

## TRANSCENDING GENETIC LIMITS

by

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### I. Introduction

The overall topic for the congress “Humankind at the Beginning of the Third Millennium,” is indeed inclusive. Perhaps all participants should commence with a precautionary disclaimer. I suspect that our minds are not genetically capable of thinking in terms of millennia—centuries perhaps, since these temporal units are at least approached by some of us biologically. But there must exist genetic boundaries or limits on how far our minds can effectively extend either to speculate about alternative futures or to reconstruct narratives of our history that are not recognized in our observed traditions. Millennial thinking demands that we supersede temporal constraints that are surely as binding as those along other dimensions.

Having made this disclaimer, however, I presume that the intent was to challenge us to make such an effort nonetheless. I accept this challenge, and I shall try here to offer my own assessment of the historical development of humankind over the millennia about which we have some rudimentary knowledge, followed by a provisional diagnosis of our present state along with some questions about the future.

A preliminary apology is also necessary to those who resent my sometimes cavalier invasion on their disciplinary turf. I claim no expertise in biology or in history. I remain what I have been—a

professionally trained political economist who has wandered over into ethics, law, philosophy, and politics on odd occasions. But, also as an economist, I suggest that there are advantages from specialization in science as in everything else.

My thesis may be stated succinctly. The history of humankind through several millennia may be interpreted as a sequence through which the animality of the human species has been transcended, more or less successfully and with some backing and filling. We have moved beyond the limits that are genetically programmed into the biological units that are distinguishable as humans. I make no claim that this millennial progression has been teleological in the sense that it has been driven by some underlying purpose or that it has been smooth. And I do not suggest that the human effort that has gone into movement beyond biology has been consciously directed toward well-defined end-states, even when such effort is institutionally localized. The historical sequence has surely combined some mix of unintended and intended consequences of human action—some blend of nonbiological evolution and design.

Throughout its history, humankind has existed in the presence of that which we might call a gravitational pull toward animality—toward reversion to the baser instincts that are hard-wired within us all. The gravity metaphor is helpful; it is as if we are kept “aloft,” in orbit as it were, in the socio-cultural, economic-political, ethical-spiritual worlds that we variously inhabit, by an intricate network of behavioral norms which themselves operate to motivate action within a complex set of institutional constraints. Failure to attend to the necessary functioning of these behavioral norms and their facilitating institutional structures must, indeed, allow the gravitational pull to achieve dominance, with predictable consequences.

The implication is clear; humankind must recognize its own vulnerability. Its leaders must act consciously to forestall the reversion of the species toward its natural genetic state. It is at least minimally irresponsible to acquiesce in some faith in a process of cultural evolution, and it is emphatically irresponsible to join into and support those forces that elevate animal appetites to normative acceptability.

The argument is developed as follows: in Section II, the millennial sequence is sketched out in terms of the theme of the continuing conflict between genetic limits and efforts at transcendence. Section III is diagnostic and, in particular, examines the implications of both “the death of God” and “the end of history,” again organized through the central theme. In Section IV, modern communitarian criticisms of liberalism are discussed, with an emphasis on the dangers inherent in any support, even if indirect, for tribal urges. Section V is a more specific comparison of the American and European prospects for resolving the modern dilemma. The argument converges, in Section VI, on a plea for consideration of a confederalized structure of human interaction that will somehow harness persons’ impulses of compassion toward members of their own tribes (natural or artifactual) and their willingness to treat others beyond tribal limits in accordance with norms of generality enforced by a universalized rule of law. Section VII concludes the paper.

## II. A Selected Run through History (With Apologies for the Neglect of Non-Western Cultures)

The ancient Israelites, through the introduction of monotheism, were able to shift personal loyalties from the tribe to the nation. Worship of a single God and obedience to laws as laid down and interpreted by chosen prophets—these became the identifying markers for membership in supratribal association.

Persons sublimated their tribal differences, at least to an extent necessary to allow them to secure an ordered peace among the separate tribes in the nation. The categorical dividing line between “us” and “them”—between fellow and foreigner—was shifted outward. Those to be classified as enemies and thereby vulnerable for destruction were persons within the nation who refused to recognize the authority of God along with all those who were outside and beyond the nation itself.

The contribution of Paul (not Jesus Christ) was to extend the community of fellows beyond the nation and to make adherence to the shared religion the unique classificatory criterion. Nonnationals were made eligible for membership in the set of persons bound together in mutually reciprocating interactions. The heretic alone remained as outsider vulnerable to destruction.

