Was Hayek a Rationalist?[[1]](#endnote-1)

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This essay considers the degree to which Friedrich Hayek’s political thought is a form of rationalism, despite his important and profound criticism of and antipathy toward this phenomenon. It does so by reading him through the critical lens of one his most insightful friendly critics, University of Calgary political scientist Tom Flanagan. Flanagan’s appreciation of Hayek is leavened with a criticism, drawn in part from Eric Voegelin’s criticism of ideology as Gnosticism, that Hayek, in not being sufficiently attentive to politics, is vulnerable to the very rationalism (or to use Hayek’s preferred term, “constructivism”) he criticizes.

The editors of this volume describe rationalism, the common object of critique of the thinkers covered in this volume, as the effort to replace practical reason guided by experience with abstract rules generated by theoretical reason. It is the replacement of practical reason with theoretical reason as the guide to politics, which has characterized utopian ideologies of the past hundreds of years. The rationalist is roughly synonymous with the ideologue who wishes to arrange political society according to some plan of political perfection designed by abstract reasoning. The attitude of the rationalist conflicts with the practical wisdom of the statesman, as described by Winston Churchill:

The world, nature, human beings do not move like machines. The edges are never clear-cut, but always frayed. Nature never draws a line without smudging it. Conditions are so variable, episodes so unexpected, experiences so conflicting, that flexibility of judgment and a willingness to assume a somewhat humbler attitude towards external phenomena may well play their part in the equipment of a modern Prime Minister.[[2]](#endnote-2)

Because he seeks perfect justice, the rationalist seeks to rearrange political society with the precision of a mathematician while practical wisdom acknowledges the messiness, tensions, and ambiguities of political life. Practical wisdom affirms nature’s smudging of lines while the rationalist does not tolerate it.

The term, “rationalism,” is most closely associated with Michael Oakeshott’s famous essay, “Rationalism in Politics,” though as we shall see, Flanagan uses the term to describe Hayek. There Oakeshott describes the attitude of the rationalist:

At bottom he stands (he always *stands*) for independence of mind on all occasions, for thought free from obligation to any authority save the authority of “reason.” His circumstances in the modern world have made him contentious: he is the *enemy* of authority, of prejudice, of the merely traditional, customary, or habitual.[[3]](#endnote-3)

The problem with the rationalist is not that he ignores experience but how he reduces it to formulaic explanations predicated upon his own authority as a rationalist:

He does not neglect experience, but he often appears to do so because he insists always upon it being his own experience (wanting to begin everything *de novo*), and because of the rapidity with which he reduces the tangle and variety of experience to a set of principles which he will then attack or defend only upon rational grounds. He has no sense of the cumulation of experience, only the readiness of experience when it has been converted into a formula.[[4]](#endnote-4)

Oakeshott and the other critics of rationalism discussed in this volume note that the rationalist does not oppose authority per se. Rather, he replaces existent authorities (e.g., tradition, society, religion) with his own, as the apotheosis of reason. He opposes the authority of received custom, for instance, not only because he asserts the authority of rationality, but he asserts the authority of *his* rationality which is paradigmatic for humanity. The notion of spontaneous order offends the rationalist because it imputes historical change to causes other than his wisdom. Voegelin noticed how ideologues who construct a historiogenetic theory of history (e.g., Hegel, Marx, Husserl) always place themselves at the headship of the third (always three stages!) and final stage to signal that their ideological construction is the culmination of history and consummation of all political wisdom. This is motivation, for instance, behind Thomas Hobbes’s declaration that *Leviathan* constitutes the perfect and complete political teaching.[[5]](#endnote-5) Presenting oneself as the apotheosis of history and wisdom is a signal achievement of *libido dominandi* and at the root of how Voegelin understood ideology in terms of a Gnostic belief in the activist transformation of humanity. Rationalism fundamentally is a manifestation of the will to dominate other human beings.

This essay asks whether Hayek was able to extract himself fully from rationalism, despite his massive criticisms of it. University of Calgary political scientist Tom Flanagan’s treatment of Friedrich Hayek raises important questions regarding Hayek’s fundamental understanding of politics and history. On the one hand, Hayek’s defense of liberty is based upon a Burkean appreciation of tradition and historical change. “Spontaneous order” has its own rhythms and causes that governmental “legislation” only harms when it intervenes. On the other hand, Hayek had a progressive view of history that has much in common with liberals including J.S. Mill and Immanuel Kant that led him to think of history as moving toward a universalist cosmopolitanism. The two strains seem to be at odds with one another. When describing his own intellectual pedigree, Flanagan labeled himself a “neo-Austrian” whose “unique synthesis of Voegelin and Hayek” combines Hayek’s “immanent” inquiry into the nature of social order with Voegelin’s concern with the transcendent.[[6]](#endnote-6) He found Hayek’s “immanent” inquiry cannot grasp the fundamental questions of politics in the manner that Voegelin’s “transcendent” inquiry can. Indeed, Hayek’s own reflections upon “transcendent” matters depend upon, from Voegelin’s perspective, deformed “immanentist” symbols of Enlightenment progressivism. Asking whether Hayek was a Gnostic is meant as a provocation, but one that invites us to explore the adequacy of his theory of society and history. To what extent is it not merely “immanent,” but “immanentist”?

