

## THE CLASH WITHIN LIBERAL DEMOCRACY: ISRAEL, THE UNITED STATES, AND THE WEST

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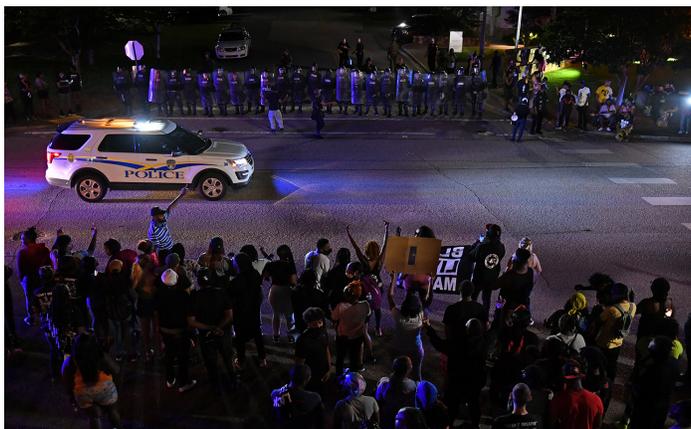
**To ease social animosities and heal political wounds, leaders and citizens in America and Israel must rededicate themselves to the principles of liberal democracy.**

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### I.

Different as they are, Israel and the United States suffer from similar forms of political discord, social fracture, cultural dislocation, and ideological distortion. Their struggles to maintain cohesion and order, moreover, are more than their own. They illuminate contemporary liberal democracy's discontents and underscore the need to renew appreciation throughout the West of the principles of freedom and democracy.



Police officers stand guard during a protest against police brutality in Rock Hill, South Carolina on June 24, 2021. *Peter Zay/Anadolu Agency via Getty Images.*

Israel is a small country of about 10 million in the Middle East. Located almost 6,000 miles away in North America, the United States is a global superpower with a population of some 330 million. Whereas Israel, not yet 75 years old, adopted a parliamentary system that operates without a formal constitution, the United States established a presidential system almost 250 years ago based on a popularly ratified written constitution. Israel faces a multiplicity of national-security threats in a region awash with authoritarianism. In contrast,

great oceans and peaceful democratic neighbors surround the United States even as it must project military power around the world and maintain readiness to fight simultaneously on multiple fronts in different regions to advance its interests—and those of peoples and nations around the world—in preserving a free and open international order. The world’s only country in which Jews are a majority, Israel is the nation-state of the Jewish people. By honoring its founding principles and constitutional imperatives, the United States has enabled its tiny Jewish minority—a little over 2 percent of the population—to flourish as has no previous Jewish minority.

Nevertheless, Israel and the United States share a common regime: both are liberal democracies. Their declarations of independence—one in 1948, one in 1776, and both presented to the world amid wars launched to crush the new nations—affirm the basic rights of all citizens and ground the legitimate exercise of government power in the consent of the governed. Both are also immigrant societies that, thanks in no small measure to their shared principles, have welcomed and conferred citizenship upon an extraordinary diversity and number of people—each relative to its size—from around the world.

At the moment, internal political divisions inflame both countries. For failure to form a stable governing coalition, Israel has conducted four bitterly contested elections in the last two years; the fragility of the unlikely governing coalition that recently assumed power could before long very well issue in a fifth. In 2016, with nearly 140 million total votes cast at the end of a vitriolic presidential campaign, Donald Trump defeated Hillary Clinton by a slender margin of just under 80,000 votes in three crucial states to become the 45th president of the United States. In 2020, the margin was thinner still. Out of about 160 million votes and with both sides even angrier than four years earlier, some 44,000 votes in three key states made the difference, resulting in Joe Biden’s election as president.

