
The Hocking Primer

Chapter Four: Basic Rights in the Light of Experience

It does not get any easier in this chapter. Not that this stuff is that all that difficult; the problem lies more in it being different. We take words for granted, not knowing quite what they mean. Liberty and equality both sound good. Everyone applauds. But who realizes they are mutually incompatible. And thinking about them requires effort.

The very title of this chapter presents problems. Basic rights are basic, right? What does experience have to do with it? But that is quite the point; they only exist in experience. Hocking makes us think. I almost want to skip over the title and pretend it is intuitive. But it isn't. And this stuff constitutes the blocking and tackling of citizenship—the kind of work we cannot skip over if we expect success.

Hocking addresses the difficulty right away. The issue with life philosophy, as well as with the title, is that when abstract principles meet concrete examples something has to give—most often the principle. But it must not break. We cannot survive without principles. Jefferson asserts we have an unalienable right to life. We agree. But after a few murders? This chap-



ter addresses the exceptions. Hocking looks at basic rights and begins with property.

The notion of property marks one beginning of civilization. It is a notion as essential to the order of the USSR as to the whole meaning of free enterprise. Property is the goal post, without which there could be no game.

I find it interesting that Jefferson's triad of rights differed from Locke's, who outlined the basic principles from which our national philosophy began. Jefferson considers these rights to be life, liberty, and the pursuit of happiness. Locke penned his triad a century earlier and considered it to be life, liberty, and the pursuit of property. John Locke's view works better but sounds materialistic. Jefferson's view suffers from being idealistic. Happiness itself cannot be pursued. It catches up to us when we are busy pursuing something of value. In addition, the term happiness today has a flimsy connotation to it, like competitive shopping or eating too much cheesecake.

I am not surprised that Hocking sides with Locke. Hocking views people as intertwined with the natural world. He does not see us as mental creatures floating above the physical. And he integrates property with the essential part of our nature. It is the medium with which the artist works: no clay, no statue, no paint, no picture; no property, no liberty.

Thus interpreted, property could be described as a small realm of kingship—of complete control (which is why human beings can never be property). Its significance is in limitation of extent, it can confer upon innumerable human beings the qualitative experience of being ruler over a bit of Nature—as builder, shaper, artist—or even as recluse. But this relation to Nature is natural: it is a realization of the human calling to be master of inanimate, to find himself in that capacity, to discover his own quality as reflected in the thriving or non-thriving, the beauty or ugliness, the order or disorder of the small segment of matter subject to his will. Private property, in this sense, is a genuine province of liberty, and a necessary factor in arriving at human maturity.

Still, no property remains independent of community concern. All societies, even the USSR, must maintain a balance between public and private property. This accommodation balances the community's need for survival and the private need for autonomy. After all, food, land, and water are not created by people. They merely modify it. Ultimately it belongs to nature, and hence to all.

It is thus not by argument, nor by concessions to the opponent, but by quiet workings of experience on one's home soil, that ideologies, let me say, concrete themselves, find room for their own antithesis without dropping their theses, and so, by a tacit dialectic, with all banners flying, effect a degree of rapprochement.

There is no clear cut winner in this contest. Private property keeps its identity, but with an accommodation to eminent domain. "Dialectic" is an argument of opposing views that result in a new position incorporating parts of each. That is what this is. It is not like a game ending in a fourteen to fourteen tie. It is like a game transforming into a ceremony. Something new appears.

This is my eighth reading of the book, and I presume some understanding of the work. But there are sections that elude me, and I apparently just skate right by them. In writing this Primer such an action does not readily excuse itself. Worse, I suspect significant insights lie in the material ignored. So it is with his section in this chapter on the self-curbing aspect of liberty. I understand self curbing. It is like satiety. We do not eat until we burst. And I have some loose definition of liberty. But some of his comments I do not understand:

But my present point is that each outer freedom curbs itself, in order to realize the inner freedom from which it springs The self-curb is due to the fact that individual "rights" in their nature universalize themselves. A "right" of property taken as a private perquisite, satisfying greed, ceases to be a right and becomes a mere fact of power. Hence the successful free-enterprise individual, however justly proud of his contribution to public good, finds himself obliged to look around, think whether the rules of the game are perfect, examining his situation under such other heads as Equality and Justice.

