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# "Blue" Morality and the Legitimacy of the State—Ed Rubin's Soul, Self, and Society: The New Morality and the Modern State

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RUBIN, EDWARD L. 2015. Soul, Self, and Society: The New Morality and the Modern State. Oxford University Press. 504 pp.

Ed Rubin's provocative new book, Soul, Self, and Society: The New Morality & the Modern State (2015), attempts to capture the relationship between morality and the state. It maintains that that there are three comprehensive moral systems: the morality of honor that characterized feudal relationships and survives today in failed states and urban gangs, the morality of higher purposes that linked individual self-worth and state legitimacy to a shared belief system, and the morality of self-fulfillment that entrusts development of a moral code to each individual and sees the role of the state as creating the conditions for individual flourishing. This review essay argues that Rubin's work is critically important in explaining that the idea of self-fulfillment combines public tolerance with private discipline, and rests on obligation as well as freedom. It suggests, however, that if the new morality were to truly take hold, it would weaken the links between citizen and state that make the system possible.

Would it violate your moral code to vote for a candidate who advocates cutting taxes on those who can most afford to pay them and slashing public support for the most vulnerable?

If it would violate your moral code to vote for such a candidate, would it also be immoral for you to publicly condemn, or to encourage your children to ostracize, your neighbor who routinely supports such candidates?

If you said yes to both—if you concluded that your individual voting preferences should be the subject of a strong moral code, but that you have no business publicly condemning your neighbor's very different individual preferences—you are well on your way to understanding the system of morality that underlies Ed Rubin's provocative new book, *Soul, Self, and Society: The New Morality and the Modern State* (2015). Rubin is an administrative law scholar and legal theorist. He explores this new morality not as a philosopher who seeks to advocate a morality for our times, but as a legal scholar who examines the relationship between our moral understandings and the role of the state. In the process, he captures why left and right talk past each other in an era of partisan polarization: they use different moral vocabularies with radically different notions of the relationship between the individual, society, and government.

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Rubin has written in the past about the basics of administrative law (Bressman, Rubin, and Stack 2013), the limits of administrative decision making (Rubin 2005a), the division of responsibility between the executive and the legislature (Rubin 2014), and the relationship between the allocation of administrative responsibility and legal theory (Rubin 2005b). This book goes considerably beyond his administrative law text and law review articles to consider how a society's notion of morality determines the type of government it supports. In the process, he explains that the new morality, which I call "blue" and that Rubin calls the "morality of self-fulfillment," is hard for skeptics to understand because it upends the relationship between the public and private spheres. In this new system, positive state support, such as the provision of health care, education, food assistance, and the like, makes personal freedom possible; the chronically ill and the illiterate may not be capable of formulating a coherent life plan. The insistence on personal autonomy requires, in turn, acceptance of individual responsibility for creating life's meaning. To be a full citizen, a true adult, a person of integrity, the individual must choose a code to guide her own development, and the mature individual who freely selects a personal code can be trusted to act responsibly precisely because one's personal code is central to self-definition and individual growth. Private choice thus becomes the basis for individual discipline, while public tolerance and support become the preconditions for the responsible exercise of such choices.

Most of those who attempt to describe this new morality do so to disparage it as either self-indulgence or multiculturalism, and few consider it to be a "morality" at all. They fail to take it seriously as a moral system because they fail to recognize where the sources of obligation in the new system come from. That is, they understand that the premise of the morality of self-fulfillment is individual choice; each individual gets to decide for herself whether to believe in God, to be a vegetarian or a meat eater, to take a vow of abstinence, to vote for a socialist or a libertarian. What critics of the new morality overlook is that it entails not just the opportunity for self-fulfillment, but an obligation to take advantage of that opportunity.

This is one of the most misunderstood parts of the different moral systems. Within the morality of self-fulfillment, each individual has an obligation to choose a personal ethical system and to use that system to guide a lifelong process of selfdevelopment. The result combines what seems like a radical conception of freedom with a profound responsibility to internalize the chosen moral system. Someone who embraces veganism as an ethical system, for example, but routinely has steak for dinner is a hypocrite, not worthy of being taken seriously. In contrast, in accordance with a traditional moral system, a devout Catholic who eats cheeseburgers on

<sup>1.</sup> In *Red Families v. Blue Families*, Naomi Cahn and I called "blue" a newer, modernist morality, which we associated with better-educated families, concentrated on the coasts. We argued that this new system of family values emphasized investment in women as well as in men, the deregulation of consensual sexuality, and careful family planning to ensure greater investment in children. The new system combined private discipline with public tolerance. In contrast, we described "red" as traditionalist family values resting on an assertion of timeless values derived either from a particular religious justification of God's commands or some form of natural law reasoning. These traditionalist values associate sexuality with marriage as part of a naturally (and divinely) ordered plan for reproduction. Our focus, however, was the role of different moral systems in explaining family law rather than the state (Cahn and Carbone 2010).

Fridays during Lent has sinned and should ask forgiveness. The lapse is a sign of personal weakness. Repentance involves reaffirmation of the mandated beliefs, and forgiveness signals reconciliation with the community. For the vegan who rejects meat for ethical reasons, there is no community from whom to seek forgiveness. The transgression of one's chosen norms is a matter of personal integrity, central to self-definition. The vegan who eats the steak thus may not fear eternal damnation, but risks losing a critical component of personal identity that may leave the person feeling adrift.<sup>2</sup>

Recognizing this obligation as a system of private morality--the morality of self-fulfillment<sup>3</sup>—also prompts reconsideration of the role of the state. Individuals can freely choose their own codes only in societies that supply at least a minimal level of food, clothing, shelter, health care, and education, and that enshrine the tolerance that makes genuine choice possible. If the society insists on a single value system (Christianity, Confucianism, Stalinist-style communism) or if it elevates some over others in accordance with race, gender, sexual orientation, or ethnicity, many individuals will not be able to realize personally chosen values that allow for true self-definition. Thus, governance that supports this moral system needs to promote equality and autonomy, as each individual has a meaningful role only in accordance with the ability to realize a life that allows for self-fulfillment. In addition, freedom of speech, the press, and religion become necessary to inform and validate personal values selections. The prosperity generated by the Industrial Revolution and well-run states is a precondition for the autonomy at the core of the morality of self-fulfillment, and citizens who embrace this moral system have a duty in turn to promote state policies that ensure a well-educated and well-off citizenry capable of supporting a functioning democracy. In short, the new morality, defined in terms of "self-fulfillment" on personally determined terms, requires public tolerance and private discipline, a supportive state, and an active citizenry.<sup>4</sup>

<sup>2.</sup> For some, the inability to live up to the radical requirements of self-definition compel a search for the kind of mandates associated with religion. Religion, however, can itself be a choice consistent with self-definition and it can be reconciled with the new morality, but only so long as each individual is left free to embrace or reject religious beliefs on individual terms (Rubin 2015, 194).

<sup>3.</sup> The word "self-fulfillment" does not do justice to the concept, as it suggests that the individual's only obligation is do that which he finds fulfilling. In that sense, the term is similar to "expressive individualism," which has been defined as "a view of life that emphasizes the development of one's sense of self, the pursuit of emotional satisfaction, and the expression of one's feelings" (Cherlin 2010, 30–31) or the related notion of "soulmate" marriage, which treats marriage solely as a vehicle for individual satisfaction (Cherlin 2010, 139). As Rubin makes clear in the book, however, his concept of self-fulfillment does not leave the individual free to do whatever feels good at the moment. It contains a sense of obligation that comes from the need to provide self-definition; that is, to choose a coherent ethical code that determines who the person will become and that links individuals to the families and communities with which they choose to identify. In writing about this, my coauthor and I chose the term "blue" to indicate a similar modernist concept precisely because we did not want to associate it with the idea of license; "blue" family values in fact involve family strategies that simultaneously encourage a commitment to women's greater equality, relationship stability, and greater investment in children without imposing a traditionalist model of sexual morality (Cahn and Carbone 2010).

<sup>4.</sup> Many political theorists have articulated similar conceptions of the state. See Eichner (2010), Fineman (2010), Galson (1991), and McClain (2006). These works all see certain minimum prerequisites for a just, democratic, or liberal state, and see such states not as value-neutral, but as committed to certain conceptions of the common good, which they inculcate in their citizens in order to sustain the values necessary to such states.

This new system thus differs in radical ways from two older systems of morality. Rubin calls one "the morality of higher purposes." It developed a millennium ago as centralizing monarchs sought to expand their influence, and reached its height with the emergence of the European nation-state. This system of morality, which continues in many forms today, links individual self-worth to belief in a particular God (or other moral system).<sup>5</sup> It identifies the state's legitimacy with its role in advancing the precepts of that God (or other moral system). Within such a morality, both the individual and the sovereign gain status from their association with a divine (or other communally chosen) order. This traditional system demands fealty in the public square (to question the legitimacy of the moral order may be both heresy and treason), with some leeway for private doubt or failure to live up to the system's moral precepts.