Flanagan explained Hayek’s own concern for the transcendent. In his 2010 article, “Friedrich Hayek y la Filosofía de la Humildad,” Flanagan explains that Hayek alone can provide the “intellectual basis for the different strands of modern conservatism to make common cause in politics. For those who want a market-oriented economy, it provides a sophisticated explanation of property rights and free exchange. For social conservatives troubled by the decline of religion and traditional morality, it explains the importance of relying on inherited wisdom.”[[7]](#endnote-7) Even so, while Hayek was agnostic for most of his life, Flanagan notes that as his thought “matured,” he better recognized the value of religion as a tradition. The priest at Hayek’s Roman Catholic funeral stated, “He was also always somebody looking for an answer to the problem of religion and he had a continuous internal battle with the concept we call God. He always resisted an anthropomorphic God. He didn’t want a God just a little bit more than man.” Even so, Flanagan gives us reason to think that Hayek never came to a satisfactory position because he provides a quote by Hayek, made late in life, that suggests a view of God that is in fact “just a little bit more than man”: “Perhaps what many people mean in speaking of God is just a personification of that tradition of morals or values that keeps their community alive.”[[8]](#endnote-8)

Hayek’s “Science of Legislation”

Flanagan states he converted to Hayek in 1977 after reading The Constitution of Liberty. His 1984 article, “Hayek’s Concept of Constructivism,” which also draws upon Hayek’s vaster work including Law, Legislation, and Liberty, is a masterful reading and synopsis of Hayek that is both appreciative and contains criticisms. He provides lucid explanations of some of Hayek’s key ideas, especially spontaneous order, law versus legislation, organization (taxis) versus order (cosmos). He elaborates the reasons Hayek’s approach to politics and society is an excellent recipe for political liberty because human beings necessarily lack synoptic knowledge of their society. They are embedded in a tradition whose origins, history, and development they inhabit but cannot surmount. Knowledge of the totality of society being impossible, we lack as well the ontic capacity to make order because we cannot possibly predict the myriad ways our actions will produce harmful effects.

Hayek’s argument is not a recipe for political quietism so much as an important twentieth-century effort of the Enlightenment project of the “science of legislation” that argues that justice is a rule that obliges us to treat others as ourselves and equally. It is the political articulation of the Golden Rule or Kant’s categorical imperative whereby, in Flanagan’s summary, “[i]n seeking their interest under certain rules of honesty, justice, and respect for agreements, men create an order in which the pursuit of private gain leads them to serve the interests of others.”[[9]](#endnote-9) Justice is found only in a legal order that treats all individuals equally and as they would treat themselves. It is a legal system that secures justice as process, not justice as ends because it has the humility to acknowledge that ends cannot be predicted. The best we can do in politics is establish just laws that treat everyone equally, with the expectation that if outcomes do not conform with the wishes of certain individuals, those same individuals can still benefit from those regime of laws because the condition of their own individual prosperity can only come through those same laws. It is the regime of second chances, as it were, where justice is prized for its own sake for the system. But we have to have some faith in its long term consequences for individuals.

It is for this reason Hayek criticizes “social justice” so severely. Advocates of “social justice” see injustice when they see the outcomes of the just legal system fail to match the preferences of certain individuals or groups of individuals. In response they think that by rectifying the particular situations of those individuals and groups, they are improving their lot as well as that of society. But they are not because their actions conflict with the principles of justice of treating everyone equally. This occurs because they either fail to acknowledge or they ignore those they harm when attempting to rectify the situation of those they purport to benefit. They also fail to acknowledge how little they understand the consequences of their actions. Individuals simply lack the synoptic perspective over the law that would be necessary to break the universal law under which they live. The legerdemain attempt by advocates of “social justice” to do so is an illusion, a lie. It is roughly for this reason Flanagan compares Hayek’s critique of “constructivism” to Voegelin’s critique of gnosis. The two Austrians provide comparable critiques of many of the same figures of the rogues’ gallery of recent revolutionary times, though they approach the same problem from different directions: Hayek from immanence, Voegelin from the transcendent.

Flanagan agrees with just about all of the key points and analyses offered by Hayek, and we can see just how rigorous and robust Hayek’s “science of legislation” is and how far it forces us not simply to take the free market seriously as a moral good, but how much it takes the practice of justice seriously. Any criticism of the “Open Society” or “Great Society,” Hayek’s main terms, drawn from Karl Popper and Adam Smith respectively, for his quasi-Kantian “kingdom of ends,” whether from the political left or right, must take Hayek into account.

But it is Flanagan’s criticisms of Hayek that interest me and that help me make sense of his claim regarding his “neo-Austrian” synthesis. They are perfunctory but I think that if you follow the direction of his comments, and our hunting dogs, they are actually quite devastating. He lists two main ones and they are connected.

Great Society as Abstraction, Individuals too as Abstractions?

