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CONFERENCE MEMO

Searching for Eunomia Once Again: Organizing Principles for Liberal Order in the 21st Century

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PANEL 1:

The End of the End of History? The Rise and Fall of Democracy as a Dominant Developmental Paradigm

ABOUT THE CONFERENCE:

"The Autocratic Challenge to Liberal Democracy and the Future of Global Development: The World 20 Years After the Founding of CDDRL" was a one-day workshop examining the state of democracy and development today held on November 4, 2022, in celebration of CDDRL's 20th anniversary.

The workshop brought together current and former CDDRL scholars to understand the causes and consequences of these global challenges, and to advance a research agenda that can underpin an era of democratic renewal.

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CDDRL 20th Anniversary Conference

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Panel 1: The End of the End of History? The Rise and Fall of
Democracy as a Dominant Developmental Paradigm

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Liberalism is a political persuasion devoted to the pursuit of human flourishing through the exercise of individual freedom, economic openness, ethical scientific progress, limited and egalitarian government, and the rule of law. At its core resides an insistence upon the intrinsic dignity and value of every single human being, and ultimately of sentient life itself. Manifested as a political project, Liberalism's overarching mission is to secure the essential conditions necessary for the fullest expression of that sublime dignity and worth, with the unique creative potential imbued in it. The liberal quest for Eunomia (or "good order"), therefore, is the striving for political orders – or "systemic configurations of political authority" (Reus-Smit 2020) – that establish, protect, and perpetuate optimal conditions for individual human flourishing. This conference memo makes three main and interrelated claims about liberal order:

First, to borrow a biological metaphor, liberal order ought to be conceptualized as a *species* located within the broader taxonomic category of political orders. As such, liberal orders both share certain constitutive characteristics with other (illiberal) species of political order in their genus and are distinct from them in important ways. To survive over time, liberal orders must adequately fulfill all the constitutive elements common to all viable political orders. To thrive over time, they must outperform their illiberal/ anti-liberal competitors, particularly in terms of providing superior physical and ontological security (Mitzen 2006).

Second, to continue the biological metaphor, late 20th century liberal orders – domestic and international – represented the cumulative ancestry of at least three modern "historical wins", where liberalism clashed with and eventually outperformed its illiberal/anti-liberal competitors. At the turn of the current millennium, in other words, liberal orders contained the distilled heritage of three sets of grand contestations, which liberal ideas and institutions "won" over the past four centuries or so. Why did liberalism win? In essence, because liberal orders provided *superior solution-structures* to the great challenges of their respective eras.

Which brings me to a third claim: We are currently living through another period of grand order contestation in which the cohesion and efficacy of liberal orders are once again being tested by ideational and material challengers. During the era of liberal dominance – which we may consider to have lasted roughly between 1944 and 2016, or more narrowly between 1989 and 2008 – we largely neglected thinking about liberal democracy and the international architecture built by liberal democracies in foundational terms of political order, for the simple reason that we were living within what appeared to be a robust and enduring liberal order. This is no longer the case. The custodians of liberal orders must, accordingly, focus their attention on ensuring the future internal functionality of liberal orders (by ensuring they fulfill the constitutive elements essential for successful political ordering) and, simultaneously, bolster their power and legitimacy by providing effective solution-structures to the main challenges facing humanity in the 21st century; solution-structures that are

superior to those generated by illiberal/anti-liberal competitors. The final part of this memo outlines a number of possible directions for future work in this context.

I. Political Order

All political orders – whether domestic, regional, or international – are attempts to reconcile humanity’s inherent need for community and its competing propensity for violent conflict. Functioning orders solve this intrinsic tension via a quaternary package of elements, providing physical and ontological security through authoritative (and ultimately coercive) social arrangements that possess legitimacy by virtue of their perceived consonance with a shared vision of the good. We can unpack each of the four elements as follows:

Rules and Arrangements: Political orders are formed by a set of rules, principles, norms, and arrangements that guide the relationship between the various units in the social system the order is meant to establish and maintain. These rules and arrangements can be informal and diffuse, but as political orders have historically grown in scale and sophistication they have typically become more formally institutionalized, legalistic, and, since the middle to late eighteenth-century “constitutionalized.” When the rules and arrangements of the order are broadly accepted, the order is stable; when they are seriously questioned the order becomes contested and its stability and even existence compromised (Margolis 2010; Bosley 2017).