The other moral system is the even older "morality of honor." It characterized the moral system of the fiefdoms of the "Dark Ages," the period of decentralized, private rule that dominated Europe during the feudal era. That moral system, which survives today in lawless areas from failed states to urban gangs, depends on the "honor" of dominant actors, who offer protection and demand loyalty from those associated with them.

Rubin's claim in *Soul*, *Self*, *and Society* is that each moral system is inextricably linked to a particular governance system. His effort to prove the claim is ambitious. The first part of the volume covers the 2000-year history from the fall of Rome to the present. The book's second, longer section attempts to explain the morality of our age. Rubin treats this morality as the logical culmination of centuries-long changes in the relationship between state and citizen, and as central to the legitimacy and purpose of modern government. The work thus combines social and legal theory to critique the value system on which modern public administration depends, and while it does not engage the scholarly literature on partisanship, which is heavily grounded in psychology, it lays a foundation for understanding the way modern political opponents talk past each other when they invoke contrasting assumptions of competing moral systems.

This review essay will follow the contours of *Soul*, *Self*, and *Society* with an eye toward the reciprocities between those who rule and those who are to be governed. The first part of the essay will discuss the way Rubin connects notions of morality and governance in describing the first two types of morality (the morality of honor and the morality of higher purposes) he associates with the feudal period and the centralizing monarchies of the High Middle Ages. The second part will address the relationship between the rise of the administrative state and the morality of self-fulfillment. The third part will interrogate the idea of morality in the new era. The essay concludes that Rubin's morality of self-fulfillment goes further than any existing effort to explain the moral perspective at the core of modern societies, but nonetheless stops short of justifying it as a philosophy for our time. That requires a more robust theory of individual obligation, and an exploration of the notion of global as well as national citizenship. *Soul, Self, and Society* nonetheless succeeds on its own terms as an account of the intense divisions that underlie Western society and the nature of the modernist morality Rubin believes will ultimately prevail.

<sup>5.</sup> Rubin identifies this system not just with state religions such as Catholicism in France or the Episcopal Church in England, but also with communism in the Soviet Union. The notion of a "higher purpose" is not limited to religion.

# I. THE RELATIONSHIP BETWEEN MORALITY AND THE STATE

In modern societies, discussions of morality often treat public and private behavior separately. The state enacts formal laws that govern the public square, while religion, norms, and culture establish acceptable behavior within private households. The well-run modern state strives for uniformity and transparency, adopting rules appropriate to changing circumstances, while the private sense of right and wrong reflects a mix of unchanging religious edicts ("Thou shalt not steal"), contextual norms (removing shoes at the doorway at the preference of the homeowner), and cultural traditions (Mormon Utah has a younger average age of marriage than more secular Massachusetts) (Cahn and Carbone 2010). Rubin argues, however, that this separation of public from private is itself a reflection of particular societies, and that public governance and private morality are inextricably linked. Both are means of controlling human conduct, and both arise from "deeply felt social conceptions about the nature of human beings and the goals of their collective efforts" (Rubin 2015, 7). Perhaps more critically to his project, they influence each other and together change the larger process of societal transformation.

This transformation, and the relationship between governance and morality that accompanies it, is a central subject of the book. Rubin tries to describe this transformation without drawing either on formal social science methodology or the considerable philosophical literature on notions of morality. The social sciences would hamstring the project by focusing too narrowly in single, testable explanations. Rubin prefers a systems approach. He maintains that no single factor produces any particular change; rather, multiple factors interact to provide broad societal shifts. Unlike many modern histories, though, the volume does make causal assertions: the book's central thesis is that the dynamic interaction between "the material realm of politics and the conceptual realm of morality" affects societies in predictable ways (Rubin 2015, 54). Rubin calls these effects "co-causal," a term he uses throughout the book. For Rubin, the term means "mutually reinforcing"; for example, rather than see the privatization of feudal governance as causing the rise of the morality of honor or the morality of honor as making possible the survival of feudal governance, Rubin argues that the two systems interacted to reinforce each other in deep and multifaceted ways. The claim is often a persuasive one; indeed, one of the most important and original claims of the book is its explanation of the links between the two. But it does not justify sentences such as one that asserts that the next chapter "will trace the process by which the dim, albeit glowing, embers of centralized control were reignited and co-casually connected to a new morality that displaced the morality of honor" (Rubin 2015, 54).

Recast without the jargon, Rubin is implicitly replying to the more philosophical critics who claim that "Western culture lives off the borrowed capital of its religious past."<sup>6</sup> Although he acknowledges the role of Christian teachings in shaping European morality, he does not see the process as one that ends with the embrace of atheism or radical individualism. Instead, he argues that what is taking place is a long transition to a different moral system with its own integrity. This transformation involves three broad changes that have occurred over the last twenty centuries: the shift from

<sup>6.</sup> The concept is widely repeated. See Wilson (1982, 88), MacIntyre (1984), and Sandel (1984, 5).

Ancient Greece and Rome into the decentralized and privatized feudal era with its corresponding culture of honor; the rise of centralizing monarchies and the recreation of shared public purposes expressed through a morality of higher purposes; and the more recent age of affluence, in which states seek to address a broader set of human needs in accordance with a morality of self-fulfillment. His point of departure is a description of the city-states of Ancient Greece as a lost Eden of civic administration; well into the Roman Empire, the governance structure "relied on local institutions that were expected to generate a vibrant public culture supported by deeply felt moral commitments" (Rubin 2015, 30). With the Pax Romana, however, the countryside became less dangerous and the affluent retreated to landed estates. They remained citizens of Rome, but no longer thought of themselves as owing a personal obligation to nearby cities or less affluent countrymen. The result was the "privatization" of governance (Rubin 2015, 30, 33) and the transformation of morality from civic to personal.<sup>7</sup>

## A. The Morality of Honor

Rubin describes the morality of honor as a defining element of feudal governance and as central to answering the question: Why did it take so long for Europe to emerge from the "Dark Ages?" Rubin's answer is a cautionary tale about what real privatization looks like. With the decline of the Roman Empire, governance again became decentralized. But privately run estates, rather than more egalitarian cities, became the centers of the medieval society. A "morality of honor" arose that justified the power and defined the obligations of the lords who oversaw these estates (Rubin 2015, 40). Rubin defines this moral system as "based on the principle of dominant status and involv[ing] the mode of behavior by which certain individuals in society achieve and maintain that status" (Rubin 2015, 41). In other words, the concept of honor was critical to a lord's ability to rule, and thus served as a source of empowerment as well as one of restraint. Honor-based morality required "the use of violence to defend one's status as a member of the ruling class" (Rubin 2015, 41). The lord of the manor was expected to defend his land, his home, and his family by killing or injuring anyone who threatened them. Rubin emphasizes that this idea of morality linked virtue with prowess in battle; the honorable lord was expected not just to fight, but to win (Rubin 2015, 41). The ruler and his vassals were tied together in this system by bonds of loyalty, with the lord dependent on the support of his followers, and the followers gaining honor, as well as security, from their association with the ruler (Rubin 2015, 42).

Rubin's account of the medieval morality of honor is the most engaging part of the book. He acknowledges that much has been written about honor morality in its various forms, and skips over the details of this literature. Instead, he tries to capture

<sup>7.</sup> The city-states depended on broad-based citizenship, shared community interests, and a strong sense of public obligation. In contrast, the Roman Empire by its end relied much less on civic-mindedness and much more on financial rewards. Public service became a burden rather than an honor, soldiers served for their "salaries" rather than the defense of their homeland, and the lords of country manors, unlike the urban citizens of Greece, elevated concern for their private estates over public needs. People's loyalties shifted to the local magnate or patronus (Rubin 2015, 34), which Rubin terms a "privatized relationship," rather than to the collectivity itself. These changes, which occurred well before the formal end of the Roman Empire, set the stage for relationships of the feudal era.

the medieval sense of honor by retelling tales from literature. Citing *The History of the Franks*, he recounts a series of violent retaliations that occurred in Tours in 585 A.D. (Rubin 2015, 43–44). The moral appears to be the difficulty both citizen and religious tribunals had in restraining drunken hotheads, with the church agreeing to pay a fine to bring the feud to an end. Rubin goes on to relate the story of Sir Gawain and the Green Knight, as Sir Gawain's sense of honor compels his determination to appear for an unfair fight that seems guaranteed to produce his beheading (though readers unfamiliar with the tale are left on their own to discover Gawain's fate—no spoilers here) (Rubin 2015, 46). Rubin also recalls *The Song of Roland*, a French epic poem describing events that took place in 778 A.D. (Rubin 2015, 49), and retells in even greater detail the Spanish *Song of the Cid* (Rubin 2015, 49–51) (without reference to the movie version), and then returns to Arthurian lore to discuss Lancelot of the Lake (Rubin 2015, 51). The stories, which have survived the centuries, are still good reads and demonstrate the medieval preoccupation with honor, and its association with warfare, loyalty, hospitality, defense of one's own—and the wholesale slaughter of the other side.