These political divisions reflect an increasingly unstable fault line splitting both countries. Many members of the progressive intellectual and political elite in Israel and the United States look down on the people—certainly that part of the middle class and those blue-collar workers who vote for conservative candidates—as jingoist, racist, and authoritarian. Meanwhile, a significant segment of the people—increasingly drawn to the conservative message—resent the elites’ casual scorn and intrusive policies. Prominent among the hotly contested issues that divide progressives and the people in both countries are immigration; the role of courts and the reach of government bureaucracy; and political correctness and its offshoots rooted in postmodern ideas about the social construction of knowledge and the prevalence within politics, law, and society of oppressive norms and institutions. As positions harden and enmities intensify, many on the left overlook the importance of preserving inherited institutions and learning from the wisdom of the past while many on the right neglect or denounce the universal claims deeply rooted in liberal democracy and the constant need to enact reform to meet the changing requirements of individual freedom and human equality. Both sides risk losing sight of the common ground on which citizens in liberal democracies can discuss their differences, cooperate and compete productively, and

compromise to advance the public interest.

## II.

According to my friend Gadi Taub, the acrimonious schism between the progressive elite and ordinary citizens within Israel and the United States stems from sociological circumstances that progressive elites exacerbate by promulgating ill-conceived political ideas and public policies. At stake, argues Taub, is the vitality of free and democratic nation-states. This is the central line of argument in his bold book, *The Rise of Antidemocratic Liberalism: Israel, the United States, and the West*, which was recently published in Hebrew (under the title *Nayyadim v'Nayyahim*, which literally means *Mobiles and Stationaries*) and, it is to be hoped, will expeditiously appear in English.

A columnist at the Israeli newspaper *Haaretz* and a senior lecturer in the School of Public Policy and the Department of Communications at the Hebrew University of Jerusalem, Taub concentrates on the forces roiling his own nation. At the same time, he is an unusually well-informed observer of the United States and Europe. This allows Taub, who holds a PhD in history from Rutgers University, to connect the clash in Israel between the progressive elite and the people to larger cultural shifts, ideological fashions, and political forces coursing through the West.

He recognizes the good intentions and high-minded aims that inspire many on the left, and he is well aware of extremist tendencies that take root on the right. But at this moment, he argues, neither the left's virtues nor the right's vices are decisive. His exploration of controversies in Israel about immigration, the judiciary and the administrative state, and political correctness and postmodern identity politics brings into focus the interests and ambitions, the moral certitudes and intellectual conceits, and the ulterior motives that give the political agenda of Israel's progressive elites its peculiar shape, purpose, and power. And not only the political agenda of Israel's progressive elites. Taub's critique of the antidemocratic and illiberal tendencies infusing progressive ideas and driving progressive politics in Israel illuminates an internal peril shaking liberal democracy throughout the West.

The traditional distinction between right and left, Taub maintains, does not adequately capture the two camps into which citizens in Israel and other liberal democracies increasingly organize themselves. Israel's Mizrahi Jews, who have tended to embrace tradition and obtain fewer advanced degrees, have been voting for the Likud since the 1970s. In the United States over the past few decades, more and more blue-collar workers—who for many years gave the lion's share of their support to Democrats determined to expand the social safety net and increase government regulation of the economy—gravitated to the right. Meanwhile, as many Republicans raised objections to unrestricted trade and uncontrolled borders, wealthy entrepreneurs, financiers, and leaders of large corporations shifted their allegiance to the

Democrats.

To understand these developments, Taub calls attention to a key sociological factor: people's relation to their location. Building on the Polish-born sociologist Zygmunt Bauman's *Globalization: The Human Consequences*, and especially British journalist David Goodhart's *The Road to Somewhere*, which explores the "anywheres" and the "somewheres," Taub connects moral and political views to the kinds of work people do and to the sorts of associations and communities to which they belong. Members of the progressive elite frequently hold jobs—involving researching, analyzing, writing, designing, and advising—which, thanks to the invention of the Internet, laptops, and smartphones, they can do as easily from home as at the office and often as efficiently abroad as in their own land. This puts them in regular contact with colleagues and friends who live in other regions of their country and in other nations. Such individuals—typically well-educated, engaged in remunerative professions, and accustomed to traveling abroad for work and pleasure—are Taub's "mobiles." They tend to share a sensibility with, and develop strong connections to, peers in other places, who, as they do, usually reside in major cities and in the prosperous suburbs that ring them. The mobiles' sympathies are not merely internationalist in orientation. They tend to view transnational government and international organizations as the final arbiters of questions about human rights and war and peace. Because of their mobility, Taub argues, elite progressives tend to be "globalists."

