethnic Jewry—understanding that religious Jewry was something else entirely. These ethnic Jews could be religious Jews, but they did not have to be. And some of the early Zionists did believe that the ethnic Jew could be a Muslim, a Buddhist, whatever. If you believed in Jewish peoplehood, then the Jewish people had

to be like any other people—just like a Frenchman can be a Jew or a Catholic. But that entanglement makes things difficult. That was the aspiration, and to some degree Israel does represent a separation. And insofar as it does represent a separation, Israel can be a democracy.

> The paradox of liberation is that these liberation militants were trying to liberate their people from the culture of their people.

If Dworkin thinks that something like the Law of Return is undemocratic because it is discriminatory, I think something like the law of return depends on historical circumstance. If there comes a time that Jews around the world are no longer in any danger, I would favor repeal of the Law of Return, and I think a lot of people have that view. On the other hand, if you look at when the Soviet Union collapsed, Finland offered citizenship to the Russo-Fins—they constituted 20,000 people or so. Nobody thought that this meant Finland could not be a democracy.

JPT: For a case like Israel, though, where there is an entanglement between religious and cultural heritage, how should the secular state deal with areas that are influenced by Jewish law?

MW: The secular state should not be regulating conversion. I think so far as the secular state is concerned, anybody who calls himself or herself a Jew and is a Jew for the purposes of the state (the Rabbis can have other criteria, but for the state), he or she is entitled to whatever privileges the Law of Return provides. At some point maybe there will not be the law of return. But, the influence of Orthodox parties is such that it is very difficult to change the conversion laws now. If ever there were peace, there would be a cultural war in Israel, and I think the secularls would win.

Now in the Ottoman Millet system, which is the source of Israeli family law, there are various religious courts and there is no civil marriage—you have to choose one or another religious court to marry. The current system is only discriminatory against atheists. There is no civil marriage in Israel and, again, that's another cultural issue. But, it is not only Jews who oppose civil marriage in Israel. The Muslims and Christians also aren't in favor of civil marriage.

That being said, I don't see any reason why the Israeli Supreme Court—which regularly refers in its decision–making to Ottoman and British law and under Justice Barak regularly refers to American constitutional law—could not also refer to halakha when making some decision about some issue on which there is some interesting halakhic position. I don't see any reason why they shouldn't take halakha into account, in much the same way that the Israeli Supreme Court takes many legal systems into account.

JPT: In your work on national liberation, you speak about originally secular national movements slowly succumbing to religious extremism. Does this reflect something about the difficulty of preserving cultural pluralism without succumbing to religious extremism?

MW: When I gave a book talk about this, somebody shouted out from the audience: "you should be more worried about the physical reproduction of the secular

left!" Which is absolutely true. Around *Dissent*, there are all these young people who are not getting married and are not having children. Brandeis was full of Red diaper babies in the 1950s when I was there [laughter].

One of my arguments is that the secular culture of these revolutionary movements was somehow too thin. I'm not exactly sure how to explain the thinness. On one level, there is a certain artificiality to it. The French revolutionaries tried to create a ten-day week to correspond with the decimal system, but nobody liked a ten-day week because you had to wait so much longer to get a day of rest. They also had a Festival of Reason, with Robespierre presiding and there were civic oaths but all this didn't take. And why didn't it take? Well some of it was just silly, Robespierre in the robes of a Roman.

But on another level, the lifecycle is marked with religious rituals and ceremonies. There is birth, coming of age, marriage, and ultimately death. When you abolish these rituals and nothing replaces them you just have these awful moments of silence at a funeral of an atheist, where nobody knows what to say or when to cry.

JPT: Do you see the project of creating a secular national identity in these nation-states as unsustainable?

MW: The liberationists wanted to create a new Indian, a new Jew, a new Algerian. They talk about newness all the time. And they tried to provide new holidays or new interpretations of old holidays. Hannukah become the celebration of religious freedom and Passover became about national liberation. Joseph Trumpeldore was this early Zionist hero who died uttering the Hebrew equivalent of "it is good to die for one's country." Nobody visits his grave today yet thousands visit the graves of Rabbis in the Galilee.

My argument in the book is that the secularism of the liberation militants was both too confident and too radical. They all believed in the academic theory of inevitable secularization. As Nehru said, the triumph of science and reason was inevitable. And their rejection of the old religious culture was too radical. What needed to happen and what can still happen is a critical engagement with the culture. My books on the Jewish political tradition represent this type of critical engagement with the traditional culture. We have followed Oliver Cromwell who said to a state portraitist, "I want to be painted warts and all." We have presented the tradition warts and all. The chapter on gentiles in the second volume has some awful stuff in it, but we think it's important to confront both what we like and what we don't like.

I think there are models for the kind of engagement with tradition that could work. One of the organizations I talk about in the book is "Women Living under Muslim Laws." This is a group of mostly religious women, who are committed feminists, looking through Muslim sources, and reinterpreting Sharia in order to naturalize their feminism into the tradition. And that's what a lot of Jewish orthodox feminists are trying to do by rereading biblical and Talmudic texts. That's the model for what should have happened much earlier. These people are going to produce something that will still be liberationist, but that won't offend and deny the tradition of their own people. The paradox of liberation is that these liberation militants were trying to liberate their people from the culture of their people. This is a project that inevitably produced resentment, anger, and eventually religious reaction.

Again America is an interesting case here because even among some religious groups, there was a strong commitment to the idea of a secular state. I'll leave you with my favorite story. In 1810, Congress passed a law saying that mail had to be delivered seven days a week. This produced a Sabbatarian uprising among the established protestant groups, especially the Presbyterians and Anglicans. There is this famous moment when the mail coach was stopped on Nassau Street here in Princeton, New Jersey, by a group of Presbyterian militants, who insisted that the driver get out of the coach, stay overnight in Princeton and resume delivery on Monday. In 1829, this issue came back to Congress where it was sent to the Committee on Post Office and Post Roads, which was chaired by an evangelical Baptist from Kentucky, Richard Mentor Johnson. He writes this extraordinary document in which he argues that the United States Congress cannot recognize a religious day of rest. Mail has to be delivered seven days a week. This is what the constitution requires.

This story seems to epitomize the radicalness of the early republic. Today, you could not imagine Evangelicals from Kentucky insisting that the mail must be delivered on Sunday. ■