Rubin's history is necessarily limited, and I am not qualified to say how accurate it is. Given that the morality of honor is about status, Rubin observes that it therefore "seems to apply only to a small group of high status males" (Rubin 2015, 51) with occasional references to high-born women's chastity.<sup>8</sup> Rubin refers to the system as "hyper-hierarchicalism" (Rubin 2015, 54). As befits a status-conscious society, medie-val codes of conduct did not require the same behavior from everyone; instead, the "honor morality of the Early Middle Ages not only treated hierarchy as a moral imper-ative but also prescribed different rules of conduct on that basis" (Rubin 2015, 54). In short, the morality of honor was a conduct code that perpetuated the feudal order.<sup>9</sup>

9. It is difficult to read the description of the morality of honor without the temptation to use it to explain modern examples, and Rubin does refer in passing to its survival in the Mafia and urban gangs (Rubin 2015, 66-68). He does not tell us, however, how much the modern versions differ from ancient ones. On NPR's Fresh Air, an interview with author Ta-Nehisi Coates captures African American childrearing practices in similar terms. Coates describes the importance of teaching children "respect," a term with many similarities to honor (National Public Radio 2015). What respect does is define one's place in a hierarchical society: to be a member of a family, children must respect their parents, and parents, to be worthy of their places as family heads, must teach children to respect them, through physical punishment if necessary. Coates describes the consequences in such a world in stark terms: the child who does not show sufficient respect to a police officer, for example, risks not just chastisement, but potentially serious physical injury or death. Coates emphasizes that the idea of respect is particularly important where there is no recourse: the police in African American communities are seen as unaccountable, and the police in turn believe that their own lives depend on projecting the willingness to use force as necessary to deter those who would challenge them. Much like Rubin's description of the culture of honor, studies show that police are more likely to arrest or treat badly those who display disrespect (Weisburd et al. 2000, 5). Parents defend violent childrearing practices by saying: "Either I can beat him or the police" (Coates 2015, 16). In these societies, violence may be random and unpreventable, and both the police and gang members believe that their safety depends on a reputation for retaliation, and an internalized code that justifies it. Rubin describes gang members explaining their resort to violence in distinctly medieval terms; they report that they're defending their "honor": "Ain't nothing more important than that" (Rubin 2015, 68).

<sup>8.</sup> Rubin does note, however, that for the large part of the population who tilled the land before and after the fall of Rome, daily life did not change (Rubin 2015, 35). Yet, their roles as members of society did. Men who had been citizens of the city-states of Greece and Rome become tenants or serfs on private estates. They worshiped at a parish church rather than a temple in the forum; holiday celebrations involved feasts supplied by the landowner rather than processions through the city; and the landowner, not citizen soldiers, assumed responsibility for protection, whether from hostile outsiders or lawless members of the community. Public identity was tied to membership in these increasingly powerful estates, and this identity rapidly became "less political in any modern sense" (Rubin 2015, 35).

In the early Middle Ages, the system of governance that corresponded to this moral order was deeply personal. The lord of the manor assumed personal responsibility for those associated with him. His vassals saw themselves as loyal to the lord personally, not to the holder of a particular office or to the country in which the manor was located. The lord's honor, rather than hope of material reward or fear of earthy punishments, made him vindicate the loyalty extended to him. This notion of honor, in turn, determined worthiness to rule. A lord who dishonored himself by failing to avenge wrongs committed against him was a leader who could be challenged and replaced. In this society, might did make right. Rubin emphasizes that these notions even extended to religion. The depictions of Jesus that survive from that era do not show the suffering of the Crucifixion, but a triumphant Jesus sitting on the throne in heaven. Rubin concludes that the critical message of the era was that "our God is better than yours, not because he establishes a preferable ethical regime but because he has more supernatural muscle" (Rubin 2015, 59).

Rubin thus answers the question "Why did it take so long to move on to a more productive system?" by explaining the mutually reinforcing bonds of such a society. Feudal lords could lose everything if they did not maintain their "honor" and the steps they took to do so made it harder to reassert centralized power. Part of the problem was structural. Kings depended on the lords to raise armies and collect taxes. The fact that the soldiers (and the tax collectors) were more loyal to their local lords than to the king prevented the greater concentration of power (Rubin 2015, 65). Part of the problem as well was the threat of a loss of status. To defer to a king, to send resources into a centralized treasury, to adhere to impersonal bureaucratic commands risked a considerable fall from grace; in his own eyes, the lord who sacrificed local interests to centralized ones risked dishonor, with his place in society threatened and his position even within his own estate at risk. Yet so long as the decentralized landowners did not contribute to creation of a stronger centralized realm, kings lacked the power to impose their own rule on fractious nobles. In the Dark Ages, the nobles did "starve the beast," and the funds available to create a central government, fund police forces, encourage markets, or invest in the public good were limited. It would take a much more powerful set of inducements to ultimately dislodge the lords on whom feudal governance rested.

#### B. The Morality of Higher Purposes

The excesses of the honor system did ultimately give way to a new moral system capable of restraining them—and to the creation of a new governance system powerful enough to dislodge the feudal order. This story is in many ways a familiar one; it involves the rise of the nation-state and the corresponding development of state-identified religions. Yet, Rubin's interest is the change in moral sensibilities, a change that took place over centuries and one that goes beyond conventional histories.

The transformation starts with a response to the excesses of the feudal era. Feuds, after all, were a costly means of dispute resolution, and a decentralized warrior nobility, much like modern gang leaders, feared challenges from rivals more than demands for accountability from their victims. Rubin identifies the beginning of an effective countermovement with the "Peace of God" movement of the year 1000, 500 years after the fall of Rome (Rubin 2015, 69–70). The transformation to a new form of governance would not be complete, however, for several more centuries. It nonetheless started with the claim of a different moral order legitimizing those who sought to limit the violence of the landowner elite. The new order would take hold only when the moral justifications gave rise to alternative leaders who could enforce these claims. The process involved two overlapping developments.

One part of the story involves the recreation of stronger public institutions through the gradual strengthening of centralizing monarchies. Rubin argues that just as the Roman Empire was built on the foundation of the Greek city-states, monarchies became more successful in consolidating power as they co-opted feudal obligations. As every student of English property law knows, for example, William the Conqueror solidified the Norman conquest of England by installing himself as the owner of the entire country and issuing fiefs to vassals who served under him (Rubin 2015, 72). Over the centuries, the increasingly powerful monarchs re-created a sense of public power and purpose that involved the reconstruction of cities, the assembly of standing armies loyal to the monarch, royal powers of taxation, and the eventual development of representative assemblies and more professional administrative structures. Rubin calls this process the "publification of governance" (Rubin 2015, 71). He uses this new term, which means the opposite of "privatization," partly because we have become so accustomed to public governance that no term exists to describe the process of its creation, and partly to signal that he is describing a distinct historical period, not the modern systems of governance we take for granted today.

More central to his story, however, is the development of a new moral order that accompanied these shifts in governance. Rubin terms this new order "the morality of higher purposes." Where the morality of honor operated within a web of personal relationships, the morality of higher purposes was more abstract. A vassal owed allegiance to a lord with whom he directly interacted; a citizen of a monarchy was loyal to a king he might never expect to meet. And while the morality of honor imposed limitations on personal behavior (the lord of the manor was expected to extend hospitality to any traveler who asked for it, even if the traveler were otherwise his sworn enemy), the extent of these constraints was limited. They extended to behavior that could be observed and to people to whom the individual owed an obligation. Feudal knights experienced fewer constraints in their interactions with serfs or those outside the group to whom they were bound.<sup>10</sup> In contrast, the morality of higher purposes, particularly as it became tied to notions of personal salvation, governed individual behavior that no one might observe. It became part of individual identity as it served both to bind citizens to a larger state and to define one's spiritual as well as temporal standing. The latter required a change in the role and nature of religion.

<sup>10.</sup> Indeed, Ruben observes that "if one qualified as a nobleman, killing, raping and stealing from lower-class people was regarded as an adventure, a privilege, or at worse a peccadillo" (Rubin 2015, 145).