I do not understand "universalize themselves". If Hocking were alive we could ask him. But we are stuck speculating. Still, we have guidelines. This section seems to hinge on Hocking's conception of liberty, which he outlines in previous paragraphs. Liberty to him involves a connection between mind and matter. How that happens is never a simple matter, so it is not surprising we might have some trouble here. Hocking defines liberty:

Liberty is an inner life working outward in numerous ways of action. In its outward expression it is not a single right but a cluster of rights, including, with the freedom of enterprise we are now discussing, freedom of speech, press, religion, association. All such outer freedoms are rooted in the inward freedom of thought and conscience.

This inward freedom is absolute, because thought and conscience can only exist as free; and no outer compulsion, no police state, can ever find them or trace them to their hidden springs to arrest or question or banish or destroy or compel them to be other than they are. No outer freedom can be absolute in this sense. All are conditional and any one can be curbed by the State. But my present point is that each outer freedom curbs itself, in order to realize the inner freedom from which it springs. In our present instance, if liberty of the economic man's self-interested struggle for power through wealth had an unchecked scope, nobody would be satisfied, not even the top survivors, individual or corporate.

We feel what we feel and think what we think, although we can reflect on experience after the fact and dress it up for public consumption. Hocking addresses the essence of liberty rather than merely its expression. It is not

simply the freedom to cross state lines, quit a job, or eat seven chicken enchiladas. It is the ability to create from an inner life. And this does entail restrictions. We can't please as we please. Liberty in this view is not simply the right to accumulate all the property in a community just to have it. It implies the need to do something



with it, and that something always has a communal aspect. When we bring something into the world, it is no longer just an inner entity. It becomes something new and therefore subject to different perspectives. Liberty demands responsibility and responsibility is not independent of creation and creation is not independent of community and nature. Accumulation merely for accumulation is not liberty. It is greed. And as such it deserves no sanction or celebration. Quite the opposite.

Hocking continues:

I mention Justice and Equality together. Not that justice necessarily calls for equality, on the contrary, our belief in competition, which is meaningless unless some pull ahead of the others, implies that the game is such as to show whether one or ones deserve to win. If there is cheating, or a large ingredient of luck, or a bad set of rules, the worst man may win; but since the rules were worked out by experience, there

is a presumption of a certain average justice in the winning and hence in the losing. It is not equality of result that justice demands, but equality of opportunity and fair play; given these, it is the significant measurement of unequal merit that is just.

This is important. We function with the presumption the rules are fair. Therefore success should reflect hard work, talent, creativity. We accept other's good fortune like we accept natural events. And probably we arrange our social order on the results. But if the game is rigged, and success is based on fraud (it is), the presumption of right in the world disappears. Then one resents the order. Then there is nothing special about those at the top other than their ability to deceive. The big money today is made by those who have appropriated the currency, which is forbidden in the Constitution, by the way. The appropriation is not a great talent, nor does it reflect hard work and firm character. It basically represents is a group of people who understand the nature of money and use that ability to defraud others. They excuse themselves by evoking the survival of the fittest. It's an elitist mentality, which never ends well.

There is nothing wrong in wealth-difference: there would be something radically wrong if the existing rules of acquisition registered no difference between capacity and incapacity, application and neglect, service and non-service. If our successful brother says, "I earned it," we raise the question, "Did you then create this broad land and open market which made you what you are?" The answer is fated: there is no such thing as a self-made man; no wealth is "just" in the sense of having been created by the owner, in independence of the given setting of his activity. All earning is in an unearned world!



