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# The Soul of James Buchanan?

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**W**e learned many things from Jim Buchanan. Among the more important is that titles should be felicitous. Ours here is ambitious, perhaps presumptuous, even slightly mischievous (as we shall shortly explain). Our point of departure is Buchanan's paper published in this journal thirteen years ago. In that sense, the leap from "The Soul of Classical Liberalism" (Buchanan 2000b) to the soul of one of classical liberalism's chief expositors and defenders strikes us as natural—and may even meet the felicity test!

First, to the mischief. The truth is that, for Buchanan, a reference to "souls" is decidedly out of character. The term connotes religion, and he was antagonistic toward religion of all kinds. His opposition was not just to "organized" religion: he was (if possible) even less sympathetic to *un*organized populist mystics and new-age spiritualists.

He shared this attitude with his Chicago mentor Frank Knight—and we suspect that this may have been one of the sources of their common feeling.<sup>1</sup> Buchanan was a resolute atheist and a resolute realist about politics: in one of his especially felicitous paper titles, he defined public-choice theory as "Politics Without Romance" ([1979]

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1. In Knight's case, the attitude was perhaps understandable. He had been brought up in a very strict fundamentalist sect, and this experience seemed to have scarred him for the rest of his life. The story is told of his meeting a former student in the cloisters at the University of Chicago well after Knight had retired. On being asked how he was, Knight replied: "I'm in terrible shape. I can't sleep. It's that god d\*\*ned religion: I can't get it out of my mind!" We can, we think, safely assert that Jim had no analogous preoccupation!

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1999). More generally, he hewed to a principled modesty about normative commitments of all kinds. If Jim thought classical liberalism had a “soul,” he would have denied that *he* (or anyone else) had one, at least in any remotely religious sense.<sup>2</sup>

Brennan offers this brief anecdote as a hint of Buchanan’s animus toward religion:

It was Ash Wednesday—probably 1978 or 1979. I had, in the manner of “Episcopalians in good standing,” taken myself to church that morning before work and had been duly signed on the forehead with ashes as a symbol of my mortality: “Dust thou art, and unto dust shalt thou return!” Although one is technically not supposed to do this, under normal circumstances I would have washed off the ashes before proceeding to work. But on this occasion I went directly to the office from church. Though I intended to visit the bathroom to clean up immediately on my arrival, by the time I got to work I had become preoccupied with other things and simply forgot. So it was that when Jim sauntered into my office at around eleven, he immediately pointed at me, and the following conversation ensued:

Buchanan: “What’s that on your face?”

Brennan (somewhat absentmindedly): “Oh, that must be my ashes. It’s Ash Wednesday, and we get marked with the cross from the ashes of last year’s palms from Palm Sunday.”

Buchanan (instantly furious): “That’s god d\*\*ned gross! That’s the grossest thing I’ve ever seen. You going around displaying your religion like that! I might as well go round indulging in indecent exposure!”<sup>3</sup>

The situation deteriorated from there. Jim accused all Episcopalians (including presumably me) of being hypocrites. He announced (in stentorian tones) that the only religious people he had any time for were the Mormons because they at least gave up tea and coffee! I got furious myself. I told Jim that he didn’t know what he was talking about—that he was just tone-deaf to anything of the spirit and that he ought to shut up about things he didn’t understand. It was not a pretty scene. He stormed out of my office. And I remained, storming, within it!

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2. That is the sense in which our own title is perhaps a bit mischievous!

3. This is a somewhat expurgated version of Jim’s actual remark. The original entailed too much anatomical detail to be admissible among this respectable readership!

Then at about four in the afternoon, he shuffled back into my office again in a slightly shame-faced way and half-apologized, awkwardly confessing that maybe he'd been "a bit out of line." And I (having long since cooled down) responded that he had been quite right to be offended and that I more or less shared his views about extravagant displays of religion (which indeed I do).

An uneasy truce was thereby called. But we learned not to talk of religion to each other. It was one of the things that separated us. Something that meant a great deal to me was plainly anathema to him.