First, Flanagan explains how Hayek views of human progress as an increase in the abstractness of social relations. The Great Society of spontaneous order is the purest expression of these abstract relations because it lacks purpose, and finds its unity only in the rule of law and not in anything like shared common ends or political friendship:

[It] has no purpose beyond facilitating the various ends of its participants. Like Jouvenal, Hayek insists that the only intelligible meaning of the term ‘common good’ for society as a whole is the maintenance of a system of rules which makes human action possible. The Great Society is one in which agreement is obtained about the means of action in order to allow men greater access to ends of their own choosing.[[10]](#endnote-10)

This abstractness and purposelessness leads Flanagan to point out a “gap in Hayek’s otherwise logical treatment”:

His Great Society is a purely abstract concept denoting the totality of human transactions and the web of interrelationships. It is not a concrete community bounded in space and time. Men live in the means-connected order of the Great Society, but they also live in ends-connected communities that give purpose to their lives. These communities are bound together by specific emotional ties: friendship (philia) in the polis, dynastic loyalty in the empire, nationalism in the nation-state.[[11]](#endnote-11)

In what parts of life do we treat people as means to facilitate my desires, and in what parts of life do we treat people as ends in themselves? The market is predicated upon a system that leads us to treat others as means for ourselves despite our intentions. But there are areas of life where we must actually intend to treat them as ends in themselves. Again, where is the dividing line?

Here Flanagan registers his disagreement with Hayek, who dismisses these “ends-connected communities” as “tribalistic,” as a retreat into barbarism, animalism, a regression in history. But Flanagan counters with the basic observation that:

These communities are essential to keep the Great Society in being. If other human beings are only means to my ends, what incentive do I have to abide by the rules of conduct that make the Great Society functional? I am always tempted to be an ethical ‘free rider,’ lying, cheating, or stealing to promote my own interests. To constrain a society of purely self-interested individuals who regard each other only as means, there would have to be such a powerful coercive apparatus of rule enforcement that Hayek’s liberalism would be destroyed. Only if men share a mutual sympathy based on common purpose can they be counted on to refrain from plundering each other. Or in other words, community is necessary to the Great Society.[[12]](#endnote-12)

Flanagan’s view that ends-connected associations are essential to sustain the Great Society is Burkean and Tocquevillian in outlook. Flanagan claims this argument could be integrated into Hayek’s thought without disturbing the larger structure of his ideas. But I am not so sure for reasons Hayek himself provides. However, I also think Flanagan’s reasons are superior to those of Hayek. Flanagan, though appealing to premodern societies whose purposeful form makes them inferior to the Great Society, is not simply one of those “moral philosophers” who “simply… wallow in the emotions inherited from the tribal society without examining their compatibility with the aspirations of the universal humanism that they also champion.”[[13]](#endnote-13)

If I could restate Flanagan’s criticism of the Great Society more along Hayekian or Kantian lines, I think he argues that in the Great Society we treat everyone as ends. It is a kingdom of ends, to borrow Kant’s phrase. However, spontaneous order actually prevents us from knowing what that fully means because we cannot understand ends in that manner because they reside outside our cognitive horizon of the Great Society. The Great Society is organized to treat individuals as ends but we as citizens know no better than to treat others as means and our actions are restrained by law. This is why Flanagan notes that it is usually enough for us to know how to act morally, but we do not need to know why.[[14]](#endnote-14)

Part of the reason has to do with the intellectual humility Flanagan sees in Hayek. He observes for Hayek that the market is not simply a system of allocation, but also a system of discovery because consumers do not fully know their own desires, nor producers their capacities.[[15]](#endnote-15) Indeed, our selves are not fully present to us. Intellectual humility suggests we only have the capacity to treat each other as means because neither we, nor our relations are fully present to us. For the same reasons, Kant’s formulation of the kingdom of ends presents the same problem when he notoriously describes the right of marriage as the “reciprocal use that one human being makes of the sexual organs and capacities of another.” [[16]](#endnote-16) For critics of the Enlightenment, Kant’s formulation represents a commodification of human capacities, the crudest form of treating others as means. However, as David Walsh has observed, Kant is simply pointing out the difficulty of representing how we treat others as ends when the person, who has the status of being an end in itself, is not fully present to us in a condition of right. Instead, Walsh explains that husband and wife “may possess one another externally, but it is a complete giving by which they receive one another in turn. Both are given and received in their full humanity in the recognition that ‘acquiring a member of a human being is at the same time acquiring a whole person, since a person is an absolute unity.’ Marriage is thus only the appearance of possessing as an object what cannot be possessed as an object. In the case of human beings, the part can stand but cannot contain the whole.”[[17]](#endnote-17)

Let me restate the problem in the following manner. Hayek agrees with Kant’s view of the kingdom of ends.[[18]](#endnote-18) However, Kant is more attentive to the problem that we cannot treat individuals as ends simply by hoping the general justice of the ethical system in which we inhabit will produce good outcomes. While both thinkers contribute to the Enlightenment project of the “science of legislation,” Kant wants us to treat individuals as ends through the exercise of practical reason whereby our application of that legislation is predicated upon the obligations we have to the other in his concrete personhood, and not to the general system. To borrow Hayek’s formulation of the market, for Kant the moral life is a system of discovery and not simply of allocation of universal laws.