The unifying authority as the church-as-community, monotheism as institutionalized, along with the ultimate failure of classical Rome to retain supratribal loyalties to its structures of law and governance, offered the historical bridge that allowed humankind to make the transition through several terrible centuries without total reversion to tribal anarchy and disorder. Rome failed because the “law and order” that it did bring to those within its jurisdiction proved inadequate in commanding the necessary solidarity for institutional survival.

Who was a Roman? There was neither ethnic nor religious community identification, and personal loyalty to structure, to law as such, was not enough unto itself, and especially as its agents were observed to be personally corrupted.

The medieval church was successful because its suprasecular orientation offered personal salvation through the activities of its institutions, thereby diverting attention from the observable behavior of its own agents. And, by contrast with Rome, the church did not wholly collapse; its unifying structure

remained as complement to the emerging replacement authority of the developing nation-states. In one sense, the rise of the modern nation-state as the church lost its authority can be interpreted as historical retrogression. The movement clearly represented reversion toward the base of tribal animality from which humankind had commenced its slow progress to civil order, even if, as noted, the nation, as a unit, remained larger than any tribal unit. With some notable exceptions, however, (for example, the Hapsburg empire before World War I), modern nations-states of Europe were organized as groupings of closely related, if separate, tribes, with considerable ethnic homogeneity among members.

Intranational tribal conflicts were sublimated, however, only by the emergence of international conflict, sometimes itself artificially generated and also exacerbated by religious quarrels. The presence of identifiable external enemies served to solidify loyalties to the nation-state, as such, and to keep intrastate conflicts within the bounds of potential rather than actual.

As with Christianity in the earlier epoch, the Marxist gospel arose in the nineteenth century as an inter- or supranational ideology that demanded loyalties from its adherents that included subversion of national commitments. Post-Enlightenment liberalism, exemplified in its Wilsonian idealization, was plunged into the twentieth century's long dialectic struggle with Marxist-inspired socialism. The external enemy that Soviet communism represented allowed Western nation-states to meet communitarian urges; little or no effort seemed needed to constrain potential ethnic, racial, tribal, or religious strife.

The Cold War ended abruptly and quietly in the 1989-1991 revolutions. The unexpected disappearance of the external enemy that was international communism leaves the sometimes fragile social order in Western nations vulnerable to tribal resurgence.

### III. The Death of God and the End of History

Humankind at the end of the millennium must deal with both Nietzsche and Fukuyama. Religion, either in its institutional embodiments or as a set of precepts for personal behavior, no longer serves as an effective constraint against our baser animalistic drives. Without a notion of sin in some abstract or generalized sense, many humans tend to act, one toward another, as guided by their instinctual classificatory systems. The humanist ideal of a generalized, nonreligious set of ethical rules seems to be of limited effectiveness.

As the century ends, there may exist little or no sense of shared ethical community among persons who qualify for membership in the large nation-states. In the absence of an external enemy, common citizenship, as such, does not suffice, and membership in the human species carries little behavioral implication. There is no reference point evoked by worship of the same God, who will either “take care of” or punish.

I do not ignore the existence and modern growth in the number of persons who espouse fundamentalist religious precepts, and who seem, indeed, to behave as if their God remains alive to offer them both succor and threat of retribution. I suggest, however, that until and unless the relative size of these groups extends to a larger proportion of the interacting social nexus, there may be little effect on the stability of society. Segregation will, of course, emerge from voluntary efforts to lessen the disruptive effects of nonreciprocating and essentially antisocial behavior, but any such segregation is, itself, a measure of the shortfall in efficiency from the potential that would be promised by the presence of generalized norms of conduct.

The “death of God” has been functionally destructive to social order as well as to material prosperity. The “end of history” seems likely to exert comparable effects. As Fukuyama (1992) noted, the long dialectic between individualism and collectivism ended. But this dialectic, itself, served social purpose in the creation and maintenance of an external enemy (international communism as embodied in the evil empire that was the USSR). In the half-century after World War II, the American psyche, in particular, was formed in the presence of a potential threat to the established order, which came to be identified in nationalistic terms. In the Cold War ambiance, persons acquiesced in extensions of political authority which, in themselves, now tend to increase the vulnerability of institutions in the postwar setting.