Coercive Power: The fundamental need for orders to provide physical and ontological security drives their second constitutive feature, namely the regulation of conflict and violence. Every functioning political order must possess a source of power, ultimately backed by coercive force. Force fulfils two distinct sets of functions in political order, which can be thought of as exogenous and endogenous. In its external function, coercive power acts to protect a given order from unwanted “foreign” interference, seizure, or destruction. This function may be performed autonomously through the deterrence generated by the given order itself – as in a balance of power system defined by structural anarchy (Waltz 1979) – via alliances, or by contracting-out security to a protective hegemon (Lake 2009). Coercive power is also essential for a variety of endogenous functions. It can solicit compliance with the order’s rules and arrangements by punishing transgressors, coopting potential defectors, and deterring would-be insurgents seeking to overturn the existing order. It can also serve the pedagogical purpose of inculcating rules and norms in the community, act as a restorative mechanism to correct wrongs committed by transgressors and uphold communally shared conceptions of fairness and justice. Lastly, the potential to wield coercive power may be required to achieve controlled adaptation, as the order must evolve its membership, norms and institutions to successfully adjust to changing cultural, economic, technological, or geopolitical conditions (Margolis 2010).

Legitimacy: A source of forceful power is necessary but not sufficient to establish, maintain, or adapt political order. A third critical ingredient is legitimacy: “the willing popular recognition of a political object as right” (Margolis 2010: 335). Legitimacy (sometimes referred to as rightful authority or *Herrschaft*) interacts with

coercive power to provide physical and ontological security in functioning orders. High levels of legitimacy reduce the need for costly recourse to coercion as a means of establishing, maintaining, or adapting a given order. To reduce compliance costs with their imposition of certain institutional and ethical constraints to manageable levels, in fact, all political orders – whether authoritarian or free – must be recognized as at least reasonably legitimate by their respective constitutive units (individuals, communities, or states, depending on the order in question). Deep legitimacy prevails where the order’s constitutive units inhabit what Habermas (1990, 135) terms a shared *Lebenswelt* – a coherent and cohesive “lifeworld” of assumed cultural givens that generate a harmonious worldview concordant with the prevailing order. Where that sense of legitimacy becomes widely questioned or breaks down, the maintenance of the order becomes heavily reliant on the threat of violence, which cannot enforce obedience in a large-scale or complex society. Where loss of legitimacy is so serious and persistent that the existing order is unable to adjust – to effectively co-opt or suppress the challengers – it is unlikely to survive.

Ontological Narrative: Ontological security and, *in extremis*, physical security as well, are dependent on a fourth constitutive element shared by all political orders, namely an ontological narrative. The creation, maintenance, and successful adaptation of a given order, requires an internally (at least) compelling “story of being” which ties the inner order of the individual psyche to the outer order of society (Kirk 2003, 6), situates the latter in the overall scheme of the cosmos, and provides the order’s constitutive units with deep meaning across time. Ontological narratives typically contain three distinct elements. First, they possess a founding myth, which may be the birth of universal order out of chaos or out of an earlier, but now corrupted and defunct, *ancien régime*. Second, as Brands and Edel (2019) observe in a book-length study, ancient and modern political orders alike depend on a memory of tragedy for their long-term viability and capacity for self-preservation and renewal. The ritualized memory of tragedy and sacrifice acts as a powerful spur for the construction of order after catastrophe, for imbuing new orders with deep meaning and for strengthening ontological security through collective responsibility for holding the daemons of barbarism at bay. Conversely, when historical amnesia sets in and the ritualized practices of memory lose their poignancy, the ontological narrative weakens and the order becomes imperiled (Kirk 2003; Brands and Edel 2019). Lastly, the ontological narrative contains a story about the future; a story that may be cautionary, hopeful, but is typically both. Where a political order manages to generate a compelling, story about the future – a story in which it is thriving, widely accepted and proven to be “on the right side of history” – it is legitimated and made more resilient by strengthening its capacity to mobilize its constitutive units around a shared agenda of self-confidence, worthwhile sacrifice, and hope for the future. Where the ontological narrative becomes widely disbelieved (e.g. the divine right of kingship is delegitimized by secularization) or loses its future relevance (e.g. the collapse of Soviet Communism), a critical feature of its coherence and long-term viability is lost. The existing order is then faced with an existential dilemma where it either manages to replace its discredited narrative with a new, compelling one (e.g. religion replaced by nationalism) or is eventually replaced by an alternative order that better fulfills the need for ontological security.