Then there is problem that Hayek’s intellectual humility has to face: whether we have sufficient assurance that the kingdom of ends itself is just. Given all the ways individuals suffer from impersonal social and economic forces that are well beyond their control, telling them to wait for the long-term balancing of forces can be a little thin for some. They ask themselves whether their moral strivings worthwhile in the end. We are like Glaucon who wishes to see justice defended for its own sake and for its consequences. Even if that perfection lies in a realm outside of the Great Society or indeed of politics, it still helps to be able to know what it looks like and have assurance that our world is structured in such a way that right can make might, instead of vice-versa. But the cognitive condition in which the Great Society places us in obliges us to take treating others as ends as a matter of faith. All we know is to treat others as means not only for the facilitating of our own ends, but for the ends of the Great Society. We have to have faith that the neutral state will secure the consequences for justice. The citizen of the Great Society needs courage to face this uncertainty. But what kind of courage?

Intellectual Humility, But Excessive Courage?

Hayek is undaunted in acknowledging this faith when, in one of his few nods to Smith’s Theory of Moral Sentiments instead of Wealth of Nations, he describes the transformation of “moral sentiments” that enables the Great Society to come about:

The moral progress by which we have moved towards the Open Society, that is, the extension of the obligation to treat alike, not only the members of our tribe but persons of ever wider circles and ultimately all men, had to be bought at the price of an attenuation of the enforceable duty to aim deliberately at the well-being of the other members of the same group.[[19]](#endnote-19)

The rise of the commercial society lessens the chance that there will be conflict between universal principles and particular relations. There is now less chance that a magistrate, like those of Rome, would face the conflict of having to condemn his own son to death. The conflict between our obligation to justice and our loyalty to our own has lessened dramatically: “We have learned to avoid the gravest of such conflicts, and in general to reduce the requirements of formal justice to what is compatible with our emotions.”[[20]](#endnote-20)

This is because we have learned it is better to better to invest in better tools to reduce costs than to distribute among the poor and it is better to help thousands of unknown strangers than a few neighbors.[[21]](#endnote-21) Indeed the free economic system has produced a level of material prosperity that can render charity and friendship obsolete, in a Baconian sense where technological conquest of nature renders perhaps renders great virtue obsolete in certain contexts.[[22]](#endnote-22) Hayek’s claim does raise questions regarding the extent to which self-interest can replace charity and friendship, as well as questions regarding how individuals should treat their close relations in their projects of investment. One can also wonder whether Hayek’s concept of spontaneous order is up to facing the ecumenic challenges of technology and planetary rule.[[23]](#endnote-23) Does crowd-funding of weapons-grade uranium – for peaceful, commercial purposes, of course - really assure us of a peaceful world?

Hayek chooses Kant over Smith when he asserts the moral superiority of cosmopolitan friendship over personal friendship.[[24]](#endnote-24) He states: “In its purest form this ethos regards it as the prime duty to pursue a self-chosen end as effectively as possible without paying attention to the role it plays in the complex network of human activities.”[[25]](#endnote-25) This is an outstanding statement and reflects the Kantian view that moral intent, not consequence, is the sole consideration of right and wrong. The principle is all. Or elsewhere:

What man probably found most difficult to comprehend was that the only common values of an open and free society were not concrete objects to be achieved, but only those common abstract rules of conduct that secured the constant maintenance of an equally abstract order which merely assured to the individual better prospects of achieving his individual ends but gave him no claims to particular things.[[26]](#endnote-26)

Hayek here seems to treat individual persons as abstractions, as mere means to our own ends. Ostensibly this is not quite true because he is describing our relations to others within a system of ends. But given the limitations of our knowledge of that kingdom of ends, it would follow that as individuals we would indeed treat individuals as mere means.

Above I compared Hayek to Kant but this is not quite right because Kant wants us to treat individuals as ends. Hayek also wants us to treat individuals as ends because in contracting with them we respect them. However, as Kant probably knew better, respect must be leavened with love, just as private and public right are sustained by virtue, even in civil society at some level. Kant writes: “The principle of mutual love admonishes them constantly to come closer to one another; that of the respect they owe one another, to keep themselves at a distance from one another; and should one of these great moral forces fail, ‘then nothingness (immorality), with gaping throat, would drink up the whole kingdom of (moral) beings like a drop of water.’”[[27]](#endnote-27)

Hayek’s inadequate way of articulating the Kantian problem of how we possess persons “as if” they were things – or how we treat people as means even though they are ends – is an iteration of the old question concerning the status of the individual for Platonism. Can we love an individual for his own sake, or simply as a ghostly refraction of an impersonal idea?[[28]](#endnote-28) Whither the person? One can fancifully imagine our face-to-face encounters with individual persons in Hayek’s Great Society of ends might look similar to Evelyn Waugh’s description of the ghostly melancholy associated with the love that always looks past the individual, as persona non grata, for something more: “’Perhaps,’ I thought, while her words still hung in the air between us like a wisp of tobacco smoke – a thought to fade and vanish like smoke without a trace – ‘perhaps all our loves are merely hints and symbols; vagabond-language scrawled on gate-posts and paving-stones along the weary road that others have tramped before us; perhaps you and I are types and this sadness which sometimes falls between us springs from disappointment in our search, each straining through and beyond the other, snatching a glimpse now and then of the shadow which turns the corner always a pace or two ahead of us.’”[[29]](#endnote-29)