Meanwhile, blue-collar families and many members of the middle class hold jobs—in the service industries, in small businesses, in skilled labor—that are rooted in a fixed geographical place and a local community. These are, in Taub's parlance, "stationaries." They typically take pride in the nation-state in which they are citizens. They see in the laws of the land an expression of their sense of self, they cherish the feeling of belonging to a particular people, and they desire to live under a government that serves their interests and reflects their judgment. They are not opposed to human rights, cooperation among nation-states through international organizations, and the maintenance of a free and open international order. But they insist that their government's first responsibility is to secure its citizens' rights, including their human rights. Because of their stationariness, they are disposed to be, Taub argues, "patriots."

Taub stresses that his categories involve generalizations rather than iron-clad laws. He notes, for example, that though a mobile from the sociological point of view, he stands with the stationaries.

Given the progressive elite's global bent and many ordinary voters' concentration on their local community and country, controversy has intensified around the question of nationalism and the locus of sovereignty. Members of the progressive elite frequently regard nationalism as an atavism, a form of tribalism that encourages bigotry toward domestic minorities and contempt for foreigners. Better, mobiles generally believe, to bring their own nations under rules and institutions developed and administered by their counterparts around the world who share their progressive priorities. With their advanced education and refined tastes, Taub

explains, elite progressives tell themselves that they are destined to manage a “global village” in which money, goods, and people freely circulate; national differences give way to appreciation for both common humanity and the subnational identities now in vogue based on race, ethnicity, gender, and sexual orientation; and international bodies authoritatively interpret and fairly enforce universal human rights.

Stationaries, Taub maintains, rightly see in this utopian vision a dystopian reality. Based not merely on speculation about what the future holds but on painful experience in the here and now, many ordinary citizens fear that faraway and democratically unaccountable bureaucrats and judges will continue to promulgate one-size-fits-all norms and rules that dissolve borders, delegitimize their aspirations to govern themselves, and confine the set of permissible opinions to those prescribed by the progressive agenda. Global elites’ pursuit of a narrow conception of justice, stationaries suspect, will unjustly undermine the local attachments that enrich their lives.

The contest over the nation-state and the sovereignty of citizens unfolding throughout the West, Taub emphasizes, reflects a still deeper dispute. While proud to denounce nationalism, progressive elites insist on their fidelity to democracy. But they drastically redefine democracy to align it with their antinationalist—indeed, antidemocratic—opinions.

How so? Officially, progressives retain the traditional and common-sense understanding that democracy means rule of the people. In practice, though, they betray a tendency to reject the traditional and common-sense view that voting gives expression to the will of the people. Members of the progressive elite frequently subscribe to the idea—which they obscure in sonorous rhetoric or arcane theorizing—that the people’s true and decisive will is best captured by conclusions about what is just and good reached through carefully confined deliberations and secretive procedures conducted by judges and bureaucrats with the assistance of professors and other highly credentialed experts. This converts democracy into an inveterate foe of nationalism and renders it indistinguishable from rule by the elite.

Progressive mobiles, Taub shows, remove decisions from voters’ purview in a variety of ways. They vilify public policies that only yesterday were accepted as part and parcel of good liberal and democratic governance. They shift power from democratic majorities to unelected judges and unaccountable bureaucrats at home and to the even more remote judges presiding in international courts and bureaucrats managing international organizations. And they make onerous laws and enforce authoritarian norms for the regulation of speech and for the punishment of those who dissent from—and even those who decline to affirm—progressive orthodoxy. By these means, progressive elites have weakened national sovereignty and eroded democratic self-government. The resurgence of nationalism within liberal democracies stems in significant measure, contends Taub, from the people’s determination to restore democratic accountability.

Taub gives the name “antidemocratic liberalism” to the enterprise by which progressive elites impose—often against the wishes of majorities, and by public opinion and public shaming as

well as by law—a single, unified scheme of governance that attenuates local control in favor of supervision and planning by bureaucracies and courts.