With the end of history in Fukuyama’s parlance, what “cause” can rally citizens, what can raise their moral sights beyond their natural proclivities? Abstracted liberalism, libertarianism, or traditional conservatism—none of these seem able to measure up to the task.

#### IV. The Communitarian Challenge

The modern social dilemma has been recognized by the communitarians. These critics of existing institutional structures correctly sense the failure of these structures—political, legal, economic, cultural, religious—to offer persons the subconsciously demanded sense of membership of “belonging” that allows self-definition, individually, in such fashion as to create a distinction from the anonymous “others” with whom personal identification is psychologically infeasible.

The organizational umbrellas are simply too inclusive to allow for anything but a stance of personal anonymity. The individual, as such, remains one among many, and as an individual carries little

or no responsibility for the “others,” most of whom remain ciphers even if not enemies. A central theorem in modern public choice theory states that persons will not rationally invest in securing information about collective-choice alternatives, even in fully democratic decision structures, because of the minuscule influence that any one person’s behavior is expected to exert on ultimate outcomes. The force of this proposition is inversely related to the size of the membership in the collectivity.

Precisely the same logic may be extended to the emotional “investment” in the totality of any collective enterprise, as represented in its formal structures and procedures as well as in the patterns of outcomes. Any sense of effective participation is attenuated as numbers increase, and any assessment of collective action as self-selected is also lost. At some point, the individual comes to feel herself to be subject to the dictates of the collectivity rather than a party to the complex exchange process from which collective action emerges. (See Nozick, 1974, pp. 290–92, and, more generally, see Buchanan, 1954, 1978.)

The image of the nonencumbered person (Sandel, 1996) whose role in the collectivity is exclusively defined through formalized procedures does not provide a basis upon which genuine community or commonality of interest may be established. More or less by default, individuals are likely to shift attention from the large collective enterprise and to examine themselves as “situated” (again Sandel, 1996), that is, defined by criteria (racial, ethnic, cultural, religious) other than potential formal participation (citizenship) in inclusive political organizations.

The Cold War provided a persuasive *raison d’être* for the large and inclusive political organization as described by the modern nation-state. Socialist economic management demanded that collectivization be extended overall of the domain of economic interaction. And the same logic seemed

to apply to the regulatory apparatus, even in nonsocialist settings. And we also should recognize that the modern welfare state was put in place, initially by Bismarck, as a reaction to the feared Marxist threat. As it has developed, the welfare-transfer state has increasingly become an arena of pressure group conflict. Politics as observed is best described as mutual exploitation of one group by another; it seems a far cry from being a genuinely “collective enterprise.”

The communitarians are diagnostically on target. Internally coherent social order may not be sustainable in the absence of supraindividual structures that command personal loyalties, respect, and allegiance. Persons can scarcely exist as fully autonomous and separated beings connected one with another only through artificially constructed and grossly overextended institutional networks. The gravitational pull toward more meaningful and smaller units of association may reflect genetically derived yearnings for the tribal identification that has been lost.

The communitarians’ call for decentralization of collective authority—for devolution of political power from large and concentrated units to smaller nodes for governance, for some shift of collectivized coercion to voluntary organization, for general restoration and reinvention of long-lost institutions of civil society—this call may be respectfully received. But it should be heeded only with a critically important proviso attached. The institutional differentiation and diversity that may result must be orchestrated in such fashion as to ensure and protect against classification that matches instinctively recognizable tribal boundaries among persons and family groups. Any such differentiation must be judged to be retrogression toward the “natural” structure of human organization—a shift in humankind’s millennial progress away from tribal warfare.

The genuinely-sensed and near-universal thirst for interpersonal community must not be allowed to become the basis for structural reorganization through which humankind plunges again into intertribal anarchy. *Between Anarchy and Leviathan*—this subtitle for my book, *The Limits of Liberty* (1975) describes a whole range within which viable constitutional alternatives may emerge. But the argument here implies cautionary hesitation in confrontation with communitarian urgings that serve to reinforce rather than to counter what are essentially tribal grounds for association. Diversity based on racial or ethnic criteria for classification may seem to meet communitarian yearnings, but only at the expense of increasing the potential for tribal conflict. The community to which persons might offer personal allegiance should, ideally, be organized orthogonally to tribal or genetic linkages. Black and white, Greek and Jew, Irish and Wasp—these groups may be sharing partners in a common enterprise of local governance—an enterprise that might be granted genuine authority to act autonomously and independently of an overarching central political unit. Persons may find themselves in effective community with others without, at the same time, classifying those beyond such community on ethnic, racial, or tribal criteria. The argument suggests that the organizational units be “artificial” rather than “natural.”