Though undaunted by the increased abstraction in the Great Society, not only of our general obligations but also our personal obligations in the Great Society, Hayek acknowledges how “tribalism” can re-emerge on account of our having to choose the ends of humanity over those of our group or society:

When we can no longer know the others or the circumstances under which they live, such a duty becomes a psychological and intellectual impossibility. Yet the disappearance of these specific duties leaves an emotional void by depriving men both of satisfying tasks and the assurance of support in case of need.[[30]](#endnote-30)

As with Kant’s notion of cosmopolitan friendship, for Hayek we must take humanity as the object of our moral action. He acknowledges this produces an “emotional void” by depriving us of the value of our close relations, and this seems connected to demands for “social justice.”[[31]](#endnote-31)

Any appeal to a society’s common purpose is a regress into barbarism, whose only possible contemporary form seems to be Carl Schmitt’s “friend-enemy distinction.”[[32]](#endnote-32) Only when confronted by an existential threat can a free society appeal to common purpose, though Hayek fails to explain the complex web of principles and justifications that would follow from that choice, including whether, in cases of national emergencies where necessity obliges statesmen like Lincoln to suspend laws to save the republic, would render inadequate Hayek’s understanding of justice as rules because it might lead one to look past those rules and to virtue, just as it led Lincoln, when he refounded the U. S. Constitution, to look past the Constitution to, among other sources, Shakespeare and the Bible.[[33]](#endnote-33) The demands of this kind placed upon statesmen seem to elude the vision that Flanagan summarizes as “Rational statesmanship is the cultivation of society, the enforcement and patient improvement of the rules of conduct upon which spontaneous order rests.”[[34]](#endnote-34)

Yet it is this “emotional void” as well as the ontological void that resides beyond law that drives much of modern revolutionary action. Like Hayek, modern revolutionaries treat law in evolutionary terms, giving their own revolutionary action the aura of spontaneity or natural process.[[35]](#endnote-35) Given our epistemic limitations, how is the average citizen to know the difference? Hayek obliquely acknowledges this problem when he observes that the wise economist, who wisely counsels that economic forces will balance themselves out if government leaves them alone, will fail to be very convincing: “but, as he is usually unable to predict precisely how this would happen, his assertions were not very convincing.”[[36]](#endnote-36) I think Voegelin’s analysis of modern revolutionaries offers a more penetrating analysis of their actions and motivations. From his perspective and more penetrating philosophical anthropology, Hayek’s defense of the Great Society is an attempt to restrain a process that Hayek is himself too committed to. Voegelin’s assessment might be similar to that of Nietzsche’s description of Kant as the great-delayer of modernity. Like Kant, Hayek sets out an ethical standard critical of western revolutionaries but it is too naïve and shares too many of their own principles really to get to the core of their critique.

Hayek as “Constructivist”?

The spiritual problems that arise from the epistemic ones brings me to Flanagan’s second criticism of Hayek. I mentioned above that it is related to the first, and I can treat it more succinctly because I have already touched upon it. He observes that for Hayek, social evolution yields results greater than what individuals can consciously devise, while at the same time holding that human beings gain greater understanding of that evolutionary social process which makes it possible for them to think of making improvements to their situation. Knowledge of evolution might suggest to us that we can guide evolution. Flanagan comments how:

Commentators have noted that Hayek has not made it entirely clear how men, who move within an order they can never wholly comprehend, can hope to improve it through intentional design. This is one of several tensions in his thought that arise from his unique combination of liberal rationalism and the conservatism of Edmund Burke.[[37]](#endnote-37)

Flanagan raises the possibility that Hayek’s own thought might be too imbued by the very constructivism he rejects.

Even so, Hayek, right after providing the example of the economist who necessarily fails to demonstrate the long-term balancing of economic forces, explains how his work has the character of a “constructivist” when he explains the utopian character of his idea of the Great Society:

Yet it is only by constantly holding up the guiding conception of an internally consistent model which could be realized by the consistent application of the same principles, that anything like an effective framework for a functioning spontaneous order will be achieved.[[38]](#endnote-38)

Hayek concedes “utopia” is a dirty word because constructivists have used it to redesign society. Yet Hayek insists the term is useful to describe his own project: “But an ideal picture of a society which may not be wholly achievable, or a guiding conception of the overall order to be aimed at, is nevertheless not only the indispensable precondition of any rational policy, but also the chief contribution that science can make to the solution of the problems of practical policy.”[[39]](#endnote-39) It is this kind of statement that Michael Oakeshott likely had in mind when he refers to Hayek as an rationalist or ideologue of liberty: “This is, perhaps, the main significance of Hayek’s Road to Serfdom—not the cogency of his doctrine, but the fact that it is a doctrine. A plan to resist all planning may be better than its opposite, but it belongs to the same style of politics.”[[40]](#endnote-40) Indeed, it is for this basic reason that Flanagan thinks Hayek stops short of being a fully useful political thinker. He is too much of a rationalist, and for this reason Flanagan turned to biopolitics better to understand the nature of human beings as political animals.[[41]](#endnote-41)