The religious changes are in some sense subtle because they begin with what may not seem like a religious change at all. Europe, after all, had been at least nominally Christian since the latter part of the Roman era. In the feudal period, however, the majority of the public could not read, formal Christianity exercised little influence, and clergy did not necessarily have much of a restraining influence on the exercise of power (Rubin 2015, 85). In the new era, Christianity became more spiritual, and more important in legitimizing the power of monarchs and in governing the daily lives of ordinary citizens.

The changes in Christianity were both organizational and substantive. Rubin observes that eleventh-century reformers insisted on priestly celibacy, removing the clergy from family pressures, and that bishops and abbots be appointed on the basis of their religious, rather than their political, commitments (Rubin 2015, 86).<sup>11</sup> The church thus sought to disentangle the clergy from feudal entanglements (Rubin 2015, 86). For Rubin, the symbol of the new era is St. Francis of Assisi, the saint who spoke to birds, rejected worldly goods, repaired churches, and kept the most important miracle with which he is associated secret until his death. He emphasizes that St. Francis's miracles were "internal experiences, not exercises of power over natural forces," and that his conception of religiosity involved the individual's personal attitudes and commitment to his own salvation (Rubin 2015, 89). The change in the nature of Christianity made religion more important and allowed it to serve as a check on the feudal nobility's power. It also offered individuals an alternative to their fixed (and often subordinate) status in a hierarchal society.

Rubin acknowledges the continuing tensions between church authority and monarchial power that ultimately led to the Reformation and the creation of nationally identified religions (Rubin 2015, 108–110). The centuries-long story involves a gradual fusing of religious and political purposes. During the heyday of the morality of honor, secular power followed military muscle, and virtue was identified with physical strength. Centralizing monarchies, on the other hand, became associated with the idea of a people (the French, the English) united by a shared sense of purpose (Rubin 2015, 81, 85). In this system, the king became the symbol of the nation, and reigned as part of what was seen as a divinely ordered set of relationships (Rubin 2015, 110). He thus commanded the allegiance of priest, noble, and commoner alike.

This new system was "egalitarian in theory and hierarchical in practice." (Rubin 2015, 111). Christianity treated every individual as possessing an immortal soul and therefore capable of salvation (Rubin 2015, 110–11). Every person was therefore subject to the same morality and the same ability to ascend to heaven and, over time, the citizens of these states became freer as serfdom was abolished and the growth of cities made greater geographic mobility possible. On the other hand, individual obligations were seen as part of a "Great Chain of Being" in which each person had a distinctive role to play in advancing a collective higher purpose (Rubin 2015, 111). The nation-state came to represent this collectivity, as the state became associated with a people who shared a common language, religion, leader—and an understood set of moral obligations.

<sup>11.</sup> They also branded the sale of church offices to be the sin of "simony."

Rubin emphasizes that this new order had both public and private components, and that private morality came to govern an individual's sense of self, not just behavior toward others (Rubin 2015, 104). Elites came to see themselves as superior because of cultivated traits that made them more civilized, rather than because of their physical strength or force of arms (Rubin 2015, 107). Common citizens, in turn, while not always law-abiding, did share a sense of good behavior as something linked to the commands of God and their prospects in the afterlife. And the nature of family obligations and appropriate intimate contact also came to reflect the new moral code. In accordance with the morality of honor, the paterfamilias had an obligation to protect and supervise those under his purview. His honor required that he avenge assaults on his family; it also meant that a wife's infidelity or a daughter's failure to accept a dynastically negotiated marriage could dishonor him (Rubin 2015, 94). In the new era, sexual morality became far more a matter of individual spirituality. The Catholic Church, eager to expand its jurisdiction, came to supervise the validity of marriages and thus the legitimacy of offspring and their inheritance rights, a critical matter as primogeniture became more dominant (Rubin 2015, 93-94). While the transition from arranged marriages to matches chosen on the basis of love took centuries to complete, the church helped emphasize the importance of consent, a factor that represented the recognition of women as worthy of greater respect (Rubin 2015, 95). The new era therefore involved much greater sexual restraint; repression would not be too strong a word.<sup>12</sup>

In exploring the importance of these developments, Rubin eschews singleminded economic—or any other deterministic—explanations, but he does note that the Peace of God movement began in an era when the Viking and Islamic incursions into Europe had receded (Rubin 2015, 69) and accelerated with the Industrial Revolution that the new regime made possible. The ideas themselves, however, take center stage as the morality of honor holds back the development of Europe and the morality of higher purposes, as it re-creates public order and private virtue, ultimately leads to larger, wealthier, and more powerful societies—societies that would in turn set the stage for the creation a new set of moral understandings.

# **II. THE MORALITY OF SELF-FULFILLMENT**

The description of the two older moral systems sets the stage for Rubin's primary aim: articulation of the morality of self-fulfillment. The task is a difficult one because much of the change in sentiment he seeks to capture is subtle. It involves a shift in the motivation of public officials from personal loyalty or shared purpose to professional status, and a corresponding change in individual values from honor or religious virtue to self-definition and fulfillment. What ties the two

<sup>12.</sup> Rubin argues that this change in the nature of marriage paralleled changes in the larger society. Marriage became the joining of two people in a single, unalterable union that was larger than themselves, just as the centralizing monarchies also involved a nation's citizens joining together to create something large than themselves. In both cases, God was seen as the force determining the order of these institutions and giving meaning to the lives of the people who sought to advance these "higher purposes" (Rubin 2015, 95–97). The result laid the foundation for the creation of more peaceful, orderly, and stable societies, though it also made European wars more deadly.

developments together is the notion of integrity. Individuals can be trusted to exercise discretion so long as they are guided by coherent identities and worldviews, and so long as they perceive an obligation to develop their own moral and professional codes.

Rubin further identifies this new moral system with the rise of the administrative state, a state capable of creating the conditions that make the morality of selffulfillment possible. Unlike the rise of feudalism or centralizing monarchies, he describes the beginning of the new era with precision: it starts with the adoption of the US Constitution in 1789.

## A. The Changing Nature of the State

The governmental transformation that marks the advent of the third system of morality involves the formalization of the administrative state; that is, the change in the state from the instrument of a monarch to a system designed to meet public needs. Rubin defines the new administrative system in terms of a process of "articulation," in both of the term's meanings. The first involves the connection of "discrete elements by visible ligatures or joints in a manner that preserves their individual identities" (Rubin 2015, 117). Think of an organization chart. It might show the Department of Defense, overseeing the branches of the military (Army, Navy, and Air Force), and defense agencies assigned responsibilities for such things as finance and accounting, contracting and procurement, military intelligence, legal services, and the like (Organizational Policy & Decision Support Directorate 2016). The second meaning of the term involves expressing something in explicit verbal terms (Rubin 2015, 117). The defense agencies, for example, are subject to commands assigning them specific missions and responsibilities. In short, the advent of the administrative state—and our modern system of morality—starts with the creation of bureaucracy.

This change is a further extension of the shift from personal to formal governance. Feudal relationships were personal; medieval officials might assume a variety of responsibilities under the supervision of a lord, to whom they were typically closely related. Within centralizing monarchies, the king's officials were seen as his personal agents (Rubin 2015, 85), whom he could dispatch at will. The new administrative state, in contrast, divided responsibilities in terms of specific subject areas, required that agencies acquire subject-specific expertise, and developed ways to ensure continuity from one regime to the next (Rubin 2015, 119). Perhaps as importantly, government positions ceased to be private offices that the king could grant, and that the grantee could use for his own private benefit. Instead, government officials were hired on the basis of credentials, paid salaries, and obliged to use their offices to advance the public good; public officials in the new era became professionals, and taking a cut from public revenues became a crime (Rubin 2015, 119).

Rubin argues that these changes in organization involved a larger change in sensibility and function. The morality of higher purposes identified human aims with a higher order in an era in which monarchies were seen as divinely ordained. The administrative state, in contrast, exists to serve the public. Citizens constitute the state and the state exists to advance the material well-being of its citizens (Rubin 2015, 121). Government officials therefore serve specified governmental objectives that must be justified in terms of their ability to advance the welfare of the public as a whole.

Given these definitions, Self, Soul, and Society views the adoption of the US Constitution in 1789 as the beginning of the new era because of its "articulation" of different branches of government (executive, legislative, and judicial) charged with distinct functions and, with the First Congress, the creation of four executive departments defined by subject matter: State, Treasury, Defense, and the Postal Service (Rubin 2015, 125). By 1792, the French Revolution had also swept away the monarchal system of governance that relied on fees and favors to compensate the king's retainers, and replaced it with government ministries with defined missions, official positions with salaries and pensions, and a fixed chain of command (Rubin 2015, 126). Joseph II, who became King and Holy Roman Emperor in 1780, modernized Austrian governance during his reign in a similar fashion. He forbade the sale or inheritance of offices, prohibited outside employment for government officials, and required regular reporting of qualifications, conduct, and accomplishments (Rubin 2015, 126). Britain modernized more gradually, beginning in the seventeenth century and continuing throughout the eighteenth (Rubin 2015, 127). Rubin treats this period, from roughly 1780 to the mid-nineteenth century, as the marker of the shift to a new system of government and a new morality redefining the individual's place within in it.

