Walsh defends a spiritually inflected liberalism he thinks we cannot and will not live without. In defying academic trendiness, Walsh is at his most Kierkegaardian.

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Pierre Manent: *Montaigne: Life without Law*. Translated by Paul Seaton. (Notre Dame, IN: University of Notre Dame Press, 2020. Pp. xv, 262.)

doi:10.1017/S0034670521000243

What has the European become? That is the question Pierre Manent seeks to answer in *Montaigne: Life without Law*, following on his *Metamorphoses of the City* in which he traced the "western dynamic" to its present form of the European nation-state. In Montaigne, he sees the "profound transformation of the self-consciousness of the human being," which is "the passage from the agent to the subject" (117). The European has become the subject.

Manent presents this transformation in terms of the gap between and the relation between words and actions. The Christian religion had created an immense gap between what human beings said they believed and what they actually did. Machiavelli's "effectual truth" sought to free action from its pretended subservience to words, while Luther and Calvin sought to connect men directly to the Word of God, without the intermediary of the Catholic Church and tradition. Those two reformations gave us "the association composed of the neutral state and the nation bound to a Christian confession" (6). Montaigne is a third reformer, overcoming the gap between words and actions in his literary invention, the *Essays*. A new kind of word is necessary to express a new kind of human being.

Manent begins his account of the transformation from agent to subject in "the primary human situation" of war, which Montaigne locates not in a "state of nature" but in the social order. War is understood as the extreme form of comparison, the situation in which men elevate or abase themselves in acts of comparison. Comparison is "the principle of all social order" (40) and "the soul of the *Essays*" (56). However, Montaigne's is a strange new kind of comparison, for he separates admiration from imitation and he admires without envy: he is content to be what he is in his weakness and imperfection. He never struggles within himself to conform to a "best

https://doi.org/10.1017/S0034670521000243 Published online by Cambridge University Press

form" of human being, for there is no principle or criterion of comparison, no "commanding reason" which has authority over him and his actions. There is only custom, but no custom can claim legitimate authority, for no custom can justify itself before the court of reason. Montaigne desires to deliver himself spiritually from the tyrannical power of custom, while obeying it in practice.

Montaigne gives us a glimpse of the moment when "Europeans abandoned every idea of a universal criterion of human actions, of a natural law or natural justice capable of guiding the legislator," abandoning "every idea of an objective human good, a good that could be discerned as such by human reason" so as to guide human action (175). Human law, then, can do no more than "produce the conditions of free movement" (179).

Montaigne reveals the modern "Subject" in the story of his encounter with death. He is thrown violently from his horse and the impact puts him into an unconscious state from which he slowly regains consciousness. Manent explains that the shock of the accident throws Montaigne into a condition of "complete passivity." The agent in him is "deactivated" and "rendered available for objective knowledge, for a new science, the science of the subject," a science of the individual, which modern philosophy regards as "the culmination of self-knowledge" and the "proof of our superiority as moderns" (110).

In the practice of this science of the subject, we become "disengaged spectators" of our passive condition, not seeking to grasp an essential and permanent human form but rather attending to the changes that occur within us as we undergo what is happening to us: we attend to our own becoming, not as agents but as observers. Whereas the acting human being stands within the natural hierarchy between God and the nonhuman animals, the subject is "the animal-divine" which seeks its repose not in God but in itself, "delivered from the burden of action" (113). Montaigne overcomes the gap between words and actions, for the aim of the *Essays* is to record his reveries and that is "the sole activity that does not betray our essential passivity" (216). Philosophy, then, "is nothing more than the attestation of the experience the individual nature makes of itself" (89). A life without law is a purely *human* life, "a life according to nature," not directed to the divine and union with the divine. "The morality of the moderns" is no longer ordered in terms of the opposition between good and evil but according to the opposition between human and inhuman (95).

The passage from the agent to the subject might seem to eliminate the inequality between human beings based on the distinction between strong and weak. However, Manent introduces a distinction between the "passive plasticity" of the subject which makes us slaves to the tyranny of custom, and "a plasticity that one could call active, a second and rare plasticity, a capacity which, if not heroic, is at least 'wonderful,' to take on different forms" (157). Montaigne finds the form of his life in the detachment from all form and in this capacity to take on any form. This very rare active plasticity belongs only to "the strong souls," a possibility "reserved to philosophers and which the 'weak minds' would do best not to seek" (214).

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Here we might ask whether it is possible to expand this notion of active plasticity so that “taking on” different forms means bringing into being a new form, re-forming what is given by nature. Montaigne says (twice) that the essays are the essays of his judgment. His freedom of judgment is both his freedom from custom and his power to revalue and confer value. The philosopher, then, would be the disengaged spectator but also the judge of what is human and what is inhuman, the God-like reformer of human self-consciousness.

Although Manent claims that Montaigne did not know or envision the state as the solution to the primary situation of war, doesn’t Montaigne present us with a richly drawn moral character, formed for a private life in the kind of depoliticized society that is the counterpart of the state? Montaigne revalues the virtues and vices according to the requirements of social life, a revaluing consistent with the character necessary for that vigorous and open discussion, the “verbal jousting,” which Manent says is “the only satisfactory and complete response” to the primary social situation of comparison (59). Philosophy, then, is more than simply the activity of recording his reveries: it has become “sociable wisdom.”

Manent says that because Montaigne frees himself spiritually from the power of custom while choosing to continue to obey custom, he is not the initiator of the endless critique of custom that characterizes modernity. However, since adherence to custom for the sake of political and social stability depends on the hiddenness of his freedom from custom and his superiority as the strong philosopher, aren’t the *Essays* themselves a public break with custom and a deliberate threat to the unifying power of the tradition? Since there is no common human nature, the only thing that can unite strong and weak is custom, the custom to which the strong freely and generously adhere. But once the mask is removed, a new hierarchy of weak and strong is introduced, a new elite, unconstrained by the tradition which has been reduced to mere custom.

Paul Seaton’s fine translation captures the subtlety and elegance of Manent’s argument, and his introduction locates this work within Manent’s understanding of the origins of modernity. In bringing the subject to light, Pierre Manent has given us profound insight into the meaning of the *Essays* and the importance of Montaigne for our understanding of ourselves as we are in this moment of the Western dynamic.

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https://doi.org/10.1017/S0034670521000243 Published online by Cambridge University Press