This strategy of avoidance didn't much affect our professional relationship—but it did inevitably color the personal. On professional issues, both of substance and of intellectual style, Jim and I were quite close. But there was always a distance between us on more personal matters that could never be bridged, despite some natural affection on both sides.<sup>4</sup>

The takeaway from this account is clear. For Buchanan to adopt for his *Independent Review* paper a title with such a clear religious connotation is decidedly odd. To be fair, he does his best in the paper to define "soul" in terms that excise religion. So "soul" is to be understood as an "animating or vital principle" or a "moving spirit." And Buchanan certainly did have a soul in *that* sense! No one could accuse him of lacking animation or vitality or, for that matter, principle.

Our aim in what follows is to say something about what we see as the central features of that "animating spirit" and "vital principle." In doing so, we largely take as given Buchanan's substantive intellectual contribution. Many of the elements in that contribution do derive from what we take to be the "soul" of the man—what other authors here will describe as the Buchanan intellectual scheme (as we ourselves have done in other places). Rather than the intellectual scheme itself, our focus on this occasion is the underlying "animating spirit" and how it *connects* (and sometimes *doesn't* seem to connect) to the intellectual scheme.

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4. A story with a similar point involves a Liberty Fund conference that Karl Brunner organized on Long Island in the early 1980s. Brunner had been concerned about the rise of "liberation theology" largely because he saw it as entirely innocent of any basic economics and, given the influence of the Roman Church, highly dangerous. His aim in organizing the conference was to confront a few representative theologians with some serious economic analysis, and he wheeled in a number of pretty heavy hitters on the economics side (of whom Jim Buchanan and Armen Alchian were two) to disabuse the theologians of their ignorance. He also invited a number of participants who he thought might broker the conversation from both sides: Paul Heyne, Anthony Waterman, and Geoffrey Brennan. The conference went down in Liberty Fund annals as the "worst conference ever"! Buchanan quickly became furious and began shouting. Alchian never lost his cool but was spectacularly condescending. The poor theologians were more or less blown out of the water but seemed to be entirely ignorant of that fact or, indeed, impervious to anything that the economists recognized as an "argument." Total miscommunication, attendant frustration, and, on Buchanan's part, implacable rage—not typical Liberty Fund fare!

## Origins of a Soul?

We are not of the school of thought that regards an intellectual's work as reducible to his personal history. But some connections in the Buchanan case are worth noting.

The Buchanan family had a political past: Buchanan's grandfather had briefly been governor of Tennessee in the early 1890s as a member of the populist People's Party. This party was a coalition of agrarian interests—mainly poor cotton and wheat farmers from the South and the West. It stood for protection of farmer interests and was notable for its hostility to banks and railroads—and to elites generally. It promoted the policy of railroad nationalization but was generally suspicious of government. This was the political milieu that permeated the Buchanan household, and residues of it remained in Buchanan's attitudes—even though the academic influence in his upbringing lay mainly with his schoolteacher mother.

Jim did his undergraduate degree at Middle Tennessee Teachers College and proceeded to a master's degree at the University of Tennessee. During the war, he served on Admiral Nimitz's staff in the Pacific, and one episode during that period is worth retelling because it reinforces his populist instincts.

When the officer-training intake was first established, it was divided into companies alphabetically by last name. In each company, one of its number was appointed to "lead" that company. In each case, the person chosen had a degree from one of the Ivy League schools; but in the A-B platoon, no such person was available. So someone who fitted this requirement was assigned to that platoon as an "honorary A-B" (in fact, it was someone named "Rockefeller," who turned out to be one of *the* Rockefellers). To Jim, such overt discrimination was outrageous—a violation of natural justice that could still infuriate him years afterward in the retelling.

After the war, Buchanan gave up the prospects of a career in the navy (in spite of his superiors' urgings) to go to the University of Chicago—not back to the University of Tennessee or to Columbia, where he had earlier been admitted—to pursue his doctorate. He said of himself that he went to Chicago as a kind of populist communitarian/socialist, but just a few weeks' exposure to Frank Knight's lectures converted him to a thorough-going free-market enthusiast, which he remained to the end of his life. Frank Knight's portrait was one of two that adorned Buchanan's office walls. The other was of Knut Wicksell—the first strong critic of the idea of a "benevolent despot" and the second of Buchanan's lifelong heroes.