For Hayek, producing a recipe or doctrine for utopia is not simply a matter of using the methods of one’s enemy to defeat one’s enemy. Indeed, Hayek’s rejection at all levels of expedience over principle would seem to rule this tactic out. Rather, his adopts this tactic because it is the “chief contribution” of science that wants to be practical. It is the abstract science that seeks concrete ends. Yet if the ends of the Great Society are abstract, then Hayek’s “ideal picture” of it, as logical and profound as it is, does not match the abstract ends that it postulates. Perhaps it never can. Perhaps science must always provide a “picture,” even of abstract entities like the Great Society. To try more would go beyond the scope of science, into apophatic mysticism perhaps. Or perhaps a science based upon a different set of propositions. Perhaps Hayek could not overcome his Kantian commitment to develop an “internally consistent model” or system which Kant saw as the task of philosophy.[[42]](#endnote-42) This system-building is the rationalist dream. Perhaps a Voegelinian empirical political science with its attention upon the “in-between” or metaxy can address this problem. Indeed, Hayek’s “utopia” that he admits paints an “ideal picture” resembles mythpoesis which he claims misleads the constructivists.[[43]](#endnote-43) Perhaps Voegelin’s own account of mythopoesis could help clarify these matters.

Despite these thorny epistemological and metaphysical perplexities in his thought, Hayek was attracted to the Great Society because it offered a great field of action. There the entrepreneur could test his talent and take his risks. This is why he refused to call himself a conservative: “They typically lack the courage to welcome the same undersigned change from which new tools of human endeavors will emerge.”[[44]](#endnote-44) It is not so much that liberals are smart and conservatives are dumb, which was the view of Mill and his liberal successors. For Hayek they are equally dumb because they both have severe limitations on the knowledge they can gain. If anything, conservatives are dumb and liberals are dumber on account of their presumptuousness. More important for Hayek, liberals are brave and conservatives are cowards. Ignorant of the consequences of one’s actions but assured by faith of the justice of the rules by which one proceeds, it is better to act with daring. The principle is all. But as we have seen, Hayek does not fully account for the ways we lack such assurance of that principle.

Conclusion

Though Flanagan travels far with Hayek, he expresses reservations when Hayek fails to explain adequately how, in the Kantian terms I have been using, we treat concrete individuals as ends in themselves. This seems to be the clearest expression of how “immanentism” corrupts his “immanent” theory of politics and history, and the main reason Flanagan ultimately judges Hayek insufficient as a political thinker. The two parts of Flanagan’s “neo-Austrian” synthesis work together in tandem. The Hayekian might view the Voegelinian as one of those misguided prophets like Plato or Augustine who confused rules of spontaneous order in a civilization for eternal laws or truths; the Voegelinian might view the Hayekian as a great-delayer like Kant, setting out an ethical standard to stop western revolutionaries but too naïve and sharing too many of their own principles really to get to the core of their critique. Between them lies the possibility for political prudence that Hayek’s thought calls for but does not adequately deliver. The critique of constructivism or of rationalism is insufficient, as is alerting us to the residues of constructivism.[[45]](#endnote-45) Instead, the study of rationalism or constructivism must go beyond Hayek and recover practical wisdom in its fullest depth.