# B. The New Moral Order

Corresponding to a new governmental order that existed to serve individual needs, a new morality arose that reoriented the individual's position in a more materialistic society. Whereas individuals had once drawn meaning for their lives from their participation in a society oriented toward a higher, religiously identified purpose, they shifted their focus to a personal life plan designed to maximize "present pleasures" (Rubin 2015, 2). The idea of "self-fulfillment" is nonetheless more than mere hedonism because these pleasures are the product of selfdevelopment over the course of a lifetime (Rubin 2015, 174). The individual may choose any path she wants, but she has an obligation to make some choice, and she should ideally make one that reflects a coherent and considered worldview. The identification of morality with self-fulfillment seems, at first blush, to be a contradiction in terms; the term itself obscures as much as it illuminates and Rubin spends more than half the book trying to explain it. He is most convincing in describing how this new morality underlies a different—and still emerging—societal order. This new order corresponds with the decline in the importance of religion, and with the increasing importance of mental health-that is, the belief that individuals can direct their own identity and development.

#### 1. Religious Decline and the Importance of Tolerance

In describing the emergence of the morality of self-fulfillment, Rubin emphasizes the growth in religious indifference and the corresponding increase in tolerance for different religious beliefs (Rubin 2015, 163–64). He observes that "[w]hat seems incontrovertible ... is that religion has declined as a cultural force that defines the meaning of life, that there has been a shift from an emphasis on soul to an emphasis on self" (Rubin 2015, 130). His long list of developments involves a gradual distancing from the idea of God, rather than a rejection of belief. High on the list, for example, is the increasing importance of science. Yet, he does not see any necessary conflict between religion and science, as contemporary theorists might argue (Dawkins 2006). Instead, he observes that scientists reconciled the two by concluding that God had "designed the universe to operate according to fixed principles and then, to quote Carl Becker, withdrawn 'from the affairs of men into the shadowing places where absolute being dwells" (Rubin 2015, 134).

The changing role of religion, however, is not everywhere uniform. Instead, religion changed as it first became an important public marker of state identity, and then became more important as an element of private self-definition for those who remained religious. These ongoing developments are important to the links Rubin draws between the evolving role of the state and the underlying social ethos. The public role of religion increased with the emergence of the morality of higher purposes at the same time that religion became more intimate (Rubin emphasizes St. Francis's impact on individual worship). Both developments increased dissatisfaction with an often corrupt Catholic Church operating from Rome. These tensions, of course, ultimately produced the Reformation and the birth of Protestantism. Over time, the redefinition of the role of the religion led to splits between Catholicism and various Protestant sects, as centralizing monarchs often viewed the adoption of a new religion as a way to cement the emergence of Europe's nation-states, and free themselves from the Vatican's interference. Henry VIII, after all, found it more convenient to have an English church, which he could force to grant him the divorce he wanted, than to continue to pay homage to a faraway pope (Rubin 2015, 96).

The greater identification of church and state, however, ultimately led (through a co-causal process) to further developments that attenuated the importance of religion. Initially, these religious differences led to conflict, and European wars driven by nationalism (Rubin 2015, 163–64). Rubin observes that in the sixteenth century, treaties allowed the monarch to determine the religion for the entire region he controlled, but that by the seventeenth century, principles of religious freedom were beginning to take hold (Rubin 2015, 133). The morality of higher purposes depended on the fusing of state legitimacy with religious orthodoxy; yet, state-identified religions, whether Catholicism in France, Calvinism in the Netherlands, or Lutheranism in Sweden, ultimately became routinized and, Rubin argues, stripped of the pageantry, saints, and demons that made medieval Catholicism a pervasive presence (Rubin 2015, 133). By the twentieth century, the problem with state religions was more indifference than oppression.

The greater religiosity of the United States seems to be an outlier in this process, but Rubin reconciles with this the same developments (Rubin 2015, 194). The conventional explanation for greater US religious participation than in other developed countries has been the absence of a state religion. This has required denominations and congregations to compete for their members, and it allows individuals to choose their churches in accordance with their personal preferences, intensifying individual identification with church participation (Finke and Stark 2005).

Rubin maintains that the key to understanding the morality of self-fulfillment lies in seeing it in similar terms. He states that "people began to perceive life as a narrative, their own personal journey that unfolded during the time between their birth and death" (Rubin 2015, 136). Individuals can (and ultimately need to) choose moral principles to guide their lives on the basis of their personal experience and choices. Their choices might include embracing religion, but that embrace needs to be one chosen from within rather than imposed from without. In this context, religious expression, even when seen as an embrace of the one true God, could be truly authentic only if freely chosen by the fully mature autonomous self (Rubin 2015, 163, 304). America's greater religious tolerance, a principle identified with the morality of self-fulfillment (Rubin 2015, 194), thus, ironically, makes possible the strength of those who continue to fight for morality of higher purposes.

# 2. The Rise of "Mental Health"

Today, those in the United States most likely to still see themselves as religious are those who embrace traditionalist versus modernist values, and they still see themselves as searching for a "higher purpose," derived from without, that gives life meaning. The larger mystery is how those who embrace modernist values, and dismiss religious belief as dangerous or deluded, give meaning to their own lives. Rubin's answer is that the idea of self-fulfillment requires taking responsibility for the creation of one's self, as the product of a journey that the individual navigates over the course of a lifetime. This in turn requires the possibility of self-creationthat is, a way of seeing one's personal identity as the product of natural talents, parental influence, cultivation, and choice. Rubin argues that the critical shift in the development of such a worldview came from Sigmund Freud (Rubin 2015, 138). He acknowledges, of course, the modern rejection of Freud's work as inaccurate as a description of science and ineffective as a matter of therapy (Rubin 2015, 138). Instead, he argues that Freud's importance is his contribution to the belief that "people should shape their behavior so that they thrive and flourish in the here and now" rather than focusing on an afterlife (Rubin 2015, 139). That which advances good physical and mental health becomes a standard of behavior; one should seek to do today that which increases one's capacity and well-being in this world. Self-creation thus becomes the purpose of life. A higher purpose is no longer necessary or credible. Instead, as societies accept the notion that the decisions of parents, individuals, and the state combine to determine the possibilities for human flourishing, parents, individuals, and the state acquire an obligation to maximize such possibilities. Yet, even as Rubin recognizes that this morality of self-fulfillment includes duties, not just self-indulgence, it nonetheless entrusts to the individual and to collective democratic action the determination of just which possibilities are worth realizing. The result is a redefinition not just of the content of morality, but the nature of morality itself.

#### III. THE IDEA OF MORALITY

The biggest challenge Self, Soul, and Society faces is articulating what a moral system is. Rubin declines to define the word (Rubin 2015, 18), preferring instead to accept ordinary usage while noting that common understandings change over time. Moreover, he is right that the dictionary definition, which views morality as the determination of right and wrong, would not necessarily help. Instead, the problem involves recognition of different kinds of obligations as moral commands. Those who adhere to the morality of higher purposes tend to see the very idea of morality as rooted in clear, universal edicts: thou shalt not kill, honor thy father and thy mother. Perhaps as importantly, they see such commands as externally derived: God mandates, the Bible states, the just state legislates, or natural law ordains as a necessary response to the human condition. The existence of purportedly universal and unalterable principles means that everyone must adhere to them, and therefore they serve as an important component of equality before God and before the law. In addition, their status as fixed and externally derived provides a semblance of order, security, and certainty. As Rubin argues, identification with a religion that promises eternal salvation and with a country associated with the virtue (and often perceived superiority) of its citizens gives life meaning. The transition to a morality of self-fulfillment, while it promises freedom for some, is deeply threatening to others. It gives rise to fear that without clear, authoritative, and universal commands, society will dissolve, the individual will lose his bearings and succumb to self-indulgence, and life will lose its meaning.

Rubin explains that the morality of self-fulfillment can, in fact, perform the same functions as other moral systems; that is, it is a system of obligation that instills responsibility to act in ways that strengthen society. Explaining how the system works, however, is difficult because the morality of self-fulfillment and the morality of higher purposes operate in ways that are not exactly parallel. Three interrelated differences complicate the comparisons and contribute to the misunderstandings.