The story of Buchanan strolling around the stacks of the University of Chicago library in the brief interregnum between finishing his dissertation and defending it and in the process discovering Wicksell's 1896 habilitation thesis is legendary. Buchanan's German was good enough to understand the central arguments, and, as he himself used to say, it was as if Wicksell had read his (Buchanan's) mind. In Wicksell, he found not only his lifelong distaste for "modeling government as if it were a benevolent despot," but also the application of the unanimity rule, which in appropriately modified form was to undergird the entire Buchanan normative scheme.

This is not the place to rehearse Buchanan's subsequent career, but there is one feature of it that is notable among Nobel Laureates: namely, that he was always attached to universities decidedly *outside* the U.S. intellectual establishment. He had an offer to go back to Chicago early on, and he spent an unhappy year at the University of California at Los Angeles in the late 1960s, when student unrest was at its height. Otherwise, he remained at institutions in the South (Florida, Virginia, Virginia Tech, and George Mason) and mostly not—at least by the lights of Nobelists—especially distinguished ones. Perhaps (as Jim himself was later to speculate) the “public-choice revolution” really could flourish more vigorously in the “boondocks,” unfettered by academic conventions or orthodoxies. But Jim's distaste for the “eastern establishment” may also have been the real dominant consideration: it is certainly tempting to see this aspect of his career as springing from his populist heritage.

### Buchanan as Classical Liberal

Throughout his professional career, Buchanan called himself a “classical liberal.” As indicated, this was something he learned from Frank Knight and that he held accordingly as a matter of intellectual conviction rather than personal inclination, which he always acknowledged was closer to “libertarian socialist.” Much of his work was concerned with “liberty”—with how to understand it and how best to secure it institutionally. Several of his books have the term *freedom* or *liberty* in the title: for instance, *The Limits of Liberty* (1975) and, most notably, his collection *Freedom in Constitutional Contract* (2000a).

However, as classical liberalism goes, the Buchanan version had some highly distinctive features.

- He felt a deep affinity with the work of John Rawls (e.g., Rawls 1971), both in goals and method. But he doubted the Rawlsian confidence that one reasonable person, or anyone else, could divine the actual form that agreement or consensus might take. Buchanan saw consensus as an emergent property of deliberation, not a deducible product of independent reasoning.
- With his insistence that the rules by which individuals interact must be adopted in “constitutional contract,” his point of departure was implicitly collective, but at the same time he championed methodological individualism. He insisted that all private rights ultimately derive from collective consent rather than from natural law.
- His notion of consent was surprisingly nearly literal. He really meant consent, *unanimous* consent, giving each person a veto over any alterations to the status quo. He was willing to relax this rule to “near unanimity,” but he was equally willing to privilege the status quo in ways that strike many observers as fetishistic. His reasoning was that only with unanimous consent can truly voluntary participation in the social process be assured. No consensus on any change? No change.

- He viewed politics as arising from agreements. But the agreements were founded in a notion of exchange rather than in some fixed notion of consensus on a single policy or choice. As a consequence, his conception of politics was encompassing and multidimensional, allowing agreement to be achieved through accommodations or compromises such as logrolls. Thus, unanimity does not require that every person or demand be perfectly satisfied because that is impossible. Rather, unanimity can be achieved because in most settings it is possible to make everyone better off. This was not, for Buchanan, the slippery fiction of Kaldor-Hicks and “potential Pareto.” Rather, the compensations and side payments required for actual unanimous consent had to be agreed on and implemented.
- He extended the Wickseilian insight that consent required unanimity at the level of policy choices—which was cumbersome—backward to the stage of choices over rules and procedures. The contribution by *The Calculus of Consent* (1962), written with Gordon Tullock, was to describe how unanimous consent on constituting rules might be achieved. Later, in *The Limits of Liberty* (1975), Buchanan offered a more constrained and less optimistic view of constitutions. He rejected anarchists’ claims that society could govern itself without formal institutions of governance, but he also doubted a constitution’s capacity to limit a “productive state” once a state was created. A constitution could properly create and limit only a “protective state,” whose job it was to protect property rights and adjudicate disputes over rules, contracts, and injuries. He was far more optimistic about the “rule of law” than he was about laws themselves.