Then we get to guide words of both the American and French revolutions: liberty and equality. Each is laudable, but they are incompatible. The more liberty, the more men as free to act as they see fit, the more men differ in result. The more they are forced to end up at the same place, the less the liberty. These terms operate on different functions. Liberty

has to do with production; equality with distribution. And it does not work well to take from the industry of one individual to fill the needs of another.

For one thing it never meets the level of needs of the recipient. For another, it reduces motivation. If you are going to be taxed 100%, why not go fishing?

So you can be equal with opportunity or equal with result, but not both. People will not all cross the finish line at the same time if not handicapped in some way. So pick one or some combination of both. Hocking feels there should be some limit below which no one can fall. I question that, worrying that it invites indigence. Needs always exceed ability and if broadly defined society will be expected to pull a load beyond its ability. Should we be happy to pay for people who lied to obtain their houses, which they could not afford even if they worked, that they refinanced to support additional consumption, and now trash because the homes will default anyway? There is no pleasure center for taxation. We feel good about increasing our ability to survive. We feel good about offering support that increases mutual ability to survive. But there never was and never will be some pleasure center that applauds the appropriation of one man's effort for another man's benefit. And no threat or ethical demand can make it so.

Hocking clearly states the ideal of equality:

Here the ideal of equality finds its valid meaning: the equal dignity of men of good will; their equal consideration (not equal share) in distributing the total product on principles to be determined by agencies of the whole, rather than by the chances of a tug of war. The equality we stand for has nothing to do with a mechanical identity of income; it has no quarrel with just differentials of reward, as natural incentive to productive effort. It does not decide for us what justice is—the problem of distribution remains unsolved. Only, not equality of income!

It appears that no matter how much we might want a rule for living that simply says something like “cross only at the intersections”, we are always stuck with a dynamic definition. This means that the essence follows the spirit, not the letter of the law. And this means that it is always vulnerable to contamination by men of ill will. Character enters into all human dealings. Principles determine character. We are our algorithms. There appears to be one defining principle upon which everything else is based. It can be described three different ways.

1. Do unto others as you would have others do unto you. (most religions)
2. Treat people as an end, not a means. (Kant)
3. Every man a complete man. (Hocking)

If the above fails to find its way into the essence of an individual, nothing will insure integrity. Character is defined by subscribing to principles and none is more important than respecting others. Laws cannot replace character, nor can threats. Perhaps understanding and truth fosters the development of character. We better hope there is some direction in which to lean in order to support character development, because we appear to be losing ours.



By now it is obvious that my view of American culture is not a good one. Is this what happens as one gets older, when everyone fails to live up to yesterday? Or have we changed? We now have pre-emptive wars, unbalanced budgets, negative savings, limited manufacturing, and indulgent mortgages given to the unemployed guaranteed with money from those who saved. We borrow 80% of the world's savings to support our consumption. Are these good things? Perhaps not, and the day of reckoning has simply not yet arrived.

So what is the patriotic thing to do, hold hands and buy a new SUV like we were encouraged to do after 9/11? Should we face the truth? Do we even know what it is? Does it differ with perspective? These sound like decent questions, but there is no room for them under our "with us or against us" mantra. Maybe might makes right, and my country right or wrong is the highest form of citizenship, but then life becomes win at all cost, and down becomes all the way down. It is a position that places all its bet on the first premise. There is no room for self-correction. It resembles a cruise missile without the cruise. And since it is so sure of itself, it has no need for liberty. Information is not required. "Truth" comes from its own higher power.

That is all scary stuff. Is it true? Apparently so. Maybe it is easier to just turn away. But turn where? We have to follow something. We apparently have three choices: we can follow logic, authority, or God. Each has its problems. We can get the logic wrong. Authority can become corrupt. God always seems to require faith, and faith is, well a leap of faith. I cannot fault

a person for which master he chooses. We all must have one. The problem occurs when he insists everyone chooses the same. That probably occurs in relation to internal doubt, as one tries to convince others to reassure himself. But that does not make the condition less lethal. It only makes it more intractable. There is no liberty in "with us or against us". That is all regimentation and in the end can never work well anyway. Even if everyone on the planet marched lock step, there would be no guarantee of success. Life itself is a risk. (And who would they all march against?)