The four pillars of political order are interdependent and interactive. The nature of rules and arrangements impacts legitimacy, and the degree of legitimacy impacts the degree of reliance on coercive power, for example. Similarly, whether or not the order possesses a compelling ontological narrative shapes the order's perceived legitimacy and the direction of institutional and procedural developments of the order's rules and arrangements. Indeed, in a deep sense, political order is never a "thing" – it is not a given state of affairs, but rather an ongoing process of interactive ordering (Adler 2019).

The salient points here are two: First, the human story of the political is fundamentally the story of repeated collective attempts to establish and maintain political order. "The first of the soul's needs," as Simone Weil observed in the darkest days of WWII, "is order" (2002, 10). Some of the attempts to establish and maintain functional political orders have been successful – at least for several decades or even centuries at a time – others abortive, others still disastrous (Kirk 2003; Kissinger 2014; Brands and Edel 2019). But the quest for order is ubiquitous and unavoidable. When we lose the sense of equilibrium and protective harmony that living in what we perceive to be a coherent, functioning order provides us, we not only become anxious or nostalgic, we grasp for alternatives. We seek to rejuvenate the old order or fashion a new one.

And second, liberal political orders are a species located within the broader taxonomic category of political orders. Just as not all orders are liberal (in fact liberal order is the historical exception, not the norm) not all liberal ideas amount or are essential to the establishment and maintenance of political order. To merit the name, a liberal order – whether domestic, regional, or international – must possess, to a minimum necessary extend at least, both the quaternary package of elements constitutive of political order generally *and* certain characteristics that distinguish it as a particular type of order. What those distinctive characteristics are is briefly addressed in section II below, but an additional point ought to be made here before moving on. Namely, an understanding of liberal orders as species located within the broader taxonomic category of political orders highlights the need to ensure that they fulfill – to the greatest extent possible – the four constitutive elements necessary for all viable political orders, liberal or otherwise. Such an understanding cautions against the complacent assumption that liberal orders are somehow exempt from the necessity of fulfilling each of those elements. To survive over time, liberal orders must adequately fulfill all four constitutive elements common to all viable political orders. To thrive over time, they must outperform their illiberal/ anti-liberal competitors (Owen 2021).

II. Liberal Orders as Successful Solution-Structures

Human physical and ontological security, coupled with an open-ended quest to deepen and expand individual human flourishing, are at the core of Eunomia. These are fundamentally liberal characteristics of political order. Good political order is essentially concerned with the creation, protection, and gradual expansion of the metaphysical and material conditions necessary for each and every human being to

live a life that is free from fear (about the present and future) and animated by deep meaning, so as to maximize their unique potential for wellbeing and creativity.

This "freedom from fear" – physical and ontological – has been, and ought to remain, at the heart of the liberal project. "We fear a society of fearful people" as Judith Shklar observed in her famous 1989 essay, because systematic mass fear makes human freedom impossible. If we live in fear, we are fundamentally unfree. At a minimum, liberalism demands, every individual must be permitted to write their own life's story – unobstructed by fear of annihilation, cruelty, arbitrary violence, unnecessary coercion, or crushing intrusion – as is compatible with the like freedom of every other individual. Physical and ontological security are the *sine qua non* of good political order. Yet even within the modern era alone human beings have feared most different things at different times and places, and so have striven to create and adapt varying political orders to tackle a succession of changing fears. That responsive adaptation is not merely of historical interest. Our own age is another age of anxiety that spurs us to search for new solution structures to the great fears of our time.