1. An earlier version of this essay was published in Voegelinview.com, August 5, 2015 (<https://voegelinview.com/was-hayek-a-gnostic/)>. [↑](#endnote-ref-1)
2. Churchill, “Herbert Henry Asquith,” in *Great Contemporaries*, edited by James W. Muller, (Wilmington, DE: Intercollegiate Studies Institute, 2009), 137. [↑](#endnote-ref-2)
3. Michael Oakeshott, “Rationalism in Politics,” in *Rationalism in Politics and Other Essays*, (Indianapolis, IN: Liberty Fund, 1991), 5-6. [↑](#endnote-ref-3)
4. Michael Oakeshott, “Rationalism in Politics,” 6. [↑](#endnote-ref-4)
5. See Thomas Hobbes, *Leviathan*, edited by Edwin Curley, (Indianapolis, IN: Hackett Publishing, 1994), 135 and 496. [↑](#endnote-ref-5)
6. Flanagan writes: “Barry [Cooper] and I had been schooled in the thought of Eric Voegelin, though I moved on to become a Hayekian in 1977, after I read The Constitution of Liberty (I label my unique synthesis of Voegelin and Hayek ‘neo-Austrian’” (“Legends of the Calgary School: Their Guns, Their Dogs, and the Women Who Love Them,” in Hunting and Weaving, Empiricism and Political Philosophy, eds., Thomas Heilke and John von Heyking, (South Bend, IN: St. Augustine’s Press, 2013), 23. [↑](#endnote-ref-6)
7. Flanagan, “Friedrich Hayek y la Filosofía de la Humildad” (2010). The quotation is taken from the original English manuscript. I thank the author for providing me with a copy. [↑](#endnote-ref-7)
8. Ibid. [↑](#endnote-ref-8)
9. Flanagan, “Hayek’s Concept of Constructivism,” in Sophia and Praxis: The Boundaries of Politics, ed., J. M. Porter, (Chatham, NJ: Chatham House Publishers, Inc., 1984), 108. He also wrote “F. A. Hayek on Property and Justice” in Theories of Property: Aristotle to the Present: Essays, eds., Anthony Parel and Thomas Flanagan, (Waterloo, ON: Wilfred Laurier University Press, 1979), 335-57. I have focused on the “Constructivism” article because it focuses more on the “philosophical” concerns that illuminate Flanagan’s “neo-Austrian” synthesis. [↑](#endnote-ref-9)
10. Flanagan, “Hayek’s Concept of Constructivism,” 111 [↑](#endnote-ref-10)
11. Ibid, 111. [↑](#endnote-ref-11)
12. Ibid. Compare this with Roger Scruton’s appeal to Hegel’s communitarianism in his appreciative critique of Hayek (“Hayek and Conservatism,” in The Cambridge Companion to Hayek, ed., Edward Feser, (Cambridge: Cambridge University Press, 2006), 208-231. Hayek’s description of God as tradition, cited above, resembles Hegel’s Geist more than the God of Athens, Jerusalem, or Rome. [↑](#endnote-ref-12)
13. Friedrich A. Hayek, Law, Legislation, and Liberty, vol. 2, (Chicago: University of Chicago Press, 1976), 149. [↑](#endnote-ref-13)
14. Flanagan, “Hayek’s Concept of Constructivism,” 108. [↑](#endnote-ref-14)
15. Flanagan, “Friedrich Hayek y la Filosofía de la Humildad.” [↑](#endnote-ref-15)
16. Immanuel Kant, Metaphysics of Morals, trans., Mary Gregor, (Cambridge: Cambridge University Press, 1996), 61. [↑](#endnote-ref-16)
17. David Walsh, The Modern Philosophical Revolution, (Cambridge: Cambridge University Press, 2008), 67-8, citing Metaphysics of Morals, 62. [↑](#endnote-ref-17)
18. This might help explain Hayek’s positive view of Rawls, a Kantian, in Law, Legislation, and Liberty, despite the whole point of Rawls’s work being to justify redistribution. McNamara suggests they both share a “general intellectual framework,” which I would describe as Kantian legislation (Peter McNamara, “Hayek’s Unsentimental Liberalism,” in F. A. Hayek and the Modern Economy, eds., Sandra J. Peart and David M. Levy, (New York: Palgrave MacMillan, 2013), 28n.28.). [↑](#endnote-ref-18)
19. Hayek, Law, Legislation, and Liberty, vol. 2, 146. For details on Hayek’s neglect of Theory of Moral Sentiments, see McNamara, “On Hayek’s Unsentimental Liberalism,” 11-28. [↑](#endnote-ref-19)
20. Hayek, Law, Legislation, and Liberty, vol. 2, 148. [↑](#endnote-ref-20)
21. Hayek, Law, Legislation, and Liberty, vol. 2, 145. [↑](#endnote-ref-21)
22. This is the basic argument of Steve Pinker’s The Better Angels of Our Nature: Why Violence Has Declined, (New York: Penguin, 2012). Leah Bradshaw remarks that if there has been a decline of violence, it has been bought at the price of technology’s capacity to “sanitize” the “ugly” bits of our condition in a way that has made us utterly dependent upon that technology. If there ever came a crisis where that technological system broke down, all hell would break loose (“’Are We Getting Better’: A Review of Pinker’s The Better Angels of Our Nature,” Anamnesis: A Journal for the Study of Tradition, Place, and ‘Things Divine,’ November 2013 (<http://anamnesisjournal.com/2013/11/steven-pinker-better-angels-nature-violence-declined-new-york-viking-2011/>). [↑](#endnote-ref-22)
23. See Tom Darby, “On Spiritual Crisis, Globalization, and Planetary Rule,” in Faith, Reason, and Political Rule Today, eds., Peter Augustine Lawler and Dale McConkey, (Lanham, MD: Lexington, 2001), 35-65. [↑](#endnote-ref-23)