Despite his espousal of classical liberalism, he rarely attempted directly to define what the liberal commitment amounted to. But when he did, in a late article collected for publication alongside “The Soul of Classical Liberalism,”<sup>5</sup> the definition turned out to be slightly surprising. There, he refers to a “classical-liberal predisposition” and defines it in the following terms: “by a ‘liberal predisposition’ I refer specifically to an attitude in which others are viewed as moral equals and thereby deserving of equal respect, consideration and ultimately equal treatment” (Buchanan 2005, 101).<sup>6</sup> What is intriguing about this definition is the connection to a foundational moral *equality*—not necessarily a central concept in many renderings of the classical-liberal position.

Notwithstanding the distinctiveness of the Buchanan position, he regarded classical liberals as his “tribe”! His 2000 *Independent Review* paper was clearly addressed to that tribe—in a somewhat accusing and perhaps even confessional mode. Perhaps

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5. We’ll have more to say about the larger collection later.

6. The Kantian redolence of this statement is notable and further evidence of the Rawlsian “affinity.” See Kliemt 2011 for a more extended discussion of the Kantian elements of the Buchanan project.

he saw his own work as part of the problem—and perhaps with some justification! (That is a possibility we take up explicitly later on.)

## Buchanan as Anticonservative

We said earlier that we would refer again to the collection in which Buchanan chose to include his “soul” paper. Begin—yet again—with the title: *Why I, Too, Am Not a Conservative* (2005).<sup>7</sup> By Buchanan’s standards, this title strikes us as almost emphatically *infelicitous*! It is as if by its very clunkiness the title was designed to underline just how antagonistic to conservatism Buchanan felt himself to be.

Buchanan must have been aware that his audience contained many self-styled “conservatives”—and that the distinction between conservatives and classical liberals is often blurred. Indeed, throughout the twentieth century, the cracks between conservative and classical-liberal positions have been papered over by efforts from both sides—as if to present a common front to the more pressing enemy. For Buchanan, the cracks were indeed wide, and part of the object of his last book seems to have been to expose how deep the rift is.

Although the title is a clear reference to Hayek’s famous appendix to *The Constitution of Liberty* (1960),<sup>8</sup> Buchanan’s gripe with conservatism was very different from Hayek’s. Hayek’s complaint was that conservatism offers no guidance regarding in what direction one should move: conservatism lacks, as it were, an “animating spirit”; it has no conception of progress and indeed seems committed to the idea that progress is not only undesirable, but actually impossible (1960, 397–411)! Buchanan’s complaint was that conservatism—especially in its political version—is hospitable to hierarchy. It holds that some (a relevant elite) are fit to rule and that the rest are only fit to be ruled—to follow where the elite directs. Nothing could be more alien to Buchanan’s idea of a decent society.

We have already made several references to Buchanan’s populist origins—his commitment to basic equality and equal treatment as well as his deep antipathy to elitism in all its forms. Strikingly among classical liberals, he believed in confiscatory estate and gift duties: beyond a certain minimal level, the rich should be precluded from making transfers to their children! Buchanan nurtured no antipathy to the self-made rich—the Bill Gateses and Warren Buffets of this world. But he had considerable antipathy to the second and third generations of wealthy—the silver-spooned inheritors of dynastic wealth and privilege. He could often surprise interlocutors with the intensity of his antipathy toward the Kennedys. As he saw it, Papa Joe had basically bought the White House as a playpen for his boys.

7. The collection title is borrowed from another essay in the volume—a paper also written for the Mont Pelerin audience and providing a vehicle for Buchanan to declare his animating spirit!

8. Ironically, Hayek’s title was a reference to Bertrand Russell’s earlier essay “Why I Am Not a *Christian*” (in Russell 1967, our emphasis). As far as we know, Buchanan was not aware of this fact, but he well might have been.

Indeed, at least some of his uneasiness about political processes was that they often created “privilege” or responded to augment privileges that were already in play. The cadet officer story, told earlier, illustrates this well. On one occasion, after a visit to Oxford, Jim declared that if he had been born in England, he would have been a socialist.<sup>9</sup>

These deep personal biases were sharply reflected in his political thought. He was not a conservative, but a radical, optimistic about the application of human reason to problems of collective action. He rejected completely the Burkean conservatism that required deference to tradition and symbols of merit that were static and inherited. His program reflected hope and optimism. He believed that people ought to craft for themselves the rules of the socio-economic game by which they were to interact. Pride of place was to be accorded to intentional human agency.

