causes can be found. Instead, because of Maxwell's firm political commitments to justice, her unequivocal belief in the tensions and promises of failure, and her critical confrontations with the limitations of public trials, as well as the possibilities they reveal, the readers of *Public Trials*, who, I submit, are far more fortunate than the viewers of *Zero Dark Thirty*, are well positioned to ask a revised version of the film's concluding question, one far more democratic and imaginative: Where might we go from here?

Michael Oakeshott's Cold War Liberalism. Edited by Terry Nardin. New York, NY: Palgrave MacMillan, 2015. 197p. $90.00 cloth.
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— Steven A. Gerencser, *Indiana University South Bend*

Michael Oakeshott's career as a writer spanned over sixty years, yet his work in the three decades following the Second World War until the mid-1970s earned him a reputation as a political philosopher and essayist of the first order. "Rationalism in Politics" (1948), along with other essays in the eponymous collection where it was later published (1962), established Oakeshott's standing as an iconoclastic conservative to audiences beyond England; his *On Human Conduct* (1975) broadened this view, as Oakeshott uniquely explores the theoretical and historical foundations of something like a liberal constitutional state. Of course this period also covers the bulk of the Cold War, and the essays collected in *Michael Oakeshott's Cold War Liberalism* attempt to situate his work in light of that period of significant ideological and political conflict. The difficulty is that Oakeshott was notoriously elusive regarding contemporary political matters. He neither made many dramatic or explicit statements about, say, Soviet communism, nor did he engage in ideological battles with the like-minded over who better protected, or more threatened, freedom. Thus, in *Michael Oakeshott's Cold War Liberalism* the various writers reinterpret Oakeshott's work by positioning it in relation not just to the Cold War, but into conversation with Cold War liberals such as Isaiah Berlin, Raymond Aron, Karl Popper, and Friedrich Hayek. The authors also consider how capable his work is in addressing post–Cold War theoretical and political issues.

The collection is organized into three parts. The first takes up the question of the possibility of understanding Oakeshott in the liberal/conservative framework so significant in Cold War politics. The second examines Oakeshott's contributions to the great debates about the character and threats of totalitarianism, particularly important to Cold War liberals. The third part considers the applicability of Oakeshott's ideas in the context of contemporary East Asian politics. This third section is potentially the most original, yet also the most problematic, and it fits least well within the context of the volume. It may be the most original because, as several of the authors acknowledge, few in East Asia are familiar with Oakeshott or have tried to view Asian politics through his works. It is problematic at least because several of the authors find Oakeshott's ideas not very useful and the section fits less well because it is difficult to see early 21st Century Asian politics through the mid-20th Century lens of the Cold War.

To try to position Oakeshott ideologically, the contributors recognize, is a mug's game; they do a better job illustrating the limitation of the liberal/conservative dichotomy for understanding Oakeshott, than attempting to use it. Here, the essay by Terry Nardin (who is also the editor of the volume) stands out as a clear introduction to Oakeshott, especially his post-war work, as well as to the complications of any ideological pegging of Oakeshott in the preeminently ideological Cold War period. There is some irony, however, that Part I—titled "Oakeshott on Modern Politics: Liberal or Conservative?"—is led by Nardin's chapter "Oakeshott: Neither Liberal nor Conservative." Nardin recognizes that many are interested in this question; yet, he demonstrates that for Oakeshott the very contrast of liberalism and conservatism falls short of his own insight in the distinction between enterprise and civil association, which can differentiate between the purposive state, and a state guided and restrained by the rule of law.

Going a step further, Nardin argues persuasively that "if Oakeshott is important today, it is as a philosopher, not as a participant in the political debates of the twentieth century" (p. 24). Paradoxically, this claim somewhat undermines the premise of the volume. Yet, his chapter, as well as Edmund Neill's essay on Oakeshott's understanding of modernity, Erika Kiss's on Oakeshott's idea of the university, Andrew Gamble's chapter on "Oakeshott and Totalitarianism," Chor-yung Cheung's on the modern state, and Jan-Werner Müller's essay on "Oakeshott's Peculiar Constitutionalism," successfully demonstrate that Oakeshott's work speaks beyond the horizon of the Cold War. While these essays put Oakeshott into conversation with other Cold War thinkers, they also reveal how Oakeshott was out of step with the theorists like Berlin, Aron, Popper, and Hayek. Of course, Oakeshott's work can speak to totalitarianism and the advantages of a liberal constitutional order to collectivism. But these writers suggest that Oakeshott approaches these topics in ways quite distinct from those Cold War liberals.