24. Here I follow Lauren Brubaker who argues that Smith’s “impartial spectator” is not the aggregate viewpoint of humanity, but rather Smith’s model for the intellectually and morally mature man, his friend David Hume (Lauren Brubaker, “’A Particular Turn or Habit of the Imagination’: Adam Smith on Love, Friendship, and Philosophy,” in Love and Friendship: Rethinking Politics and Affection in Modern Times, ed., Eduardo A. Velásquez, (Lanham, MD: Lexington Books, 2003), 229-62). Smith’s universal perspective is found in the particular. This is a nod in Smith toward a virtue-ethics instead of the legalism that Hayek’s Kantianism ignores. Of course, Kant was not always Kantian, as he seems to have learned the categorical imperative from Joseph Green. [↑](#endnote-ref-24)
25. Hayek, Law, Legislation, and Liberty, vol. 2, 145. [↑](#endnote-ref-25)
26. Hayek, Law, Legislation, and Liberty, vol. 3, 164. [↑](#endnote-ref-26)
27. Kant Metaphysics of Morals, 198-99, quoting Haller’s “Über die Ewigkeit.” I attempt to elaborate some of these thorny problems in, “’The Sum Total of Our Relationships To Others’: Kant on Friendship.” (forthcoming). [↑](#endnote-ref-27)
28. For a recent treatment of this question with regard to personal friendship in Plato, see James Rhodes, “Platonic Philia and Political Order,” in Friendship and Politics: Essays in Political Thought, eds., John von Heyking and Richard Avramenko, (Notre Dame: University of Notre Dame Press, 2008), 21-52. [↑](#endnote-ref-28)
29. Evelyn Waugh, Brideshead Revisited, (New York: Penguin, 1945), 345-6. [↑](#endnote-ref-29)
30. Hayek, Law, Legislation, and Liberty, vol. 2, 146. [↑](#endnote-ref-30)
31. In his review of Hayek’s writings on Mill (Hayek on Mill: The Mill–Taylor Friendship and Other Writings, ed., Sandra Peart, [Chicago: University of Chicago Press, 2015]), Cass Sunstein remarks that Hayek was “obsessive” about Mill’s relationship with Harriet Taylor but ultimately he could not understand the eros between them. His regard for tradition conflicted with what appears to be some admiration for their “experiment in living” (“John and Harriet: Still Mysterious,” New York Review of Books, April 2, 2015 (<http://www.nybooks.com/articles/archives/2015/apr/02/john-stuart-mill-harriet-taylor-hayek/>)). [↑](#endnote-ref-31)
32. Hayek, Law, Legislation, and Liberty, vol. 2, 149-50. [↑](#endnote-ref-32)
33. Both Hayek and Voegelin are both products of and critics as well of Kelsen’s Austrian positivism. Only Voegelin gets out from under the positivist view that law is in essence a set of rules, which makes his critique of positivism deeper (“The Nature of Law,” in *The Nature of Law* and Related Legal Writings, vol. 27, Collected Works of Eric Voegelin, eds., Robert Anthony Pascal et al., (Baton Rouge, LA: Louisiana State University Press, 1991), 1-69. For a concise rendering of the difference between the rule of law and the rule of virtue, see E. A. Goerner, “Letter and Spirit: The Political Ethics of the Rule of Law Versus the Political Ethics of the Rule of the Virtuous,” Review of Politics, 45(4) October 1983: 553-75. Scruton’s comment regarding Hayek’s “vulnerability” over the difference between law and virtue is on the mark: “Suffice it to say that the Aristotelian approach to morality, in terms of the virtues and vices of the human character, made little impact on thinkers brought up in the atmosphere of ‘methodological individualism.’” (“Hayek and Conservatism,” 230n.21). [↑](#endnote-ref-33)
34. Flanagan, “Hayek’s Concept of Constructivism,” 118. [↑](#endnote-ref-34)
35. Goerner, “Letter and Spirit,” 565. [↑](#endnote-ref-35)
36. Hayek, Law, Legislation, and Liberty, vol. 1, 63. [↑](#endnote-ref-36)
37. Flanagan, “Hayek’s Concept of Constructivism,” 109. More recent efforts to explicate this tension have been provided by Chandran Kukathas (Hayek and Modern Liberalism, (Oxford: Clarendon Press, 1989)) and John O’Neill (The Market: Ethics, Knowledge, and Politics, (London: Routledge, 1998)). Even so, Scruton observes of this tension that the “concept of evolutionary rationality is designed precisely to defuse this tension” (“Hayek and Conservatism,” 230n.19). [↑](#endnote-ref-37)
38. Hayek, Law, Legislation, and Liberty, vol. 1, 65. [↑](#endnote-ref-38)
39. Hayek, Law, Legislation, and Liberty, vol. 1, 65. [↑](#endnote-ref-39)
40. Michael Oakeshott, “Rationalism in Politics,” 26. [↑](#endnote-ref-40)
41. Personal communication with author. [↑](#endnote-ref-41)
42. Kant, “Critique of Practical Reason,” in Practical Philosophy, trans., Mary Gregor, (Cambridge: Cambridge University Press, 1996), 212, 144‐45. [↑](#endnote-ref-42)
43. Hayek, Law, Legislation, and Liberty, vol. 3, 166. [↑](#endnote-ref-43)
44. Friedrich A. Hayek, The Constitution of Liberty, (Chicago: University of Chicago Press, 1960), 400. [↑](#endnote-ref-44)
45. See comments by Tilo Schabert, “Commentary: The Residue of Constructivism,” in *Sophia and Praxis: The Boundaries of Politics*, 125-7. [↑](#endnote-ref-45)