In that sense, he was skeptical of top-down applications of reason by technocrats or self-styled intellectual elites. Rules were emergent, the result of conscious and intentional deliberation by people who expected to be able to benefit from participation in the resulting system of rules. Thus, rules that were the product of accidental or historical accretion of customs were suspect, but so were rules announced or imposed by technocrats. The group must intend to choose good rules and must work to arrive at good rules through a process of discussion and mutual adjustment.

In much the same way, faith plays no role in Buchanan’s political theory—neither faith in religion to arrive at good rules through revelation nor faith in the ability of historical processes to do the work of sound rule making. However, Buchanan’s scheme allowed considerable scope for hope. Indeed, to hold the right kind of hope is for Buchanan nearly a moral obligation because, as Adam Smith said,<sup>10</sup> hope may be what rouses men from the sloth that might otherwise be their natural condition. Hope goes with action—with work, with “soul” (as “moving spirit”)! On the Buchanan view, faith by contrast goes with blind acceptance, with piety, and ultimately with ennui and moral death.

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9. One place he says this is in a conversation with Brennan, recorded and produced by Liberty Fund (Liberty Fund 2001, approximately fifty-one minutes).

10. As Smith put it, “Of such mighty importance does it appear to be, in the imaginations of men, to stand in that situation which sets them most in the view of general sympathy and attention. And thus, place, that great object which divides the wives of aldermen, is the end of half the labours of human life; and is the cause of all the tumult and bustle, all the rapine and injustice, which avarice and ambition have introduced into this world. People of sense, it is said, indeed despise place; that is, they despise sitting at the head of the table, and are indifferent who it is that is pointed out to the company by that frivolous circumstance, which the smallest advantage is capable of overbalancing. But rank, distinction pre-eminence [*sic*], no man despises, unless he is either raised very much above, or sunk very much below, the ordinary standard of human nature; unless he is either so confirmed in wisdom and real philosophy, as to be satisfied that, while the propriety of his conduct renders him the just object of approbation, it is of little consequence though he be neither attended to, nor approved of; or so habituated to the idea of his own meanness, so sunk in slothful and sottish indifference, as entirely to have forgot the desire, and almost the very wish, for superiority” ([1759] 1976, 57).

## Buchanan as Political Realist

It is customary to juxtapose dour Burkean conservatism with a dreamy Rousseauian romanticism. If indeed Buchanan was not a conservative—and he clearly was not—was he then a romantic? True, he had earlier said that his public-choice theories were “politics without romance,” but does his invocation of the soul mean he recanted? If so, the recantation is a devastating one. Buchanan’s entire scheme seems committed to the idea that people can be persuaded, by force of the best arguments, that certain kinds of rules are better *for them* than other rules. If, as he often remarked, his various works were efforts in persuasion, it was persuasion based on reasoning, as if with moral equals, not on emotive appeals or demagoguery.

Further, Buchanan’s working assumption for much of his “public choice” was that agents in politics pursue their own interests. When describing the public-choice approach, he would often point to “rational self-interest” along with methodological individualism and “politics as exchange” as this paradigm’s defining features. The assumption in the “soul” paper seems to be otherwise: that agents (and especially ordinary citizens) in politics need inspiration—they need something to cheer for—and that mobilizing that optimism and enthusiasm is a primary task for any who would seek to make a difference in politics.

To be fair, Buchanan was always somewhat ambivalent on the *homo economicus* issue. His 1984 paper “Voter Choice” (written with Brennan) picked up and elaborated on points that he had first made in his 1954 paper contrasting political and market choices, and in that sense he foreshadowed much of the work subsequently carried on under the banner of “expressive voting,” in which the special role of symbolic and expressive action is a central feature.