The first involves different constructions of public order and private obligation. The morality of higher purposes insists on adherence to shared conceptions of right and wrong in the public square, but the possibility of repentance and redemption in private. The morality of self-fulfillment, on the other hand, insists on tolerance and respect for different definitions of right and wrong in the public square, but self-discipline and responsibility in private. Public condemnation of same-sex intimacy, for example, changes from a means of enforcing shared moral standards to a violation of moral standards "equivalent to an assault" (Rubin 2015, 177) because it prevents the fulfillment of those who would choose same-sex partners. Similarly, domestic violence and child abuse change from private to public wrongs because they interfere with the equal status of women and children's potential for individual flourishing (Rubin 2015, 122, 234).

The second difference between the systems concerns different notions of individual integrity. Those who adhere to the morality of self-fulfillment insist that individuals settle on values by which to live their lives. While the individual has considerable freedom to choose so long as the choice does not intrude on others, a true adult, a responsible citizen, and person of integrity will have developed a life plan with a coherent normative core. The individual then has an obligation to attempt to live up to the ideals she has chosen for herself, and to refrain from imposing values on others. Within the new system, violating one's personal moral precepts is hypocrisy; within Christian morality, it is sin that requires atonement.

The third involves a different conception of the role of the state in assisting individuals to meet their moral obligations. In accordance with the morality of higher purposes, the state's most critical role is affirmation of the right values, which assists the individual in the struggle to live up to them. In contrast, the morality of self-fulfillment requires that the state assist each individual in acquiring the capacity to make mature, autonomous judgments about right and wrong. In one system, the state upholds the "correct" values; within the other, the state has no business imposing one set of values over another.

Addressing these differences in a convincing way is a huge challenge. Rubin describes the emerging morality of self-fulfillment with sagacity and insight. Yet, even for those who embrace the new system's promise of greater individual freedom and responsibility, there remains a question of how such a system can possibly work. That is, can a system that so entrusts responsibility to the individual for the construction of his own life in fact produce the social solidarity necessary for such a system to endure? Will it threaten the promise of equality in the process, as some succeed in realizing "self-fulfillment" to a greater degree than others? Does it depend on peace and prosperity, leaving it ill-equipped to deal with eras of terrorism and inequality? Rubin describes the morality of self-fulfillment as a work in progress. This next section maintains that whether the new system reaches its own potential depends, first, on the reconstruction of the relationship between public and private arenas of responsibility, and, second, on the societal commitment to provide the necessary means for human flourishing. Both are today under assault.

## A. The Reconstruction of Public and Private

The morality of self-fulfillment is a system that ultimately rests on public tolerance and private discipline. Its most critical public obligations are procedural (Rubin 2015, 177): a commitment to freedom of speech and religion and equal rights of political participation (Rubin 2015, 262). This commitment to tolerance and equality in the public square is necessary to the ability of each individual to choose for herself a life course that unfolds in the private sphere (Rubin 2015, 286). No external authority has or should have the power to impose any particular religious, political, or other view of the good life (Rubin 2015, 177). This means, however, that the substantive values associated with the state or community must remain open and subject to change in accordance with shifting individual views. In fact, tolerance appears to be among Americans' strongest commitments (albeit today with greater support from liberals than conservatives) (Wolfe 1999),<sup>13</sup> and Rubin finds that even religious observance has become reconciled more with

<sup>13.</sup> Since 1999, the support for tolerance has become more of a political marker, with liberals showing dramatically greater support for teaching tolerance than conservatives, who place greater emphasis on religious faith (Pew Research Center 2014).

commitments to tolerance than insistence on orthodoxy (Rubin 2015, 194). The harder part is explaining the nature of the corresponding notions of private discipline. The morality of self-fulfillment, while ultimately leaving values content to the individual, depends on a societal system that develops the individual capacity to reach such judgments, and that system starts with the family. Rubin is insightful in the degree to which he integrates his discussion of morality with both public policies and family functions, and sex, family formation, and childrearing have become important markers of differences between the two moral systems.

Discussion of Bristol Palin's pregnancy illustrates the way the two systems rely on different assumptions about the nature of public and private and the ways that their adherents talk past each other. In 2008, Republican presidential candidate John McCain chose Sarah Palin as his running mate. Not long after, Palin disclosed that her teenage daughter Bristol was pregnant. Bristol announced an engagement to the father of the child, Levi Johnston, but the couple parted ways without marrying. Bristol later become an advocate for abstinence-only approaches to teen sexuality, rather than sex education and comprehensive provision of contraception. In December 2015, she also gave birth to a second child with a different man, again after canceling an engagement to the father before the child's birth.

The responses in the liberal and conservative blogosphere illustrate contrasting views of the nature of morality. The blogs my coauthor and I followed in 2008 involved discussion by Democratic and Republic women. They were in agreement on two things: Bristol had no business becoming pregnant at 17, and there was no point in marrying Levi (Cahn and Carbone 2010, 41). The bloggers, then and now, disagreed about every-thing else. Their disagreements frame the cultural clash between the systems:

Sex: For adherents to the morality of higher purposes, sex is sacred. That is, it is divinely created for the purpose of procreation, and marriage is the institution that sanctifies the act and creates the circumstances suitable for childrearing. Sexual morality is therefore an appropriate subject for public regulation. For adherents to the morality of self-fulfillment on the other hand, sex is natural (Luker 2007, 99). That is, it is a naturally pleasurable act that should be responsibly managed to promote mutual satisfaction. Its acceptability between two consenting adults is a matter of private choice.

*Contraception*: For those who adhere to the morality of self-fulfillment, contraception is not only permissible, but morally compelled unless the adults are prepared to accept responsibility for the resulting child. Societies should accordingly ensure universal access. For those who see sex as sanctified by its connection to reproduction within marriage, advocacy of contraception undercuts the message that sex outside of marriage is intrinsically sinful. Accordingly, even if contraceptive use is permissible, there should be no public efforts to ensure availability for the unmarried.<sup>14</sup>

<sup>14.</sup> Religions vary substantially, however, on the acceptability of contraception itself and the vast majority of sexually women of all religions will use it at some point (Cahn and Carbone 2010). At the same time, however, contraception has become most effective when women begin to use it before they become sexually active, and doctors now prescribe the pill to girls going through puberty in order to control menstrual cramps, acne, and other hormonally sensitive symptoms. Half of women who use hormonal contraceptives now do so at least in part for reasons other than the prevention of pregnancy, and one-third of teens do so exclusively for such reasons (Guttmacher Institute 2011).

Abortion: Abortion goes to the heart of these differences and Justice Sandra Day O'Connor captured the way that the issue involves fundamentally different attitudes toward the relationship between sex, reproduction, and personal responsibility. She described the opposition to abortion as "based on such reverence for the wonder of creation that any pregnancy ought to be welcomed and carried to full term no matter how difficult it will be to provide for the child and ensure its well-being." Support for abortion, on the other hand, is based on the view "that the inability to provide for the nurture and care of the infant is a cruelty to the child and anguish to the parent" (*Planned Parenthood of S.E. Pa. v. Casey*, 505 U.S. 833, 852 [1992]). In accordance with the latter system, abortion can be not only an acceptable, but a morally superior, choice, whereas in accordance with the former, it is inconsistent with respect for human life and should not be sanctioned.<sup>15</sup>

Parental responsibility: Parents who embrace the morality of higher purposes seek to promote their children's ability to recognize right from wrong (i.e., no sex until marriage) and expect the community to reinforce these messages. Parents who adhere to the new morality, in contrast, "strive ... to enable their child to achieve that child's own desires in accordance with the concepts of self and its fulfillment" (Rubin 2015, 233). To organize the child's upbringing instead around some higher purpose, including "their family's honor, the salvation of their souls, or the good of the nation—is now regarded as profoundly immoral" (Rubin 2015, 233). In accordance with these precepts, a parent should raise children to make their own choices—about sexuality, contraception, and abortion—and equip them with the information necessary to make such choices meaningful (Rubin 2015, 235–36).

Given these differences, it understandable that those rooted in the different worldviews talk past each other. In the 2008 blogs, Republican women applauded the Palins' public support for Bristol's decision to have the child rather than an abortion. These women also supported Bristol's role as an abstinence spokesperson, at least after the first child's birth.<sup>16</sup> Indeed, even after her second pregnancy, a defender commented:

<sup>15.</sup> Abortion is also a complex issue in its own right. Rubin takes the position that given that the morality of self-fulfillment sees the value of life in terms of the construction of the self as "narrative existence, a continuous process that is shaped over time and guided by individual or personal choice," the fetus is merely "potential life" and not a full human being entitled to the same consideration as an older child or adult (Rubin 2015, 206). Rubin further justifies a decision to abort a severely disabled child on the grounds that such a child cannot live a fulfilling life. He nonetheless places his primary emphasis on the woman's self-fulfillment. For many women, however, the decision to abort is not merely part of a concern about the impact of the child on the woman's own life, taken in isolation. Instead, women often think about the decision to have children both as part of the life they want to create for themselves and any children they may ever have. Women who have had an abortion and later go on to have other children in better circumstances see the abortion as responsible for their ability to create their later families. This sense of private responsibility and discipline, a duty to create the best family one can, not merely the one that occurs accidentally, is central to the new morality, and it conflicts directly with religious views that see sex as inextricably linked to the possibility of procreation, and a child (from the moment of conception forward) as a gift from God that requires that the mother (along with the father) take full responsibility for the child's life (Rubin 2015, 97).