His analysis suggests that progressive elites' enterprise is illiberal as well as antidemocratic. In the name of emancipating individuals from the shackles of nation and tradition, they restrict the legitimate choices open to the people, besmirching ways of life that embrace inherited understandings of virtue, duty, and human flourishing. The enjoyment and maintenance of freedom, however, depend on citizens who exercise basic moral virtues; recognize the obligation to respect the rights of others; and take responsibility for the well-being of not only themselves but also their families, communities, and countries. Consequently, the progressive attack on freedom impairs liberal democracy's ability to preserve itself. Taub's analysis leads to the counterintuitive conclusion that progressive elites' assault on nationalism threatens the future of free and democratic nation-states by undercutting the virtues that preserve liberty and self-government.

### **III.**

Consider some prominent cases in which Israel's elites have exhibited antidemocratic and illiberal propensities.

One such, Taub reports, involves the debate over African migration. The question for Taub is not whether immigration is valuable: openness to immigration has been a defining feature of Israel as well as the United States and immigrants have made and are making vital contributions in both countries. Taub's contention, rather, is that immigration should be subject to the rule of law and democratic self-government.

In the mid-2000s, significant numbers of Sudanese and Eritreans—disproportionately young men—undertook the arduous journey through Egypt's rugged Sinai Peninsula to cross Israel's southwestern border without documents or permission. By 2012, the migrants numbered some 55,000. Israel's progressive elite—very much including the media, the courts, professors, and civil-society organizations receiving foreign funding—insisted on the state's obligation to provide indefinite support for the undocumented workers. The same elite enthusiastically welcomed the dubious ruling of the United Nations high commissioner for refugees holding that international law defined these African migrants as refugees seeking asylum rather than workers in pursuit of higher wages. The ruling also barred Israel from deporting them to their home countries.

But for all the elite dedication to permitting these immigrants to stay in Israel, Taub observes, it was the lower-middle-class residents of south Tel Aviv who paid the price. The large concentration of undocumented migrants in their neighborhood brought instability and crime, even as few migrants could be seen in the upscale areas of Tel Aviv in which members

of the progressive elite resided. While ceding control over other people's neighborhoods and over the nation's borders to activist domestic courts and international organizations, elite progressives dismissed as expressions of xenophobia, racism, and home-grown fascism the objections of fellow citizens who bore the brunt of controversial human-rights rulings.

The debate over immigration in Israel, according to Taub, crystalizes a controversy that also rages in the United States and Europe:

Immigration policy is the litmus test for the ideological struggle underway throughout the West between the global elites and their rivals among majorities—citizens rooted in nation-states. In practice, the meaning of free migration is the nullification of citizens' right to determine their borders—the borders of the nation's cultural identity, demography, and geography. Without these three borders, the nation-state loses its sovereignty.

Consequently, immigration policy today deals with a good deal more than the claim of individuals or specific groups to take up residence in a country in which they lack citizenship. Immigration represents a key front in the conflict over the contours of free and democratic nation-states.

A second prime example in Israel of elite progressives' antidemocratic and illiberal ambitions, argues Taub, can be found in the conduct of the courts, especially Israel's [Supreme Court](#). Taub does not doubt that courts have an indispensable role to play in liberal democracies. His argument is that they make that essential contribution not by imposing from the bench their vision of a just society but by issuing judgments based on the laws duly enacted by the people's elected representatives.

Under the leadership of Aharon Barak, who served on the Supreme Court from 1978-2006 and as the court's president from 1995-2006, the justices developed a [theory](#) of judicial review—the practice by which courts invalidate government action as contrary to the supreme law of the land—that transferred power from the people and the legislature to the court itself. By aggressively expanding, without any clear warrant in written law, the scope of the court's authority, Barak and his followers brought under judicial supervision more and more political decisions that, in Taub's judgment, should be resolved in Israel's democratically elected Knesset.

He emphasizes that “the juridification of politics” (*ha-mishpatizatsiah shel ha-politikah*) is by no means confined to the courts. The administrative state, which has grown prodigiously throughout the West, also serves the technocratic dream of replacing the messiness, uncertainties, and frequently conservative outcomes of democratic politics with bureaucrats' enlightened professionalism and judges' refined moral judgment. But in Israel, Barak and the high court undertook the most prominent—and most openly and fully articulated—effort to bring democratic politics under elite control.

