

attenuating and moderating inevitable change. Or, as Schumpeter himself put it, “[T]he bringing about of transitions from your social structure to other social structures with a minimal loss of human values, that is how I should define conservatism” (quoted on p. 141). Medearis effectively shows that Schumpeter’s insistence on the underlying dynamism of social processes was reflected, too, in Schumpeter’s critique of equilibrium economics, especially the neoclassical theories of Carl Menger, Léon Walras, and William Stanley Jevons, for focusing too much on microeconomic behavior and its effect on prices and production, rather than the socio-historical trajectory through which economic identities and institutions were created and would continue to be transformed in the future.

But if politics and economics are both in perpetual motion, what could a coherent conservative project entail beyond slowing the pace of change and repeatedly warning against overestimations of individual rationality? Medearis does not face the potential thinness of Schumpeter’s conservative vision and, instead, reiterates the central thesis of his earlier book on Schumpeter (*Joseph Schumpeter’s Two Theories of Democracy*, 2001): that Schumpeter favored “Tory Democracy,” a symbiosis of bourgeoisie and nobility, in which aristocratic elites oversee capitalistic innovation and expansion, much as occurred in nineteenth-century England and the Habsburg Empire a youthful Schumpeter had hoped to see preserved. The precise extent of Schumpeter’s endorsement of Tory Democracy remains unclear, as Medearis himself seems to acknowledge that Schumpeter’s explicit embrace of the ideal was confined to the period surrounding World War I. But even if we follow Medearis’s suggestion that Tory Democracy, with its “appreciation of semifederal political leadership” (p. 131), is a unifying commitment informing the Schumpeterian corpus, there are numerous questions about the content of this ideal: how it can encompass the formally aristocratic societies of nineteenth-century England and Austro-Hungary as well as the democratic United States of the 1940s, just how semifederal leadership serves to protect capitalism in ways that other types of leadership do not, and how the commitment to what appears to be a lost nineteenth-century ideal does not contradict Schumpeter’s other claims about ineluctable social transformation. That Medearis does not fully answer these questions is less a criticism of his scholarship than of Schumpeter, who simply does not seem to have worked out a comprehensive social vision and, for this reason, may perhaps deserve the scalpel treatment he usually receives.

The book’s examination of that part of Schumpeter most known to political scientists—his theory of competitive elitism—is informative and insightful. It traces the influence of this theory on successive social scientists who found in it the roots of their own descriptive, social choice, and economic models of democracy. It also recognizes,

unlike many other treatments, that Schumpeter’s skepticism about not just the rationality but the *existence* of clear and meaningful political volitions among sizeable portions of the electorate on many issues makes Schumpeter as much a critic of economic approaches to democracy like Anthony Downs’s “median voter theorem” as the inspiration Downs thought he was. What is not included, however, is examination of progressive, left-leaning appropriations of Schumpeter. While it is true that most on the left reject Schumpeter (something that itself might have been treated in more detail), in recent years, there have been attempts (e.g., see Ian Shapiro, *The State of Democratic Theory*, 2003) to appeal to Schumpeter’s notion of competitive elitism as a critical, *moral* standard for reforming democratic politics (making parties more competitive and leaders more subject to risk), as opposed to its more usual enlistment in the endorsement of the status quo. Including such perspectives may have disturbed Medearis’s classification of Schumpeter as a conservative, but further validated what must be his larger ambition: to demonstrate the importance of Schumpeter as a political thinker.

Nonetheless, the book provides a very good introduction to Schumpeter’s life, his ideas, and their influence on and relevance to contemporary debates about capitalism and democracy. Together with his previous book on Schumpeter, the work here should establish Medearis as the leading scholar of Schumpeter for political scientists.

#### **Empathy and Democracy: Feeling, Thinking, and Deliberation.**

By Michael E. Morrell. University Park: The Pennsylvania State University Press, 2010. 232p. \$60.00. doi:10.1017/S1537592710003762

— Robert B. Talisse, *Vanderbilt University*

Deliberative democrats have won the legitimacy debate. Democratic theorists now must hold that some form of public deliberation is necessary for legitimacy, or explain why not. Accordingly, current democratic theory is focused on the details of deliberativism: Who deliberates? With whom? For how long? About which questions? By means of what kinds of reasons? These discussions are often highly technical, relying on subtle distinctions among, for example, “reasons all could accept,” “reasons acceptable to all,” and “reasons no one could reject.” This precision is required, though sometimes tedious. Still, a concern lurks: Should it turn out that even modest conceptions of deliberative democracy cannot be implemented, the rigorous theorizing will have been for naught.

One approach to implementation focuses on institutions. Deliberativists propose various innovations, ranging from a new national holiday devoted to deliberation and a fourth “deliberative” branch of government to modest interventions involving media regulations. These proposals have met with criticism. Yet even if their practicability and desirability is conceded, we confront the fact that

democracy does not live by institutions alone. There is a different set of implementation issues, issues concerning the political activities of citizens.