Still, while these essays do lift Oakeshott beyond the Cold War context, they suggest another complication. While not wanting to tie him to a particular time and place, many of the essays reveal how Oakeshott's interest was primarily the history of Western, and often specifically English, political traditions, illustrating how he explicitly cautioned against wrenching ideas and practices from one tradition and grafting them onto another. As Gamble writes: "While Oakeshott believed in English liberty, he did not think it could be exported. Countries that did not

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have the English experience could not adopt English institutions. If they did, they were likely to fail" (p. 96). The chapters in Part III show just how difficult it is to try to import English liberties, institutions, or traditions as well as the ideas of a thinker who was steeped in them, like Oakeshott. For example, Zhang Rulan's essay "Oakeshott in China" suggests that Oakeshott's traditionalist approach would have limited appeal there because "most modern Chinese are antitraditionalists. They do not believe that tradition can give useful intimations" (p. 142). He further observes "the Chinese are political rationalists in Oakeshott's sense. They desire to 'get a crib, a political doctrine'" (p. 149). Sungmoon Kim in the chapter "Confucian Constitutionalism" does find a genuine Chinese tradition to draw upon, and then develops an effective Oakeshottian critique of Jian Qing's Confucianist understanding of the state; yet, in doing so, he shows how great the distance of ideas drawn from that Chinese tradition is from those of Oakeshott. Bi Hwan Kim identifies a final paradox in his discussion of Oakeshott and Korea. Not only is Korean politics highly ideological and rationalist, he suggests, but this means reformers must "also adopt a rationalist approach to realize their aims" (p. 183). Oakeshott might help identify this situation and its limitations for Kim, but again it reveals no real home for an authentically Oakeshottian politics.

While this volume might not find a clearer view of Oakeshott through the lens of Cold War and post-Cold War politics and theorists, the essays that wrestle through these topics are insightful nonetheless. They freshly highlight aspects of his work and show where moving beyond Oakeshott might be possible and necessary. Finally they raise an important question about a theorist of the style of Oakeshott. If he was largely a thinker of the West and primarily concerned with the unique tradition of liberty, law, and the human individual in the European and English speaking world, as he came to know it in the 20th century, then what are the limits of his ideas? Are they bound by what he thought they might be? The customs of law and liberty that Oakeshott understood as uniquely English were, as he well knew, the result of centuries' long fusion of Roman, German, and Anglo-Saxon legal and political traditions. Such incorporation does not occur simply, easily, or equally and neither does the resulting amalgam look the same as in the various countries of origin. However, some new tradition comes of it. Might we now understand traditions of law and political experience to be new fusions of Western and Chinese, or Western and Korean, or Western and whatever region that has been subject to imperialist politics and globalizing economic and social pressures? This volume of essays with its bold attempt to move beyond the usual discussions of Oakeshott, may point out one way to bring a uniquely 20th Century thinker to these 21st Century problems.

Fighting over the Founders: How We Remember the American Revolution. By Andrew M. Schocket. New York: New York University Press, 2015. 235p. $27.00.
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— Michael Zuckert, *University of Notre Dame*

Andrew Schocket begins with a familiar idea: History is politics conducted by other means. He aims to reveal how Americans' efforts to present the revolution in various genres and formats conform to this adage. Schocket, an American Revolution historian, came "to realize" that his work was conducted "in a context in which anything written or spoken about the American Revolution inherently holds political and cultural implications" (p. 2). He is not among those historians who believe that the past is "dead," lying there as a specimen awaiting purely objective study. "We live in the founders' world, just as they live in ours" (p. 4). We live in a world of meanings, one in which our reality is defined not merely by "objective facts" but by things like our understandings of the Founders' understandings of the meaning of America. They live in our world so far as their meanings mean for us; we live in their world so far as our meanings—and political contests—shape our grasps of them. Though the revolution "might be long over . . . it's not settled" (p. 3). Our views of it are shaped by our preconceptions; our preconceptions are shaped by it. The past, especially such an identity-defining aspect of the past as the American Revolution, is a prize object of political contestation: "[O]wnership of an authoritative past provides a powerful political rhetorical weapon" (p. 7).

Schocket is taking the "American Revolution" in a capacious sense—the whole era between the beginning of the colonial conflict with Britain (the Stamp Act of 1765) through to the ratification of the Constitution in 1788 (p. 10). The scope of *Fighting over the Founders* might be better captured in a term like "the founding era." Part of the book explores the familiar theme that the various disagreements among the historians about the past often have something to do with the historian's present, as was so clearly the case with the Progressive historians.

Schocket spends only a little time on the professional historians, however, and instead considers things like the rhetoric of presidential candidates and the portrayal of the founding and the Founders in film, television, popular books, theme parks, museums, and so on. He turns to these materials because they are the places where the American people imbibe the history of the founding, rather than in the narrowly circulated works of the professionals. (Of course, he recognizes that the people who produce these popular materials are influenced by the professional historians).

Some political scientists will find Schocket's work of interest because he pursues his hermeneutical themes in a very empirical manner. His first substantive chapter is given over to what politicians say about the founding and Founders in their campaigning. He constructed a large database, constituted by "a large sample of the . . . statements of all

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