Barak's theory, which transforms manifestly political questions and policy issues into matters for judicial resolution, will be familiar to students of mainstream American legal theory in general, and of the writings of the late Ronald Dworkin in particular. Typically translated into English as "substantive democracy" (*demokratiyah mahutit*), Barak's core concept might also be rendered "essential democracy." Like the American legal doctrine of "substantive due process" that it echoes, and similar to the academic political theory known as "deliberative democracy"—along with myriad variants over the last 250 years on the Swiss political philosopher Jean-Jacques Rousseau's "general will"—Barak's "substantive democracy" purports to find in abstract ideas specific rights, concrete obligations, and precise answers to vexing public-policy debates. His writings furnish a classic example of the conceptual sleight of hand by which intellectuals conflate democracy and progressive morality. The recurring deception involves arguing that the deep and just meaning of rule of the people is rule of the elite in the name of the people.

In the 1990s, in what came to be known as Israel's "constitutional revolution," Barak and his colleagues established the court's legal authority to strike down Knesset legislation and acts of the government that they deemed contrary to democracy's essential requirements. At the center of the revolution are two "Basic Laws" enacted by the Knesset, one protecting human dignity and liberty and the other freedom of occupation (in the sense of work and employment). Neither Basic Law mentions judicial review or the courts. Yet the court found in them authority to wield the questionable legal theory of "substantive democracy." Based on this self-authorization, Barak and the Supreme Court, under the cover of dispassionate judicial reasoning, consistently took the elite's side in the perennial contest within liberal democracy between progressive and conservative interpretations of the political imperatives of individual freedom and human equality. In particular, argues Taub, the court decisively favored the progressive determination to demote the legal status of Israel's character as the nation-state of the Jewish people.

Beyond the redefinition of democracy as elite judgment about what is best for the people and the assumption by the court of sweeping powers of judicial review, Barak led the way in developing several ancillary jurisprudential doctrines that take political decision-making out of the people's hands and place it in those of the judges. First, Barak went so far as to assert that "everything is justiciable" (*hakol shafit*). This means that in principle all political disputes—regardless of whether a concrete provision of law is implicated—are subject to the court's final and binding resolution. Second, the court adopted the position that everyone—not merely those directly injured—has standing to bring challenges to government action. Third, the court reconfigured the standard of review called "reasonableness." The familiar version states that a statute or action need not be wise or even adequate in all respects to pass judicial muster but rather must only be plausibly connected to a legitimate government end. In contrast, the Israeli Supreme Court has adopted a supercharged understanding of the doctrine, according to which judges will only hold a law or action to be reasonable if it comports with their beliefs about the dictates of democratic morality. Fourth, Barak and his colleagues altered the meaning of the familiar test of "proportionality." Typically signifying a

proper balance of competing legal requirements, the Israeli Supreme Court invokes it to pass judgment on the legitimacy of the legal requirements themselves. Fifth, Israeli Supreme Court doctrine breaks with traditional jurisprudence by maintaining that in considering legislators' intentions, judges should look beyond Knesset members' actual views to those it would have been worthy or appropriate for them to have had in mind in view of changing circumstances.

By means of these self-aggrandizing judicial doctrines, Israel's Supreme Court arrogated to itself the power to render decisions based not on what the law is but on what judges believe it ought to be. It turns out that what the law ought to be, in the court's view, is—with the significant exception of its acceptance in principle of the *legal* legitimacy of military rule in the West Bank (as it is usually called by the mobiles) and Judea and Samaria (as the stationaries tend to call it)—thoroughly progressive.

To cloak the power grab, Barak's theory proclaims that judicial interventions in the name of "substantive democracy"—concerning such politically freighted matters as elections, borders, and even war and peace—are not only not antidemocratic but indeed are democracy's most authentic expression. However, to characterize the overruling of popular majorities in favor of progressive outcomes as mandated by democratic imperatives is an abuse of language. It obscures that the very purpose of an independent judiciary within a liberal democracy is to check majority power by vindicating basic rights. At the same time, while posing as democracy's most sedulous advocates, Barak and his colleagues greatly diminish the majority's legitimate prerogatives by dissolving a crucial limit on judicial power, which is a judge's obligation to rule in accordance with the law as it is written and understood by legislators and those who elected them.