## V. America and Europe

The discussion in the preceding section might be described as “American provincial,” since it seems to be directly relevant to the American setting in which a multiplicity of tribes coexist in a large and inclusive political-legal community, with a nominally federalized structure but without genuine autonomy at the

subcentral levels of authority. In this setting, any devolution of political authority, any differentiation or diversification, must be protected against ethnic, racial, or religious sources of potential conflict.

Encouragement or promotion of such diversity (for example, multilingual education) can be potentially damaging for all members of the inclusive collectivity.

How can the argument be applied in those settings in which national political units—the existing nation-states—do not fit the American pattern and include as citizens-members persons who are themselves broadly homogeneous by genetic origin? European nationalism is, at least in part, racial and ethnic as well as cultural and linguistic, and even the latter nonnatural qualities serve to complement, reinforce, and substitute for genuinely biological linkages. Perhaps to be Swedish, German, French, Danish, or British is a more meaningful unifying source for social cohesion than to be an American. (Note that I do not include Italian or Spanish in my listing.) But it is precisely from supratribal nationalism that Europe's two great wars of the century emerged.

Modern Europe must finally break free of the residues of tribal-cum-national loyalties, whereas modern America must avoid lapsing into its own variants of multi-tribal anarchy. There is a major difference in the very direction for reform in the two continents.

In this context, and at the end of the millennium, there may be some reasons for being slightly more optimistic about prospects for Europe than for the United States. (I exclude Latin American countries from analysis here, although prospects would seem to be more favorable than for either the United States or Europe, at least on the arguments here.) The optimism about Europe's prospects stems from the observation that Europe "as an idea" has already come to command some loyalty, some allegiance, at the expense of the separated national units, and that a genuinely effective federalized

political structure remains within the possible opportunity set (Buchanan, 1990, 1995, 1997). It seems difficult, in 1997, to predict a resurgence of essentially intertribal military conflicts among the separated nation-states of Europe in the new century. At the same time, again assessed from an external perspective, there seem to remain strong residues of national community sensed by the separated citizenries, perhaps sufficient to suggest that the communitarian diagnosis of individualized alienation is less applicable for Europe than for the United States.

A danger for modern Europe lies in possibly excessive political centralization that may accompany Europeanization. But, again from my perspective, this direction of change is necessarily limited because of the absence of a legitimizing ideology or even effective rhetorical argument. Bureaucratic momentum must, of course, always be reckoned with, but can such momentum carry the day, even with leftover *dirigisme* derivative from socialism's conceit?

With the United States, my own country, we live with a monolithic centralized political authority that cannot command even minimally required communitarian loyalties. The direction for reform is clear; authority must, somehow, be effectively decentralized, but without, at the same time, setting up divisions among potentially destructive quasi-tribal (ethnic or racial) lines. The federalized structure of the American polity, as it now formally exists, might seem to offer bases for optimism here. But American mobility, along with our history, is such that the separate states do not, themselves, command personal allegiances. To be "a Virginian" gives me, personally, little or no distinction that enables me to feel an enhanced feeling of "belonging." To be a "southerner" evokes stronger emotional feelings, but American history prevents any reemergence of regional autonomy.

One feature of the American “public philosophy” that is almost totally absent from the European mind-set tends to offset, at least partially, the comparative evaluation of prospects sketched out previously. I refer to the still-present “faith” in “the constitution” (Levinson, 1988) even as interpreted variously by divergent interests. This attitude is quite different from loyalty or allegiance to the national collectivity, as such. Americans, in abundance, have lost respect for and express contempt, even hatred, for “the federal government,” exemplified by the behavior of its political and bureaucratic agents, while, at the same time, they behave with deference and respect toward “the constitution,” defined in their own understandings. In this particular respect modern United States offers parallels with classical Rome. Unfortunately, these parallels extend also to sources for potential breakdown that stem from the observed corruption of political agents.