In the remainder of this section, I sketch – in necessarily schematic broad brushes – the claim that contemporary liberal orders represent the cumulative ancestry of three main modern "historical wins" in which those states that adopted more liberal solutions to the great fears of the era triumphed over their illiberal competitors. Drawing on the respective insights of John Owen's writings about the clash of ideas in world politics (2010; 2021) and Noel Johnson and Mark Koyama's book *Persecution and Toleration* (2019), I argue that over the past several centuries, liberal ideas and agents contested with, and eventually triumphed over, their illiberal/anti-liberal competitors in terms of the provision of those conditions conducive for human flourishing, especially physical and ontological security. Liberal orders eventually "won" because they generated superior solution-structures to the great sources of fear of their respective eras.

As John Owen (2010) contends, over the past five hundred years, periodic bouts of transnational ideological polarization have generated repeated grand competitions over the nature of political order. Elites, and eventually wider populations, adopt new forms of political order – via adaptation or revolution – when the material and cultural environment alters sufficiently to pose serious anomalies to the *ancien régime*. As long as enough elites maintain the belief that the old order can weather the challenge, a transnational struggle will ensue among elites over order-preference. In the absence of a clear winner, such contestation will endure across time and space, sometimes for many years or decades. Eventually, however, one type of order proves best able "to meet the essential interests of elites in a stable and secure polity" (Owen 2010, 54). The winning regime is revealed "by the superior performance of its exemplary state – that is, their manifest superiority at prospering under the new social and material environment" (ibid.). Historically, these struggles have been confined to regions. Only since the middle of the twentieth-century has order contestation become truly global in scope.

The three waves Owen identifies are as follows: The first (extending roughly from 1510 to 1688) involved contests over church-state relations, with the "old order" insisting on state enforcement of religious dogma, and a "new order" – which first

emerges in the Netherlands in the 1570s but rises to prominence in England after the Glorious Revolution of 1688 – opting for toleration of religious differences. The toleration-model “won” and spread as England flourished after 1688 and elites in other parts of Europe defected from costly religious wars to the more successful toleration-model. As Noel Johnson and Mark Koyama (2019) demonstrate, moreover, early adopters of religion toleration in Europe not only avoided the horrendous costs of religious war. They strengthened their states' fiscal and administrative capacities and produced superior economic growth, thus bolstering the efficacy of their political orders in terms of power and legitimacy. Religious freedom eventually morphed into a broader, powerful new ontological narrative of modern liberty.

The second wave of struggle, waged (again in Europe) between absolute monarchy, constitutional monarchy, and then republicanism, is effectively decided in favor of some form of consent-based constitutional government by 1870. Again, it is Britain – joined from the 1830s onwards by the United States – that acts as the hefty vanguard whose early opting for limited government makes it better able to accommodate the enormous cultural and economic transformations of the second half of the nineteenth century. When eventually France, Austria, and Prussia all switched to some variety of the constitutional, limited-government model (and even backward Russia signaled liberal reforms) absolutism lost much of its allure for European elites. The ideas and institutions of the rule of law, civil and political rights, free trade, federalism, and democracy first emerged and endured as the result of this “liberal win”.

The third past wave of order-contestation is more recent and familiar. It takes place between bounded-state, market-based liberal democracy, and imperial fascism/Nazism and Communism, and is decided in two distinct phases. German Nazism, Italian fascism and Japanese imperialism are overwhelmingly defeated in 1944– 45, but Soviet and Chinese Communism, and their acolytes, continued the order-contestation (global this time) until it became clear to their elites that their respective existing systems could not effectively compete with that of the US, Australia, Canada, and Western Europe. The watershed events of 1989– 91, in turn, produced a wave of elite defections away from the Communist camp and towards liberal democracy (Diamond 2008; Simmons et al. 2008).