<sup>16.</sup> Bristol herself said that she was "ashamed" after the announcement of the second pregnancy and acknowledged that the news had been "a huge disappointment" to her family, friends, and admirers (Kaiser 2015). As this article was going to press, however, she announced that she had married the father of her second child.

The Christian experience so often means trying, failing, and repenting. We don't all fail in the same ways, but we all fail. Sometimes, we even fail to try. The grace of God gives us not just the humility to acknowledge failure and disappointment but also the resolve to face an uncertain or intimidating future. (French 2015)

In this analysis, Bristol is not a hypocrite. She accepts externally derived values and tries to live up to them. Doing so is difficult. When she fails, she repents and tries again, but she remains true, at least in her public statements, to continued belief in Christian teachings.

Democratic women, in contrast, viewed the Palins' actions in failing to equip their daughter to make responsible choices of her own as inexcusable, and Bristol's actions in becoming an abstinence spokesperson as both hypocritical and potentially harmful to other women's ability to make responsible choices on their own (Williams 2015). These women believed that Bristol had a right not to elect abortion (Thériault 2015); the problem was Bristol's failure to commit to a coherent life plan (one blogger called her "the biggest child in the family"). These differences involve the source of private discipline: the morality of higher purposes locates the source of moral behavior in community support for the right values, while the morality of self-fulfillment ties it to a high degree of parental investment that allows the child to develop and live up to a personal code.

These contrasting views of morality go to the core of the way we organize society. Rubin observes that the morality of self-fulfillment, while it encourages children to develop their own distinctive life plan, is consistent with the more intensive parenting associated with helicopter parents who carefully script their children's activities all the way through college graduation (Rubin 2015, 235–36). These parents seek to cushion their children from trauma and often from the consequences of poor choices (Rubin 2015, 233–35). Parents who escort their pregnant daughters to abortion clinics, however, are not just embracing the morality of selffulfillment; they are also contributing to the class divisions in US society.

What Rubin describes as the new approach to parenting, after all, places a high emphasis on parental investment, as children given greater freedom to choose their own life paths also need more supervision and guidance in navigating the process. The new parental roles are that of "coaches, tutors, planners and motivators" (Rubin 2015, 235). Christian and other religious parents, while they may perform the same roles, prefer to see their children embedded in communities that reinforce the right values, which the parents see as given, not chosen (Rubin 2015, 225). The increase in home-schooling has been a response to these developments. Not all parents, however, can marshal either the intensive cultivation the morality of selffulfillment seems to require or the home-schooling some parents adopt to insulate their children from divergent viewpoints. In a more economically unequal society, these shifts contribute to class-based inequality, which in turn increases the perception of working-class parents, who are more likely to favor the morality of higher purposes (Pew Research Center 2014), of societal decline. Yet, efforts such as abstinence-only sex education to shore up traditional values make matters worse. At their best, they delay the beginning of sexual activity for the most religious

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teens, but they also make it more likely that poorer or less motivated teens will have an unplanned pregnancy (Cahn and Carbone 2010, 43), which in turn increases the demands for stronger efforts to reaffirm the morality of higher purposes. While elites may choose schools and communities that affirm their own moral choices, the bottom half of society may be neither embedded in communities that enforce the morality of higher purposes, nor equipped with the resources that allow them to engage in the chosen life plans central to the morality of selffulfillment. This raises the question of whether the morality of self-fulfillment can fully take hold, particularly in societies characterized by greater inequality.

## B. The Recognition of Positive Rights

While Rubin eschews overly material or deterministic explanations of morality, he does emphasize the dynamic interaction between systems of governance and morality, and he sees the morality of self-fulfillment as a consequence of the greater ability of the state to meet basic human needs. The Industrial Revolution and the greater prosperity it brought have thus made possible a morality rooted in a search for personal expression and fulfillment (Rubin 2015, 114-15). He argues further that the new morality carries with it not just negative rights (both state and citizen have obligations not to interfere with the lives of others), but positive ones. In accordance with this account, Rubin argues that the state has an obligation to ensure that all its citizens enjoy access to the means to construct worthwhile lives (Rubin 2015, 278). His analysis also suggests, however, that the state's ability to deliver on such commitments may be a precondition to sustaining the morality of self-fulfillment as the dominant societal order. This may be true for at least two reasons. First, a certain level of material well-being and personal development is necessary to be able to meaningfully exercise the responsibilities implicit in the new morality. Second, to emphasize the importance of self-fulfillment without delivering the means to achieve it to the entire population is likely to undermine the society itself. These factors require considering the meaning of equality within the new order.

Self, Soul, and Society is unequivocal in linking positive rights to the idea of self-fulfillment. The whole point of modern welfare systems, which range from Medicaid to free compulsory public primary and secondary education to Social Security, is to allow individuals to pursue their life paths and fulfill themselves. Indeed, Rubin emphasizes that the "modern administrative state is *designed* to serve the needs of its citizens, including the basic material needs that every citizen requires, at a minimum, to pursue his or her chosen life path" (Rubin 2015, 278, emphasis added). The new morality thus involves a set of reciprocal obligations: the individual must seek to advance a life plan that involves development of one's personal commitments and capacities, and the state should ensure that each individual has at least the minimum means to do so. Rubin argues not just that these state benefits are entitlements, but that citizens have a moral obligation to support them and to vote for politicians who will do so (Rubin 2015, 279). While there can be legitimate differences about the best way to accomplish these objectives, Western societies, in Rubin's view, have reached the point where it is deemed immoral to allow "fellow citizens to starve, go homeless, sicken or die for lack of medical care, or remain uneducated" (Rubin 2015, 280).

Part of the justification for this obligation comes from notions of equality. The morality of higher purposes made citizens equal in their quest for salvation and their roles in contributing to state-identified higher purposes, even in steeply hierarchical societies. The modern state, by emphasizing the greater importance of self-fulfillment, must offer each citizen the opportunity to play a socially meaningful role. To do so, the state must engineer at least a measure of equality. Thus, when Rubin states that social benefits are a right, he emphasizes that the "articulated goal" of the modern state "is to empower the poor, not to glorify the rich" (Rubin 2015, 279). He observes further that:

When people condemn social welfare programs as redistributive rather than charitable, they are actually objecting that the articulated goals of these programs is to decrease social hierarchy, rather than re-enacting and thereby reinforcing it. When people oppose these programs because they are implemented by the articulated agencies of the administrative state, they are objecting to the character of modern government itself as a mechanism for achieving its citizens' collective goals. (Rubin 2015, 281)

These notions reflect the fact that the morality of self-fulfillment creates no foundation for passing judgment on others' objectives (Rubin 2015, 304); an individual does not necessarily become "unworthy" because he prefers not to work. They also acknowledge that it is impossible to deny aid to one person, without also affecting that person's children, parents, and others who may bear no culpability for the individual's failings. The refusal, for example, to provide medical care to an alcoholic with a damaged liver may, as a practical matter, shift the burden of care to the alcoholic's family, who may be already stretched thin, thus denying them the means to realize their own life plans. The ultimate justification, however, is a moral one, with "every member of the nation, by virtue of membership alone, … guaranteed his or her minimal material needs" (Rubin 2015, 282). This justification does not necessarily rest on the worthiness of the citizen, but with our collective sense that a just society cannot stand idly by when someone suffers because of a lack of resources the society could easily supply.

In a larger sense, however, societies built on the morality of self-fulfillment also depend on an educated, sophisticated, secure citizenry capable of contributing to the collective well-being (Rubin 2015, 285–86). These societies let go of higher purposes defined from without. They depend instead on citizens who are capable of forming their own coherent worldviews, and developing the capacities to be good citizens (Rubin 2015, 284). Societies that marginalize minorities, create glaring inequalities, and lock a high percentage of the population into poverty or prison cannot sustain a morality of self-fulfillment.

A recent Pew study, for example, found significant differences in the priorities of the better versus less educated in what they would teach their children. College graduates placed higher priority on "empathy, curiosity, tolerance and persistence."