In addition to the enfeeblement of laws governing immigration and the far-reaching expansion of judicial power, a third crucial effort in the progressive campaign to circumscribe free and democratic politics, according to Taub, can be found in the regulation of thought and speech. Taub understands that ideas and words can be erroneous and harmful. But there are larger considerations, he insists. His claim is that government's collaboration with dominant organs of commerce and culture to impose a single acceptable set of moral judgments and policy preferences on all citizens subverts individual freedom and democratic self-government.

In Israel as in the United States, multiculturalism and identity politics, undergirded by the strange brew of contradictory claims called postmodernism, join forces to define and implement "political correctness." The closely related notions of "intersectionality," "cancel culture," and "wokeness" are of relatively recent vintage. Intersectionality goes beyond the censoriousness of political correctness to promulgate a sweeping doctrine that teaches that society should be hierarchically organized, with privileges and rights accorded in proportion to the number of historically discriminated-against groups in which one can claim membership. Cancel culture refers to the beliefs and practices of those who have internalized political correctness and enforce its dictates by purging from public life those who violate them. Wokeness denotes the enforcers' self-proclaimed spiritual elevation.

The specialized language is of less importance than the scope of the ambition to impose orthodox opinions on all citizens. In the United States, universities incubated politically correct ideas; K-12 education incorporated them into the curriculum; and now the establishment media, the entertainment industry, CEOs and corporate human-resources offices, and the federal bureaucracy—not least the Departments of Defense, State, Treasury, Justice, and Education as well as the Federal Reserve—promulgate them. These influential institutions—public and private—equate legitimate opinions with those cherished by elite progressives; subject expression to extensive monitoring, supervision, and regulation; and shame, silence, fire, and expel from respectable social circles those who violate the new mandates. This assault on the liberty of thought and discussion not only imperils democracy, national self-rule, and citizens' rights. It also, as Taub argues in a brief and moving final chapter, undermines the very ability of individuals to think for themselves, exercise imagination, cultivate friendships, and give and receive love.

As with Barak's "substantive democracy," multiculturalism and identity politics are not what they first seem. The one claims to respect the variety of cultures, the other the variety of identities. Like much that is undertaken in the name of diversity, equality, and inclusion, however, both entrench sameness of opinion; allocate privileges and distribute rights based on race, ethnicity, and gender; and exclude nonconforming attitudes, opinions, and individuals.

Consequently, multiculturalism and identity politics conflict with the fundamental freedoms and basic rights in which liberal democracy is rooted. The modern tradition of freedom proclaims all human beings equal in respect of rights and, while acknowledging the unfinished work, it points with pride to liberal democracies' great strides in living up to the promise of equality in freedom. In contrast, multiculturalism sees Western civilization as morally inferior, guilty of unique and persistent injustice, and in need of extreme revision. The modern tradition of freedom also teaches that while the variegated traditions, cultures, and associations that form our identities are vital features of the democratic mosaic, we encounter one another in public life in the first place as equal citizens in a joint enterprise of securing freedom. Identity politics proceeds in the opposite direction. It divides people into tribes, some of which, it decrees, deserve scorn and stigma and others of which merit special treatment and exceptional prerogatives.

The postmodern sensibility that energizes multiculturalism and identity politics is not only antidemocratic and illiberal; it is also incoherent. It simultaneously relies on far-reaching objective claims about morality and society while rejecting objectivity as a myth. For example, it embraces the Marxist dogma that society is divided into two classes: the "oppressors" and the "oppressed." At the same time, it is inclined to treat as beyond dispute the opinion with which the 19th-century German philosopher Friedrich Nietzsche experimented and his name has come to be associated: morality is a purely human invention, and the truth is not discovered using reason but rather is an artifact that people create, knowingly or not, to advance their interests.

The contradiction between the confidence with which it insists on its own correctness and the certitude with which it asserts the impossibility of objectivity does not much trouble proponents of multiculturalism and identity politics because they wield both the dogmatism and the relativism for tactical purposes. To delegitimize the major institutions of liberal democracy, they sometimes argue that the regime is built on pervasive and indisputable injustice. At other times, also in line with postmodern guidelines, they maintain that the regime's claims to authority should be disregarded because the truth, including the truth about justice, is socially constructed. Either way, the postmodern sensibility, which boasts of its capacious outlook and emancipation from convention and prejudice, brooks no dissent.