I think we need to constantly question our positions. It is the essence of innovation and an absolute necessity if one expects to progress or adapt. The world constantly changes. Motivation constantly changes. Autopilot fails to adjust to that. Life is a matter of adjustment. The principles need constant interpretation. The spirit of the law is not concrete. It only becomes concrete in a specific and the specific never announces the spirit. It expresses it. Dynamic is not once and for all, my country right or wrong. Dynamic is closer to "my country as right as I can get it with my best effort in this situation."

If the Emperor has no clothes it might be easier for him to not have that pointed out. But if the weather changes and a cold wind blows, perhaps a coat becomes useful. Nothing is perhaps more dangerous to the survival of a social system than to have it headed by an autocrat surrounded by lackeys. Hocking stresses the strength of a system headed by a leader open to suggestions and surrounded by those who speak the truth. Truth is durable. Praise is not. People will sit forever in a group dealing with honest. They leave quickly when the process becomes an attempt to influence rather than inform. People want to be their own agents, not someone else's.

This is not a short chapter, nor one bereft of important concepts. Hocking addresses differences in the USSR and the USA.

It remains true that the spirit of the USSR opposes wide distinctions of status. There are almost no non-workers living on income from savings or from inherited fortunes. There are a few large incomes for popular artists, novelists, musicians, specialists in scientific research, officers of government; these are all for actual functions in the ongoing life of the nation. The proposition "everybody labors" comes close to the fact. And there is of course no private employing class whose possible exploiting temper could renew revulsion against these functional inequalities.

He then goes on to formulate a list on which the United States and Russia could probably agree and which everyone should probably memorize. Consider it citizenship multiplication tables.

1. *No fixed over-all equality of reward, canceling incentive.*
2. *No destitution within the reach of community aid.*
3. *No extreme group inequalities of income, creating social chasms and inviting functionless indulgence.*
4. *No individual accumulation without corresponding responsibility.*

How simple. How clear. And how little considered. It is no wonder we have problems today. We do not think about what makes us work. Perhaps there is hope. We can learn. Start memorizing.

About the United States:

With this proviso, in contrast to the USSR, we believe in wide differences among men in function, responsibility, and capacity for administering a complex property in such ways as to do credit to the human power to create beauty in the mastery of matter. We cannot compel men by law to use wealth in such a way as to honor human nature—it is in the nature of property that it can be abused; we can only maintain the silent censorship of indulgence, folly, decadence, and know that the survival of our way of life depends on what free men customarily do with their resources.

Whether we achieve justice in distribution is a question we must duly consider. In the rough, we trust to a fair system of property law, which tends to “render every man his due” by giving him a chance to show what his due is. The hidden differences among men we believe to be very great—to the advantage of all—including the differences in imagination, in creating the picture of liberal human living. We accept as a highly imperfect measure of these differences the gamut of tangible services: in the business world, services to companies, corporations, boards, councils, actively competing, combining, splitting, reuniting under the management of heads commensurate with the interests involved. The economic strength of the nation is made up largely by its wealth in these heads: they do not live to themselves alone.

He addresses other issues in the American view of liberty which allows for the element of luck and the excitement of chance. We have an imperfect system that can tolerate diversity provided it does not reach extremes. He addresses the American worker. This was 1959, but it is probably still applicable today.

American labor has its own latent joy in workmanship and pride in production, its own capacity to relate its efforts to national ends—provided the national ends are discernible in the total temper of its industry. If the industry as a whole has no aim beyond its own income, labor could not be expected to hold a higher goal. Let gain-at-all-costs become the ruling ambition of business, then the USA is indeed weak in a vital spot, and poor in the midst of riches.

We are not there yet.