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In comparison, those with no more than a high school education were more likely to emphasize "teaching children obedience, religious faith and being wellmannered" (Pew Research Center 2014). These differences overlap both with different levels of security (those who see their children as at risk may be inclined to emphasize obedience) and different moral systems (tolerance is clearly a central commitment of the morality of self-fulfillment, but not the morality of higher purposes). In addition, a different Pew study found that, in an era of growing inequality, wealth and income determined political participation, not just because of the influence of wealthy donors to political campaigns, but because the poor became less likely to vote at all or to feel that they influence events in their communities. The study concluded that:

Financial security is strongly correlated with nearly every measure of political engagement. For example, in 2014, almost all of the most financially secure Americans (94%) said they were registered to vote, while only about half (54%) of the least financially secure were registered. And although 2014 voting records are not yet available, pre-election estimates suggest that 63% of the most financially secure were "likely voters" last year, compared with just 20% of the least financially secure. (Pew Research Center 2015)

In a system in which the wealthy are much more likely to vote than the poor, it is harder to sustain the commitment to welfare benefits as entitlements.

While Rubin discusses opposition to the new morality (Rubin 2015, 8–14), he does not fully assess the nature of the coalition opposed to it. This coalition involves three groups, all of which favor more hierarchical values. Rubin does discuss the first group, the religious, and he ends the book with a discussion of the possibilities for the reinvention of Christianity (Rubin 2015, 294–414). Christianity certainly has a foundation that could lead to greater emphasis on tolerance (Rubin 2015, 304) and support for the poor and the powerless in society (Rubin 2015, 304, 314). Moreover, Rubin predicts that steady church opposition to the new morality, particularly on issues of sexuality, "condemns them to more defeats" (Rubin 2015, 300) and mainstream Protestant denominations have already embraced aspects of the new morality (Rubin 2015, 301). Nonetheless, he also recognizes that these mainline congregations are in decline, while "evangelical, charismatic, and fundamentalist churches that are adamantly opposed to self-fulfillment morality attract increasingly membership and support" (Rubin 2015, 301). Rubin does not really explain why, but Cahn and I have argued that part of what attracts these worshippers is a preference for hierarchy (the elect are better than the nonelect) and certainty (one's own religious beliefs are true and universal) (Cahn and Carbone 2010, 63). Principles of tolerance would allow those who crave the certainty of religious belief to continue their forms of worship, but deny the claims of universal truth used to justify imposition of these beliefs on others.

The second group are those motivated by in-group loyalty. In a footnote, Rubin acknowledges that some of the opposition to the administrative state's provision of social welfare benefits as a matter of entitlement may be "coded racism" (Rubin 2015, 322), but he does not discuss the issue more systematically, other than to note the new system's unequivocal moral commitment to racial equality in the new system. Yet, in 2012, the white South voted as a monolithic bloc, with 90 percent of whites voting Republican in some southern counties (Cohn 2014). Eighty-four percent of Republicans also favored greater restriction of immigration in comparison with about half of Democrats (Dugan 2015). Moreover, in the South and in states such as Utah, Idaho, Kansas, and Nebraska, monolithic white support for the Republican Party tends to overlap with heavily religious portions of the country—and with opposition to treating government benefits as entitlements (Chokski 2015).

The third group are the wealthy. Wealthy voters tend to be more conservative on economic issues, and more likely to oppose government spending on social programs (American Values Survey 2012; McElwee 2015). They also vary depending on where in the country they live, but as a group they tend to oppose the principle that the state has a moral obligation to provide for all its citizens. When Republican presidential candidate Mitt Romney referred disparagingly in 2012 to the "47 percent of the people who are dependent upon government, who believe that they are victims, who believe that the government has a responsibility to care for them, who believe that they are entitled to food, to housing, to you-name-it" (Rubin 2015, 14), he was speaking to a group of wealthy Republican donors.

The existence of these three groups is neither new nor surprising. The combination of the three groups in a single party has, however, made the clash between the different forms of morality a source of political division in the United States.

Moreover, greater inequality and a shrinking pie increases social divisions in ways that further undermine support for the morality of self-fulfillment. The successful, who have succeeded in the face of greater competition than their parents, become more inclined to believe that they have earned their success, and more committed to safeguard their earnings for the children (Parker 2012; Szalavitz 2013). Those in the middle, in turn, resent those a little farther down. *The New York Times* reported that:

The people in these communities who *are* voting Republican in larger proportions are those who are a notch or two up the economic ladder—the sheriff's deputy, the teacher, the highway worker, the motel clerk, the gas station owner and the coal miner. And their growing allegiance to the Republicans is, in part, a reaction against what they perceive, among those below them on the economic ladder, as a growing dependency on the safety net, the most visible manifestation of downward mobility in their declining towns. (MacGillis 2015)

Rubin, in emphasizing the "co-causal" relationships between governance and morality, tends to focus on the positive developments of the last two centuries. As societies have grown wealthier, and the capacity of the state has grown, the moral obligations to tolerate difference and secure the minimum basis for a meaningful life have also increased. But what happens when the state fails to deliver either equality or prosperity? The answer seems to be that the forces supporting the morality of higher purposes increase in strength. Yet, the policies they support are likely to further increase inequality, and perhaps further undermine prosperity and community solidarity—the very foundations for the morality of self-fulfillment.

*Soul, Self, and Society* repeatedly emphasizes the dynamic interaction between governance and notions of morality, but as the feudal example illustrates, the dynamic can produce vicious cycles as well as virtuous ones. Recognizing these interactions reinforces Rubin's conclusion that the morality of self-fulfillment necessarily entails a commitment to provide each citizen with at least the minimal requirements for human flourishing and to adopt measures that advance collective welfare. Yet, since the democratic state also necessarily acts in accordance with the wishes of its citizens, Rubin concludes that citizens have a moral obligation to vote for politicians who support public welfare programs (Rubin 2015, 260, 286). By these terms, anyone who voted for Ted Cruz (given his determination to eliminate public welfare programs), Donald Trump (given his statements on Latinos and Muslims), and perhaps the entire Republican field could be deemed immoral.

## CONCLUSION

Rubin has written an original and provocative book. Indeed, it is safe to say that there is no other account that argues for a "co-causal" link between the separation of the legislature from the executive and relaxation of the strictures against nonmarital sexuality. Yet, although the book covers enormous ground, it still feels incomplete.

A pervasive issue is the link between the individual and institutions more generally. Rubin suggests that during the feudal era all relationships were personal; institutions, including church and state, were relatively less important. By the end of the High Middle Ages, institutions had become central to individual identity, with membership in church, state, and family important to the perception of the individual's place in the Great Chain of Being. In the modern era, institutions seem to be once again declining in importance. The individual derives meaning from a personal life plan and its corresponding moral code. She can accordingly be expected to do the "right thing," without the commands of a God or the formal roles that come from marriage. Both religion and family become optional personal matters, rather than institutions that define status or obligation.

One would expect Rubin, in this context, to suggest that the nation-state, too, will give way, perhaps to a broader notion of global citizenship, with global obligations to ensure individual flourishing. He indeed cites the example of the European Union as "an epochal development in Western History and a distinctive product of modernity and its morality of self-fulfillment" (Rubin 2015, 256). Yet, he insists that it is an exception, and observes that national identities among EU members remain strong while the sense of identification with other countries if far more attenuated. This poses a challenge, however, to the entire analysis. Citizens in the new society depend on the efficacy of government in attending to their needs, and they acquire an obligation in turn to support the policies and contribute to the

communities that make self-fulfillment possible (Rubin 2015, 286). These reciprocal obligations become meaningless if we are all citizens of a world that does not yet have an effective global government. The notion of citizen responsibility would largely disappear and, in the process, it might undermine the new system Rubin is chronicling in the same way that the success of the Roman Empire ultimately undermined the sense of civic responsibility that existed in the Greek city-states. The idea of Europe, after all, is already under assault and one of the reasons is the German failure to identify with the Greeks, and British reluctance to be drawn into responsibility for what takes place on the Continent. One suspects, however, that Rubin would view the setbacks in Europe as temporary, in the same way that World War II, in demonstrating the horrors of nationalism, ultimately contributed to increased postwar support for the morality of selffulfillment.

In its conclusions, *Self, Soul, and Society* is a book about morality and about the remade sense of individual obligation. The obligations in the new system are subtle, as they come from individual commitments rather than publicly imposed precepts. Rubin does yeoman service in explaining them in moral terms, and any parent who has helped guide a teen into adulthood will recognize the notions that Rubin describes. Yet, the irony at the core of the book is that those who most thoroughly embrace his morality of self-fulfillment are also the most reluctant to publicly discuss the system in moral terms. Rubin has performed an important service in insisting on recognition of the system as imposing obligations as well as securing freedoms, and in reframing the discussion of the source and importance of these obligations.

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