Postmodern thinking embraces the 20th-century French theorist Michel Foucault's radical dictum, "we are subjected to the production of truth through power, and we cannot exercise power except through production of truth." But only when it is convenient. In theory, it follows, as Nietzsche recognized, that if nothing is true, then everything is permitted. In practice, Foucault's reduction of truth to power means for multiculturalists and proponents of identity politics that only that which advances their interests and aims is permitted. So they insist that inherited traditions and established claims are arbitrary and devoid of authority. Yet in the name of freeing us from unchosen beliefs and obligations, they entrench—independent of the facts and beyond question—their preferred narratives. In this way, they turn the tables, subjecting the historic oppressors to the will of the historically oppressed. This confirms that their goal, in keeping with Foucault, is not justice but power.

Postmodern progressives have employed to great effect the equation of truth with power to undermine traditional and common-sense claims about morality and politics. But they have been slow to notice that the sinister equation also undercuts the authority of international law and of universal human rights, which purport to reflect objective and necessary truths. Moreover, by effectively reducing the practice of common decency, the pursuit of excellence, the honoring of duty, the art of friendship, and the cultivation of love to deceptive quests for power, postmodernism diminishes the human spirit. No good can come of turning all of life into a collision of arbitrary wills and a contest of groundless narratives.

#### **IV.**

Leading defenders of the nation-state and prominent critics of liberal democracy argue that liberalism in the large sense—the modern tradition of freedom that encompasses such philosophers and writers as not only Locke, Kant, and Mill but also Madison, Burke, and Tocqueville—is the implacable enemy of tradition, community, and the nation-state because of the radical individualism to which it is supposedly committed. Taub, however, understands that in the modern world liberty and democracy are bound together. Individual freedom is most secure when the people take responsibility for themselves, their families, and their

communities by engaging in self-government, and the people can only truly give their consent when government secures their fundamental freedoms and basic rights. Moreover, Taub appreciates that respect for individual rights is a constitutive part of the Israeli political tradition as well as of the American political tradition. And he is not so much a critic of universal rights and international organizations as he is an opponent of the progressive view that international bodies are the primary and authoritative interpreters of states' obligations to their citizens.

Nevertheless, joining contemporary conservative critics of the modern tradition of freedom, Taub takes a counterproductive swipe at the English philosopher John Locke, one of that tradition's founding fathers. Nothing in Locke's social-contract theory, Taub writes, "leads to a justification of national borders—not geographical borders of the state and not cultural borders for the collective." This is a common but erroneous reading of Locke among his recent detractors. In fact, along with the classical liberal tradition as a whole and the political theory that underlies the American constitutional order, Locke teaches in the *Second Treatise* that fundamental rights shared equally by all human beings are properly secured by distinctive groups of people living in their own well-defined political orders and maintaining a limited government rooted in the consent of the governed. Because it is limited by its principal task, which is securing rights, such government allows for considerable variation in political institutions, culture, and civil society, and provides plenty of room for individuals, families, and communities to live their lives as they think best. Within the framework of equal fundamental rights and limited government, moreover, peoples and nations may democratically adopt laws that establish defensible geographic borders, reflect national traditions, and recognize official languages.

One consequence is that some members of minorities within a liberal democracy will not identify as closely with the state's symbols and public culture as most members of the majority. Some members of the minority may experience the divergence between their identity and that of the national majority as a hardship, a source of disappointment, or even a reason for emigrating. But no betrayal of liberal democracy's principles and promises is involved. Even as it provides all citizens the fundamental right to *pursue* happiness, liberal democracy does not aim to ensure anybody's comprehensive sense of well-being and wholeness. The right to have one's identity reflected in official celebrations and rituals, moreover, is not among the core set of equal rights that liberal democracy guarantees to all citizens. At the same time, the right of self-determination—that is, the right of the majority to preserve its national identity and inscribe it in public culture—derives from the right of individuals to join together to form particular societies.