Here there is reason for skepticism. If deliberativists hold that democratic decisions are legitimate only if they are preceded by public processes by which citizens offer one another reasons in support of their favored policies, then deliberative democracy proposes an impracticable model of politics. On any consequential political issue, there will be *too many* reasons to consider and *too little* time for everyone to speak.

These matters were brought into focus by Robert Goodin ("Deliberative Democracy Within," *Philosophy & Public Affairs* 29 [2000]: 81–109), who argued that since it is impossible for each citizen to engage deliberatively with every other citizen, citizens must develop capacities which could enable them to make others "imaginatively present" in deliberation. Goodin held that in order for democracy to be deliberative, citizens must inject into their deliberations the considerations of others whom they can only imagine; only then can deliberative democracy claim to be responsive to the reasons of all citizens.

Goodin's problematic supplies the background to Michael Morrell's book. Morrell contends that deliberative democracy cannot keep its "promise" to "give all citizens equal consideration" unless a suitably developed conception of empathy is introduced into the deliberative process (p. 12). Actually, this way of stating Morrell's thesis is too weak; he intends to go beyond Goodin (pp. 99–100). Morrell holds that empathy provides not a supplement to the usual public reasoning prescribed by deliberative democrats but, rather, a recasting of the entire deliberativist enterprise so that it places empathy "at the heart of deliberation" (p. 128).

Unfortunately, the precise contours of Morrell's reorientation are difficult to discern. This is due mainly to the circuitous route he travels. The book begins with a rudimentary survey of the usual suspects in deliberative democratic theory. Chapter 3 offers a history of the concept of empathy and a description of the model of empathy that Morrell embraces. Chapter 4 returns to the usual suspects, charging each with "ignoring" empathy (p. 67). In Chapter 5, the author concedes that the first 100 pages of his book do not amount to a case for his thesis (p. 101). The remaining 95 pages of text are devoted to arguing that deliberative democracy requires empathetic citizens. Given the boldness of his thesis, it is not surprising that his arguments come up short.

Morrell repeatedly asserts that "democracy needs the process of empathy" (p. 158). What does this mean? Sometimes he says that empathy must be placed at the "heart" of deliberation (pp. 159, 187), elsewhere we are told that deliberative democracy must "take seriously," "incorporate" (p. 158), and "embody" (p. 189) empathy, or that empathy is "vital" (p. 101) and "necessary" for proper

deliberation (p. 126). Sometimes he claims that deliberation must "promote" empathy (p. 169), and other times he says that it must "induce" empathy (p. 181); elsewhere he advocates "empathy training" separate from political contexts (p. 188). These formulations are not obviously equivalent. One wonders what is being asserted.

Morrell's overriding claim is that without a due infusion of empathy, democratic deliberation fails to show each citizen equal concern. As equal concern is a necessary condition for legitimacy, nonempathetic deliberativism is illegitimate. Yet, surprisingly, Morrell offers no detailed discussion of what equal consideration requires. At most, he says that democracy must ensure that "everyone's input receives full consideration" (161). This is stunningly unhelpful. He proceeds as if it were obvious that equal consideration is defeated whenever citizens are subject to the kinds of cognitive biases and blind spots that, according to the empirical data he presents, empathy corrects (p. 126); furthermore, he often suggests that equal consideration requires each citizen to become intimately associated with every other (p. 176). Is that not a *reductio*?

The author's inattention to what deliberativists say about equal consideration is frustrating. Predominant views explicitly claim that deliberation is required in order to ensure that coercive laws and institutions are supportable by *reasons of the right kind*, reasons that are acceptable by all as *reasons of the kind that states are permitted to recognize*. Put otherwise, deliberativists hold that the state gives equal consideration to all of its citizens by *treating citizens* as equals; and this requires acting only on the basis of reasons that are acceptable to democratic citizens as such. When the state acts on such reasons, it nonetheless coerces its citizens, but it does so in a way that is consistent with equality.

Now, a lot more needs to be said about this model of equal consideration, and it is surely not without difficulties; but Morrell never engages it. Importantly, if this conception of equal consideration is viable, then his argument is irrelevant. Deliberative democratic legitimacy does not require empathy among citizens because legitimacy attaches to coercive acts of the state, not to relations between citizens. All that legitimacy requires is a political process by which democratic decisions can be forced to track reasons of the right kind.

Morrell could contend that the view just sketched should be rejected; however, his book contains no argument against it. Perhaps an argument is readily available. So consider an internal criticism of Morrell's proposal. He indicates that empathy must be instilled by various institutions involving "moderators" (p. 127) and "facilitators" (p. 188). Yet if, as he contends, properly empathetic citizens are necessary for democratic legitimacy (p. 173), then there could be no legitimate decision to create such institutions or appoint such facilitators. Empathy experts must force the rest of us to be free. But how could they? That's another *reductio*.