Owen is interested in how dominant state actors promote regime change in other countries during historical waves of competition. Yet his analysis contains important lessons for the historical development of political liberalism and its future prospects. Accepting the broad validity of the historical thread outlined above leads us to a compelling interpretation of the evolution of liberal orders; one that also contains valuable consequences for their future prospects. Viewed through this prism, contemporary liberal order is essentially a “triple distilled” package of normative and institutional goods, accrued over centuries in a series of historical competitions where the liberal solution-structure eventually emerged victorious, having proved superior to its competitors at providing physical and ontological wellbeing. Our modern forms of liberal order – containing the genome of toleration, bounded-statehood, consent-based representative democracy, and the market-economy – are the accrued outcome of repeated successful contestation and selection.

III. Where Do We Go Now?

Liberal orders have survived and proliferated because they have repeatedly proven superior in providing conditions of physical and ontological security that are conducive to human flourishing. At the same time, the evolutionary logic is a cold one. Unless liberal orders are able to once again compete and demonstrate their superiority, we can expect liberal orders to weaken, order contestation to be exacerbated, and elite defections to illiberal competitors to increase. The custodians of liberal orders – domestic, regional, international – must therefore focus their attention on three main sets of organizing principles for liberal renewal:

First and foremost, we must focus on restoring and adapting the internal functionality of liberal orders across the four constitutive pillars of order – rules and arrangements, power, legitimacy, and ontological narrative. This task will involve different levels and areas of reform in different countries and supranational organizations, regional and global, but the salient point is that we fully recognize and grapple with the fundamental need for liberal orders to successfully fulfill each of the constitutive elements of order, and do so more effectively than our competitors. It is precisely because of our high level of normative attachment to liberalism that we must assiduously avoid the complacent expectation that it will somehow endure and triumph over its adversaries. The arc of the moral universe *can* bend towards justice, but it does not do so on its own volition.

Second, future-oriented work on the renewal of liberal orders should focus on gaining a far better understanding of the meaning of what constitutes true human flourishing and the kind of institutions and environments we require to nurture and sustain it across generations. Over the past two centuries liberal thinking has often been dominated more by economic considerations of material wellbeing – especially sheer economic growth – than by questions of human belonging, attachment, and deep meaning; more by Adam Smith's *The Wealth of Nations* than by his *The Theory of Moral Sentiments*. Without minimizing the importance of the former, we have generally neglected the latter, particularly in our social, educational, public health, and environmental policies. The dire results of this long-term neglect are now manifested in widespread societal anxiety, feelings of human loneliness and redundancy, and deaths of despair. Rejuvenating liberal orders in the 21st century must focus on these, not strictly or exclusively economic, dimensions of human need.

Lastly here, present and future leaders of liberal orders must correctly identify "the great fears of their time" and work to solve or mitigate them with a view to maximizing physical and ontological wellbeing so as to advance the conditions necessary for individual human flourishing. The transition from ancient to modern liberty – as Benjamin Constant taught us already in 1819 – was supposed to involve a transition away from existential politics. Yet today many of our deepest collective fears amount to the return of existential risk, including nuclear proliferation, environmental damage, and human redundancy at the hands of super-intelligent machines (Ord 2020). If faced with the choice between survival and authoritarian rule, most human beings will (reluctantly) veer into the hands of authoritarianism. Our task, in the coming years and decades, will be to generate liberal solution-structures – technological, societal, economic, and political – that provide greater physical and

ontological security in the face of those risks than the ones offered by our illiberal/anti-liberal adversaries.

ABOUT CDDRL



Since 2002, the Center on Democracy, Development and the Rule of Law (CDDRL) at Stanford University has collaborated widely with academics, policymakers and practitioners around the world to advance knowledge about the conditions for and interactions among democracy, broad-based economic development, human rights, and the rule of law.

CDDRL bridges the worlds of scholarship and practice to understand and foster the conditions for effective representative governance, promote balanced and sustainable economic growth, and establish the rule of law. Our faculty, researchers, and students analyze the ways in which democracy and development are challenged by authoritarian resurgence, misinformation, and the perils of a changing climate.

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