Universal human rights do not imply, and Locke did not understand them to imply, universal government. To the contrary. In his view, the people who establish a particular government and who have consented—explicitly or implicitly—to live under its laws have the right and the responsibility to interpret universal rights and determine their application within the boundaries of their polity. On no reasonable understanding of consent can citizens of nation-

states be assumed to have agreed to be bound by rulings of distant international bodies based on abstract norms discerned by remote, unelected, and unrepresentative bureaucrats and judges. Formal treaties entered into by nation-states' elected representatives are another matter. When prudently crafted and properly ratified, they represent legitimate and welcome instruments for promoting a rules-based international order that is friendly to free and democratic nation-states.

Accordingly, from a Lockean point of view, a free, democratic, and Jewish state is a coherent and just enterprise. From a Jewish point of view, Israel is a breathtaking achievement and a sublime blessing. From a practical point of view, the nation-state of the Jewish people confronts—as there was always every reason to expect—an unending challenge of balancing conflicting interests, principles, and aspirations.

## V.

In the summer of 1989, just a few months before the Berlin Wall came crashing down, Francis Fukuyama—then deputy director of the State Department's Policy Planning Staff—speculated in an essay in the *National Interest* that would soon reverberate around the world that the apparent worldwide emergence of liberal democracy as the regime of choice for all human beings heralded “the end of history.” In 1993, Harvard University's Professor Samuel Huntington argued in an article in *Foreign Affairs* that created a comparable stir in the United States and abroad that 21st-century world order would be characterized not by global peace and prosperity rooted in the universal recognition of individual freedom and human equality as Fukuyama envisaged but rather by “a clash of civilizations.” Penetrating and influential as their reflections were, both Fukuyama and Huntington might have missed this century's defining feature. Notwithstanding the scope and urgency of the challenge presented by the Chinese Communist Party to free and democratic nation-states, the most fateful element of geopolitics in the 21st century and “the real clash of civilizations” may well be—as the Swarthmore College professor James Kurth observed in 1994 in the *National Interest* in prompt response to Huntington's article but in an essay that attracted relatively little attention—the clash *within* Western civilization.

Progressive elites and the people increasingly clash within liberal democracies throughout the West. Contrary to their self-image—and the narratives they are well-positioned to propagate because of their domination of educational institutions, media outlets and digital platforms, entertainment, and government bureaucracies—progressives have been the aggressors. By enlarging centralized bureaucracies, expanding the power of courts, policing language and thought, and conferring greater authority on international organizations' interpretations of international law and human rights, they have curtailed the sovereignty and democratic self-government of free nation-states. This has provoked a formidable countermovement. In

Israel, the United States, and throughout the West, many ordinary people, who are rooted in their communities and proud of their countries, seek to regain control over their borders, reverse judicial and administrative encroachments on democratic politics, and fend off the imperious postmodern strictures of multiculturalism and identity politics.

Conflict and competition can be constructive. Liberal democracy depends on effectively channeling them to the benefit of all. But the principal product of the contemporary clash within the West is hatred—on the left for the right and, in response, on the right for the left.

The failure of the progressive elite is the more egregious. Many progressives despise ordinary people for their refusal to submit to elite norms and dictates. In contrast, the people's hatred for the elite is to a significant extent a reaction against progressive determination to control them.

Nevertheless, both camps—and the nations that they jointly constitute—pay a high cost for the hatred they indulge. Their mutually reinforcing hatreds prevent elites and ordinary citizens from seeing their own errors and excesses as well as the humanity in, and the portion of truth revealed by, the other.

Liberal democracy needs a party that concentrates on conserving what is best in inherited beliefs and practices. It also needs a party that, in the name of standards all human beings can share, specializes in making progress in reforming existing institutions. And, particularly urgent now, liberal democracy needs both parties to appreciate the other's vital contribution.

To ease the animosities, mend the divisions, and heal the wounds, leaders and citizens in the United States and in the Jewish state—and in liberal democracies throughout the West—must reacquaint themselves with, and rededicate themselves to, the principles of liberal democracy. Self-government in and through a sovereign nation-state is the best means known to humanity for securing individual freedom. Securing individual freedom for all citizens is the most reliable and just basis on which nations and peoples can preserve, and give political expression to, their distinctive traditions, language, and sense of shared destiny. And free and sovereign nation-states provide the most solid foundation for a rules-based international order that serves the interests of individual freedom, the diversity of peoples, and the dignity of all.