## VI. In Praise of Federalism

Normative implications of my analysis converge in support for federal structures of political order—structures that divide sovereignty among separated levels of governance over persons. Federalism, as an abstracted norm for political organization, serves several purposes simultaneously. A genuine division of sovereignty, and especially in the presence of viable means for secession, places constraints on the proclivities of central governments to overextend their range of activities and to allow gross inefficiencies in the performance of those activities undertaken. Second, and related, the forces of competition in the performance of those collectivized activities within the assigned sphere of the separate states or provinces in the federalism ensure pressures toward efficiency of the ordinary sort. At least to a degree, competitive federalism introduces the discipline of markets into the politicized sector. Finally,

persons can share more adequately in a participatory relationship; civic responsibility becomes more meaningful in small rather than in large collective units. For these varying reasons, federalism offers common normative components that attract classical liberals, libertarians, and communitarians.

Let me return to the European and American political settings at the end of the century and millennium. As an external observer, who only reluctantly makes any prediction, I should suggest that the movement of Europe toward competitive federalism seems almost inevitable. I cannot foresee a monolithic centralized polity in Europe without some controlling ideology. A Europe that would sublimate the separated historical identities of the peoples does not seem in the cards. A United States of Europe is clearly within reason—a structure within which persons retain their national identities but adhere to the constraints imposed by the openness imposed and enforced by the European constitution and its implementing agencies.

The future for America, my own country, seems less predictable. Ideally, of course, a restoration of a genuine *United States* of America should occur—one in which the separated states recapture some of the authority that has been usurped by the central government over the course of more than a century. But, and in contrast with Europe, the American states are not culturally separable units, and we cannot return readily to an epoch in which meaningful distinctions along state lines are feasible, even should these be otherwise desirable. The danger is that the continuing and accelerating loss of allegiance to the central or federal government, especially as we move past the end of the Cold War, will stimulate the emergence of some modern equivalent of tribal groupings that may, unless checked, plunge the whole society into anarchistic chaos. *Between Anarchy and Leviathan*—the implied question for America seems more difficult for the United States than for Europe.

## VII. Conclusion

Earlier in this paper and on prior occasions, I have found a gravitational analogy to be useful (Buchanan, 1995). I have found the metaphor of a satellite in orbit to be helpful. Humankind may be interpreted as existing in the continued presence of a gravitational force that embodies the genetic constraints of the species, pulling persons and groups toward behavior, one with another, that is dictated by hard wired elements in their nature. I have suggested that we may interpret human history as our more or less successful efforts to escape the gravitational field, at least to the extent that we have attained an orbit that embodies order beyond tribal anarchy. History should have taught us, however, that romantic and idealized dreams of total escape from the gravitational field may prompt disastrous results from ill-conceived efforts to put such ideals into practice. Tragic consequences follow if we forget that we are, and must remain, human animals.

The post-Enlightenment ideal of human beings as liberated from all genetic as well as all historical-cultural-linguistic constraints and sharing little more than membership in the species, while, at the same time, behaving in accordance with some universalizable ethical standards—this ideal must be placed in the nonfeasible set. Nor can the slow processes of cultural evolution be depended upon to ensure progress toward realization of the liberal ideal. We may recognize cultural evolution as a fact of human history and, to an extent, accept Hayek's (1979) claim that the "Great Society" was, in part, achieved only as humankind did escape from its genetically-based limits. But it is precisely because the evolutionary process is cultural rather than biological that deliberately designed institutionalized reinforcement may become critically important in sustaining the momentum of change. Observed

behavioral changes near the end of the century raise disturbing fears that the evolved codes of conduct toward “others” outside genetically determined boundaries may be eroding. The implications of the cult slogans “do your own thing” and “let it all hang out” are clear. Left alone, human beings return to their animal natures.

Perhaps the most important implication of the argument that I have tried to develop in this paper is the need for recognizing the fragility of the institutions of social order, both political and nonpolitical. If the Enlightenment enterprise has failed, as its critics suggest (Gray, 1995) and as its defenders may be forced to acknowledge, efforts must be made to reinforce and to invent institutions that will simultaneously capture personal loyalties, prevent reversion to tribal conflict, and promote the openness toward persons from competing collectivities that seem dictated by modern technology.

As a final note, let me return to the point made in the introduction. Most if not all of my discussion has been relevant to a few decades, perhaps a century, at most. What can we say about humankind and its institutions in the year 2997? Personally, I feel genetically constrained; my mind remains incapable of thinking about millennial futures.

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