At a minimum, his reliance on hope and optimism would seem to require that political actors envision and try to bring about conditions that do not yet exist and that might not be feasible. Buchanan puts it this way in “The Soul of Classical Liberalism”:

[P]olitical economists are plagued by the presence of the “every man his own economist” phenomenon. Scientific evidence, on its own, cannot be made convincing; it must be supplemented by persuasive argument that comes from the genuine conviction that can be possessed only by those who do understand the soul of classical liberalism. True, every man thinks of himself as his own economist, but every man also retains an inner yearning to become a participant in the *imagined* community, the virtual utopia, that embodies a set of abstract principles of order. (2000b, 113, emphasis added)

“Imagined”? What could be more romantic than a politics of imagination or, worse—and this is what Buchanan seems to be advocating—the imagination of politics? The

problem of the imagination would seem to be exactly the problem about which Buchanan, following Ludwig von Mises and the Austrian tradition, would seem to be most skeptical. Mises famously averred:

Scarcely anyone interests himself in social problems without being led to do so by the desire to see reforms enacted. In almost all cases, before anyone begins to study the science, he has already decided on definite reforms that he wants to put through. Only a few have the strength to accept the knowledge that these reforms are impracticable and to draw all the inferences from it. Most men endure the sacrifice of the intellect more easily than the sacrifice of their daydreams. They cannot bear that their utopias should run aground on the unalterable necessities of human existence. What they yearn for is another reality different from the one given in this world. . . . They wish to be free of a universe of whose order they do not approve. (1981, 214)

It may be helpful to underline at this point that the distinction we gestured at earlier between “faith” (which Buchanan himself lacked and which he scorned in others) and “hopeful optimism,” which applies concrete human ingenuity to problems and imagined solutions that do not exist, but that might be feasible if tried.

If this distinction is accepted, then Buchanan’s “soul of classical liberalism” connects without seam or wrinkle with traditional Austrian conceptions of entrepreneurial activity. The theory of entrepreneurship, in some measure in Mises but in its fullest flowering in Israel Kirzner, imposes both the lock of profound ignorance and the key of imaginative and energetic awareness.

The Austrian view of immanent ignorance and lack of information accords well with the distinction, made by Buchanan’s mentor Frank Knight, between risk (ignorance, but knowledge of what is unknown) and uncertainty (ignorance even of what is unknown). In the face of risk, it is possible to concoct insurance markets and outline strategies for decision under risk. The implications of rules for outcomes can be forecast, and the problem of rule creation and constituting procedures is decision theoretic. Given an assumption about attitudes toward risk, one might conjecture (as Rawls does, in just this setting) that a particular set of rules will be created.

But if the world is fundamentally uncertain, then opportunities for mutual improvement abound, and such new opportunities constantly make themselves plain. A system of flexible rules, based on property rights and adaptable strategies for cooperating, allows participants to pursue their individual and collective goals. This opportunity to participate in the imagined community, then, does not require romance. It simply requires the intentional application of reason to the problem of rule creation in the face of uncertainty. The rule choosers exercise their ability to imagine the development of new institutions and new economic advances that do not yet exist.

Buchanan can in this sense be thought of as urging an entrepreneurial spirit in the domain of constitutional rules. Unlike entrepreneurship in the market, however, which we can leave to a few especially imaginative or spirited “souls,” this constitutional entrepreneurial spirit is something to which every citizen is called. A great deal of inspiration will be required!

### Faith versus Hope

In this paper, we have attempted to reconcile the “Buchanan of the Soul” with the “Buchanan without Romance.” And at the risk of multiplying religious categories (something of which Jim himself would have been skeptical, as we have suggested), we have appealed to a distinction between hope and faith, as Jim might have put it. We should, on this view, constantly renew our hope but never lapse into faith. “Hope” for Buchanan meant an energetic and optimistic awareness of the possibilities for mutual improvement through the stylized exchange made possible by political rules. The awareness of the constitutional group is like the awareness of the entrepreneur, a restless and intentional human agency that seeks to discover all available opportunities for mutual improvements. It involves a “moving spirit,” a “soul.” Hope and energetic awareness are inspirational, with direct connections to pathways of improvement through human action.

This connection with human agency is in fact the heart of the matter. Religious faith as Buchanan sees it offers no hope for dynamic improvement because it is doctrinal and static. And faith in institutions requires a Burkean adherence to received structures that deserve our deference simply because they have survived from the past. In both cases, faith offers no path by which human agency can be directed to search out new possibilities for gains from exchange.

Hope gives the soul a vision that “if we work together, things will get better.” Faith gives the soul a vision that “if we don’t make trouble, things will get better.” Buchanan was not a conservative: he wanted to make trouble!

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