Empathetic citizens probably make for better democracy. Yet Morrell presents a more radical and far-reaching thesis. If he is correct, no existing democracy is legitimate, and maybe we must be anarchists until we figure out how to induce the requisite empathy in all citizens. Radical and far-reaching theses call for substantial elaboration and argument, neither of which is present in *Empathy and Democracy*. This is a book that is half written. A more sustained and precise treatment of these issues would make a most welcome contribution to the deliberative democracy literature.

**The Last Utopia: Human Rights in History.** By Samuel Moyn. Cambridge, MA: Harvard University Press, 2010. 352p. \$27.95. doi:10.1017/S1537592710003774

— William E. Scheuerman, *Indiana University*

To his credit, Samuel Moyn is undertaking something relatively few academics today bother doing: While impressively integrating far-flung scholarly research and addressing those of us located in the academy, Moyn also intends to reach a broader audience. Having already been published in part in *The Nation*, this artfully written and creatively argued book will likely make a real splash. Unfortunately, particularly in the context of the complex political and legal issues ambitiously tackled by the author, popularization comes at a price.

The starting point for Moyn's forceful thesis is the claim that the recent prominence of political and intellectual discourse about human rights is historically contingent and perhaps accidental. Offering an incisive and sometimes brilliant critique of conventional narratives that seek to explain the ascent of human rights discourse by focusing on their historical roots, Moyn unmasks the problematic teleological and empirically contentious ideas behind them. No clear line can be drawn from traditional political and legal ideas (including those of the American and French Revolutions) to the present-day vision of a binding supranational system of individual human rights employable *against* the nation-state (pp. 11–43). Even its alleged twentieth-century precursors provide at most a limited basis for making sense of the meteoric rise of human rights discourse since the 1970s. When the term “human rights” first entered political debate at mid-century, it was associated with a multiplicity of vague and sometimes competing notions, some of which (e.g., national self-determination) directly contradicted subsequent connotations. The immediate postwar impact of the Universal Declaration of Rights was minimal; only recently have activists and scholars begun to view the Holocaust as demanding a novel international human rights regime (pp. 44–119).

Having debunked mainstream genealogies of human rights discourse, Moyn sketches an alternative. Human rights took center stage in the 1970s primarily because

various utopian discourses (e.g., socialism, Third World nationalism) were simultaneously being pushed offstage. Moralistic talk of human rights garnered the sympathies of actors in many parts of the world eager to distance themselves from failed utopian experiments. In this vein, Moyn offers a vivid account of the ways in which intellectuals and activists in Eastern Europe and Latin America, as well as many former radicals and young activists elsewhere busily cutting their links to radical dreams, played a decisive role in bringing about the preeminence of political and legal debate about human rights (pp. 120–75).

Expected to function as a sort of *Ersatz*-utopia, human rights discourse was tragically burdened with unrealizable expectations, however. Not only do its moralistic overtones tend to occlude contentious political issues, but its utopian undercurrents have occasionally married it to a “maximalist political vision” (p. 226). Perhaps the “last utopia,” the aspiration for a binding international human rights regime, has provided an outlet for vestigial utopian energies. Yet it mobilizes those energies as part of an enigmatic “yearning to transcend politics,” which prevents a realistic view of the indispensable, albeit limited, tasks that human rights can accomplish while preventing a fruitful discussion of many controversial political and social questions (p. 227).

Despite its strengths, Moyn's thesis can be challenged on two counts. First, his history is sometimes no less potted than that of his opponents. For example, he pretty much ignores oftentimes far-reaching mid-century efforts to construct ambitious forms of postnational governance and possibly even world statehood. Although he is correct to underline the “realistic” and relatively hard-headed contours of the United Nations and other international organizations as they emerged after World War II, he neglects the major role played in wartime and immediate postwar political debate by sometimes astonishingly radical ideas of global reform. As documented in a host of useful studies (including Lawrence S. Wittner, *One World or None*, 1993; Wesley T. Wooley, *Alternatives to Anarchy: American Supranationalism Since World War II*, 1988), not only did many intellectuals and activists hope that the horrors of World War II might lead to global democracy and perhaps world statehood along more expansive lines than the UN, but at least briefly their demands also garnered substantial public support: By July 1949, for example, 20 U.S. state legislatures had passed resolutions calling for Washington “to initiate the procedures necessary to formulate a Constitution for the federation of the World, which shall be submitted to each nation for its ratification” (cited in Wooley, p. 46).

Why does this historical lacuna matter? Moyn's highly selective narrative conveniently excludes crucial precursors to more recent demands for international human rights: “One-Worlders” and many others put novel ideas about global reform—including the possibility of binding